



SHIRE OF JERRAMUNGUP

ORDINARY COUNCIL MEETING

**Held at the DFES Shed
35 John Street, Bremer Bay
Wednesday, 19 December 2018**

MINUTES

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Shire of Jerramungup
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Ordinary Meeting of Council
Wednesday 19 December 2018

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ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 8:31am 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 Bill Bailey	Councillor
Cr Rex Parsons	Councillor
Cr Bruce Trevaskis	Councillor
Cr Julie Leenhouders	Councillor
Cr Andrew Price	Councillor

STAFF:

Martin Cuthbert	Chief Executive Officer
Charmaine Solomon	Deputy Chief Executive Officer
Murray Flett	Manager of Works
Craig Pursey	Manager of Development
Sophie Pocock	Development Administration Officer
Janna Cheshire	Building Surveyor/Environmental Health Officer

VISITORS:

Nil

GALLERY:

Danae Witherow	David Harder
Andrew Rodgers	Ryan Sidebottom
Veronica Thomas	Isaac White
Mel Joy	Sylvia Gale
Greg Wilson	

2.2 APOLOGIES

Nil

2.3 APPROVED LEAVE OF ABSENCE

Nil

2.4 ABSENT

Nil

2.5 DISCLOSURE OF INTERESTS

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

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

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS

Nil

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

Nil

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

Cr Iffla declared an impartiality interest in item 12.1 – Australia Day Awards. The nature of the interest is that one nominee is a family relative.

Charmaine Solomon declared an impartiality interest in item 12.1 – Australia Day Awards. The nature of the interest is that one nominee is a family relative.

Cr Parsons declared an impartiality interest in item 9.3.2 Proposed Food Van. The nature of the interest is that he is a Lessee of the Bremer Bay Caravan Park which has a food van located onsite.

Craig Pursey declared an impartiality interest in item 9.3.2 Proposed Food Van. The nature of the interest is that the Bremer Bay Sports Club Committee have lodged a submission relating to the proposed food van, Craig Pursey is a member of the Bremer Bay Sports Club Committee.

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION: OC011218

MOVED: Cr Iffla

SECONDED: Cr Parsons

That Cr Robert Lester be granted Leave of Absence from the Ordinary Council Meeting to be held on 20 February 2019.

CARRIED: 7/0

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.

Nil

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

Andy Rodgers and Denae Witherow expressed their support and views on the proposed food van as the owners of the Bremer Bay General Store;

- They receive multiple questions from repeat travellers asking for new options on places to eat in town.
- Andy Rodgers believes there is a high demand and positivity from the public for the proposed food van, he believes public view might not be properly represented.
- The proposed business intends to buy local, owner lives and shops locally.
- Bremer is growing and we need to embrace new businesses, Andy noted that the opening of the Bremer Pharmacy meant they were unable to stock pharmaceutical supplies and the shop took a \$21,000 hit annually due to the pharmacy opening in Bremer Bay however the store embraced the new business in town.
- They believe it will be a good experience for those using skate park, easily accessible without moving children. Some of the negative comments regarding operating at night are not relevant, people are already drinking at 3pm, antisocial behaviour is already in place. People drinking at the skate park needs to be addressed by the Shire now.
- Rubbish will be cleaned up by the proposed business, local businesses are already cleaning up the rubbish left lying around.
- Food van won't encourage more bad behaviour as it is already there. Positive for tourists and can service.

Ryan Sidebottom the applicant for the proposed food van commented further in support of the proposed business;

- The food van is being proposed to operate from the Skate park as no one else is currently operating from there and it is an under utilised area.
- The food van is ready and operational it has a fryer, kebab skewer, hot plates.
- He is a fully qualified chef and wants to offer wider range of food, Ryan intends to purchase food locally, he will purchase local fish from the local fish shop and vegetables from the local store.
- Ryan is applying for a cinema licence, the screen is to be located at the back of the food van, movies will be free and it will provide something new for the community.
- Ryan is eventually wanting to cater for functions and possible long lunches in various locations, attend events and markets in his food van, he intends on one day running his own kitchen.
- Ryan commented that currently no one is watching the Skate Park, he would contact police if he witnesses any bad behaviour, and he will ensure the area is left clean and will provide his own bins and take the waste to the Bremer transfer station.
- Ryan will not require power to the van as it is fully self sufficient.
- Ryan intends to operate at night when no other food is being offered in town, hours of operation will be from 8.30pm to midnight.
- Ryan's family fully intends to invest in the area once they have a base to operate from, food van is the first step. Bremer is growing, want to do better.
- Other food van in town only has one style of food, Ryan intends to offer multiple options.

Melissa Joy expressed her views on the proposed food van application as the Director of the Bremer Bay Resort;

- The public submission period was rushed, there should have been adequate time provided to businesses to allow them to provide a submission. Melissa also noted it should have been publicised wider.
-

- Bremer Bay Sports club are offering food now, the Resort has never run out of food or turned customers away. With the Museum also providing food, Mel believes there is enough businesses to cover the demand over summer.
- The Resort finish meals at 8.30pm and no requests for food is received after that time – they serve food until midnight on new years eve.

Greg Wilson commented that the summer peak period is what businesses in Bremer Bay rely on as this covers them through the quite time in winter. Greg believes there is already enough options in Bremer Bay for food.

Sylvia Gale commented on the PopUp Restaurant operating at the Bremer Bay Sports Club for a 6 week period over December and January as the Gallery commented the business was coming from Denmark and they were not local to our area. Sylvia advised that locals were asked to come and do meals however no locals expressed an interest to operate a PopUp Restaurant at the Sport Club. The business from Denmark is on a week by week contract.

Sylvia commented that the Bremer Bay Caravan Park have a food van operating for 6 weeks which is not a local business. Sylvia believes the community should give the proposed food van a go and see how it goes, the applicant is the one with the most to lose in the end.

Cr Parsons asked the Gallery what time is the latest to buy food currently in Bremer Bay. Melissa Joy advised the Resort is until 8.30pm, Greg Wilson advised the BP Roadhouse is to 8.00pm.

Cr Iffla informed members of the gallery that drinking publicly is not a Shire issue this needs to be reported to the Police immediately. The Skate Park is not a licensed area so if you witness alcohol being consumed please contact the Police.

Cr Lester thanked everyone for expressing their opinions on the proposed food van and advised that Council would now bring forward item 9.3.2 Proposed Food Van for Council's consideration.

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 ORDINARY COUNCIL MEETING HELD 21 NOVEMBER 2018.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held at the Council Chambers, Jerramungup, on 21 November 2018 be CONFIRMED.

MOTION: OC021218

MOVED: Cr Leenhouders

SECONDED: Cr Price

That Council CONFIRMS;

- 1. The Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held at the Council Chambers, Jerramungup, on 21 November 2018.**

CARRIED: 7/0

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR NOVEMBER 2018

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Murray Flett, Manager of Works
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 December 2018
Attachments:	Road Construction Program Schedule
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

This month the Construction crew commenced and completed a 2.5km section of Jacup North Road. These works involved extending culverts, widening of the formation and gravel sheeting the surface. This section will be final trimmed after harvest and then sealed down to the sealed floodway. This will be the end of the sealing on this section of road and the remainder will be formed and gravel sheeted to 9 metres wide.

The crew need to be commended on the great job they have done in such a short timeframe and within budget once again.

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

Town Services

The Town Services crew in conjunction with students from the Great Southern Technical and Further Education (TAFE) campus have undertaken the last seed collection from the Meechi Road realignment section for this year as TAFE will be closing down. The TAFE Nursery has over 1,500 native seedlings propagated to date which will be planted out by the students as tube stock after completion of the realignment as part of their Cert III CLM training. TAFE expect to have over 20,000 native seedlings propagated by the time the rehabilitation works commence. This type of exposure to real time works has been invaluable training to these students undertaking their Cert III and Cert IV CLM units.

The crew have been undertaking general maintenance of the parks and gardens in both Bremer Bay and Jerramungup town sites getting ready for the Christmas rush. The weed germination has kept the crew busy in both town areas whilst also undertaking maintenance of sealed roads.

Road Maintenance

With these reasonably dry conditions, the crew have been focussing on maintaining not only the running surface, but also offshoot drains, back-slopes, the inside of curves and sight lines at intersections to improve driving conditions for the road user.

Routine Maintenance grading and gravel patching has continued to rectify failures in the road pavement. The crews focus is still on gravel sheeting clay sections to improve the skid resistance of these areas which will be an ongoing commitment until all clay sections have been covered.

CONSULTATION:

Internal

COMMENT:

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

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Objectives:

3.4.1 – Continued improvements on the local road network

FINANCIAL IMPLICATIONS:

The works completed are included in the 2018/2019 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for November 2018.

MOTION: OC041218

MOVED: Cr Parsons

SECONDED: Cr Trevaskis

That Council RECEIVE the works report for November 2018.

CARRIED: 7/0

9.15am Sophie Pocock left the meeting.

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – NOVEMBER 2018**

Location/Address:	N/A
Name of Applicant:	N/A
Author:	Sarah Van Elden, Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 December 2018
Attachments:	(a) List of Accounts Paid to 30 November 2018 (b) Credit Card Statement 26 October 2018 – 27 November 2018
Authority/Discretion:	Information

SUMMARY:

For Council to not the list of accounts paid under the Chief Executive Officer's delegated authority during the month of November 2018.

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 2017-18 Annual Budget as adopted by Council at its meeting held 23 July 2018 (Minute No. SC180701 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of August 2018. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28166	
EFT Payments	15457 – 15463	\$281,540.26
	15465	\$2,196.47
	15467 – 15563	\$442,857.26
Direct Deposits		\$26,312.95
Municipal Account Total		\$726,593.99
Trust Account		

EFT Payments	15464	\$10,000.00
	15466	\$2,000.00
Trust Account Total		\$12,000.00
Grand Total		\$738,593.99

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:

Nil

POLICY IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

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

- a) The List of Accounts Paid to 30 November 2018 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 26 October 2018 – 27 November 2018 as detailed in attachment 9.2.1(b).

MOTION: OC051218

MOVED: Cr Leenhouwers

SECONDED: Cr Bailey

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

- a) The List of Accounts Paid to 30 November 2018 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 26 October 2018 – 27 November 2018 as detailed in attachment 9.2.1(b).

CARRIED: 7/0

9.2.2 MONTHLY FINANCIAL REPORT

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 December 2018
Attachments:	Monthly Financial Report for the Period Ending 30 November 2018
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 November 2018 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 30 November 2018.

BACKGROUND:

At its meeting held 23 July 2018 (Minute No. SC180701 refers), Council adopted the annual budget for the 2018-19 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 30 November 2018 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting of 23 July 2018, the Council adopted (Minute No. SC180701 part 1.6 refers) the following material variance reporting threshold for the 2017-18 financial year:

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

That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2018/2019 financial year for monthly reporting purposes.

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail—*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
 - (2) *Each statement of financial activity is to be accompanied by documents containing—*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
 - (3) *The information in a statement of financial activity may be shown—*
 - (a) *according to nature and type classification; or (b) by program; or*
 - (c) *by business unit.*
-

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

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 30 November 2018 has been incurred in accordance with the 2018-19 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

AP4 – Regional Price Preference

FP1 – Capitalisation and Depreciation of Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Purchasing

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 November 2018 in accordance with section 6.4 of the *Local Government Act 1995*.

MOTION: OC061218

MOVED: Cr Bailey

SECONDED: Cr Price

That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 November 2018 in accordance with section 6.4 of the *Local Government Act 1995*.

CARRIED: 7/0

9.3 DEVELOPMENT SERVICES

9.3.1 BREMER BAY AIRFIELD CROSS RUNWAY

Location/Address:	Lot 1548 Don Ende Drive, Bremer Bay
Name of Applicant:	N/A
File Reference:	GS.PR.10
Author:	Craig Pursey, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	None
Date of Report:	12 December 2018
Attachments:	Extract from 'Bremer Bay Aerodrome Construction – Scope of Works and Construction Specification' including: (a) Plans (b) Approximate Bill of Quantities.
Authority/Discretion:	Executive

SUMMARY:

Council is to consider formally receiving the 'Scope of Works, Construction Specification and Bill of Quantities' for a new cross runway at the Bremer Bay Airfield.

BACKGROUND:

Bremer Bay Airfield Master Plan 2015

The Shire of Jerramungup adopted the Bremer Bay Airfield Master Plan in November 2015 following extensive public and agency consultation.

One of the key issues for the Bremer Bay Airstrip that was identified is the limitations of the existing runway. The current single runway alignment does not allow pilots to land in any wind conditions. This has previously resulted in the Royal Flying Doctor turning around and landing in Albany when their services were urgently required in Bremer Bay.

Additionally, the slight slope of the current taxiway makes it very challenging for heavy planes to get up the hill to access the runway for take-off. This has presented problems with fully loaded water bomber planes struggling to take off.

A key recommendation of the Airfield Master Plan is to re-design the airstrip and construct a second 'cross runway' to cater for all prevailing wind conditions in Bremer Bay. Additionally, new taxiways should be constructed to make water bomber operations more efficient and decrease response times in emergencies.

Current Project

Over the last 2 years the Shire has been coordinating the construction and planning of a number of pieces of essential infrastructure at the Bremer Bay Airfield, as proposed in the 2015 Master Plan.

These are as follows:

Task/Infrastructure	Comment/Status
Amenities Room and toilet	Completed with assistance of Lotteries West
Water Bomber turnaround	Completed by Shire works crew with financial assistance from Bremer Bay VMR, Peter Watson's office, DBCA and Shire
Water tank, independent power supply and bore with pumps	Completed with financial assistance from Watering WA grant and local VES contribution
Design and Bill of Quantities for a cross runway	Currently underway with Royalties for Regions grant

The Aerodrome Management Services (AMS) were the successful tenderer to design the cross runway and have provided a 'Scope of Works, Construction Specification and Bill of Quantities' for the cross runway for Council's consideration. A copy of this report and design will be made available for Council review. A copy of the design is attached to this report.

Royalties for Regions – Regional Grants Scheme

Council was successful in attracting a grant for 50% of the costs to prepare a detailed geotechnical survey, engineering design and quantity surveying for the cross runway in March 2017.

The grant provides \$50,001 (ex GST) toward:

- Geotechnical Assessment, design of runway and quantity surveying; and
- Clearing of the runway alignment.

The Shire's contribution toward the project includes the construction of the water bomber turnaround, now completed.

The current grant is due to be acquitted early in 2019.

Clearing Permit

When the Shire applied for the grant to design and clear the cross runway it was assumed that the works would be exempt from obtaining a clearing permit. Further investigation shows that the works are not exempt and a separate process has been undertaken to obtain a clearing permit. This is still underway and as a result clearing of the cross runway alignment will not be possible under this grant agreement.

CONSULTATION:

This project was initially developed through the Bremer Bay Airfield Master Plan. Extensive community and stake-holder consultation formed part of the Master Plan development

COMMENT:

The cross runway design includes the following elements:

- 1,200m long cross runway at a 11-29 (roughly ENE by WSW) alignment located entirely within Reserve 24521 guided by the Bremer Bay Airfield Master Plan 2015;
- Upgrades to existing runway;
- Fencing realignment;
- New Taxiways connecting to the water bomber turnaround and hangar area;
- Drainage and access works; and
- A scope of works for issuing when tendering the works at some time in the future and a 'Bill of Quantities' with estimated costs for the runway to inform Council's future budgeting and grant applications.

A copy of the plans and an approximate Bill of Quantities are attached to this report. Final adjustments are currently being made to the plans and bill of quantities by the contractor; a final copy of the 'Bremer Bay Aerodrome Construction – Scope of Works and Construction Specification' documentation will be made available to Councillors separately.

STATUTORY ENVIRONMENT:

Acquittal of the "Royalties for Regions – Great Southern Regional Grants Scheme (RGS)" is due in early January and Council's formal receipt of the Scope of Works and Construction Specification is required prior to acquittal.

All design elements comply with the requirements of the Civil Aviation Safety Authority (CASA) and applicable Australian Standards.

STRATEGIC IMPLICATIONS:

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

Objectives:

3.4.4 – Commence implementation of the Bremer Bay Airport master plan

FINANCIAL IMPLICATIONS:

The grant obtained has essentially paid for the engagement of AMS to prepare detailed plans and estimates.

The Shire's contribution toward this grant is the construction of the water bomber turnaround.

The original Airfield Master Plan estimated the cost of constructing the cross runway at approximately \$900,000.

The results of the latest detailed planning have refined this figure to approximately \$1,500,000.

In order to construct this cross runway the Shire will need to seek considerable grant funding, annual grant programs include:

- The Department of Transport's Regional Airports Development Scheme;
- Federal Government's Remote Airstrip Upgrade (RAU) Program Future

The ideal circumstances moving forward would be to leverage one grant against the other but this is unlikely and the Shire is likely to have make a substantial contribution toward this project to enable it for some time in the future.

WORKFORCE IMPLICATIONS:

None at this stage, the airfield can continue to be unmanned and managed by the Shire Ranger.

POLICY IMPLICATIONS:

None

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council receive the ‘Bremer Bay Aerodrome Construction – Scope of Works and Construction Specification’ including the Bill of Quantities prepared by Aerodrome Management Services.

9.50am Murray Flett left the meeting.

MOTION: OC071218

MOVED: Cr Leenhouders

SECONDED: Cr Iffla

That Council receive the ‘Bremer Bay Aerodrome Construction – Scope of Works and Construction Specification’ including the Bill of Quantities prepared by Aerodrome Management Services.

CARRIED: 7/0

9.3.2 PROPOSED FOOD VAN – BREMER BAY CIVIC SQUARE

Location/Address:	Road reserve adjacent to Lot 4 Yandil Street, Bremer Bay (Reserve 51951)
Name of Applicant:	Mr Ryan Sidebottom
File Reference:	DB.PL.1
Author:	Craig Pursey, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	None
Date of Report:	12 December 2018
Attachments:	a. Planning application for food van in Bremer Bay b. Copy of written submission from Bremer Bay Roadhouse
Authority/Discretion:	Administrative

SUMMARY:

For Council to determine an application for a proposed food van to locate adjacent to the new civic square and skate park development in Seadragon Avenue, Bremer Bay.

The application has been referred to other food businesses in town for comment in a reduced advertising period. There were three submissions received at the time of writing this report with two more expected.

This report recommends that the application be approved subject to conditions including restricting hours of operation.

BACKGROUND:***Subject site***

The applicant proposes to serve food from a van from the road reserve adjacent to the Bremer Bay Civic Square. Food would be stored at a rental property at 48 Margaret Street, Bremer Bay.

Previous Considerations

Council has considered a number of applications for itinerant food vendors; all of which have been granted approval to operate from Paperbarks Park and at events.

Additionally, approval has been granted to a food van to operate from within the Bremer Bay Caravan Park based on a shop/kiosk being a permitted use in the zoning of the Caravan Park.

CONSULTATION:

As the application was received on Friday 7 December 2018 there was no opportunity to advertise this proposal publically for the usual 21 days. In order to make the agenda cut off for December (the next Council meeting being 19 December 2018) the proposal was referred directly to other cafes and food vendors in Bremer Bay for comment, with a reduced advertising period of 5 working days. This advertising process was chosen because the food van wishes to operate this summer season and the next Council meeting is February 2019.

If Council find this inadequate and are uncomfortable making a decision with this level of advertising there is the option of laying the application on the table and seeking further comment.

Three submissions have been received thus far with two others promised shortly. The submissions raise the following points:

Bremer Bay Roadhouse: Is located in the town centre area and requires the summer trade to sustain their operation all year round. It is inappropriate to operate during the day when existing business that pay rates need the same business.

- The food van is proposing to serve the same food as the Roadhouse and would impact business viability.

- The Roadhouse pays rates and fees and contributes back to the community in offering employment and sponsorships for community groups and events, etc.
- As a long term rate payer will the proposed food van also required to pay for services required from the Shire such as rubbish collection and disposal of waste water?
- As a commercial kitchen we have requirements to fulfil such as health inspections etc and as the food van is proposing home cooked meals will this be done in a commercial kitchen as required?
- Ms Webb from the Roadhouse verbally indicated that she would be prepared to accept later operating hours when other shops are closed.

Max Wellstead: Completely opposed to a food van based on:

- A food van is unfair as it takes summer profit from business that service Bremer Bay year round;
- Would use public services such as power, occupy parking bays and cause in increase in maintenance in the recently completed town centre without paying any fees; and
- Increase potential anti-social behaviour in the civic square.

Tobruk Traders (currently operating summer business in town centre):

- the more we can do in Bremer Bay during the busy period the better;
- I know local business struggle all year but with the huge influx the local business can't cope; and
- Need to be careful of unfavourable behaviour at the park at that time of night and things getting broken, drinking and glass

Assessment of the issues raised above are included in the 'assessment' part of this report below.

COMMENT:

Proposal

The application proposes the following:

- Operate from a parking bay adjacent to the Park;
- Attend local events on request;
- Ideally operate all day from the end of December 2018 through to 1 May 2019; and
- If not permitted, open from 8:30pm to 12midnight and other holidays when existing businesses in town are not open to service after hours business.

The van proposes to sell ready to eat foods, takeaways which may be ordered over the telephone or through other electronic means including food ranging from homemade pies, sausage rolls, toasties in the morning, to garlic prawns, chicken parmays, burgers, fish and chips in the evening. They also hope to sell cool drinks, confectionery and pre-packaged ice creams.

A full copy of the planning application and business description is attached to this report.

Scheme Requirements

The Seadragon Avenue road reserve is listed as a Local Scheme Reserve for the purpose of 'road' under Local Planning Scheme No.2. The parking of a van in a road reserve could be argued to be consistent with the purpose of the reserve.

Assessment

The relevant planning matters in the Scheme to be considered include:

- “(i) *The compatibility of the use with its setting;*
 - (j) *Any social uses that have an effect on the amenity of the locality;*
-

- (n) *The preservation of the amenity of the locality;*
- (p) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring, and parking of vehicles;”*

There are arguments for and against allowing a food van into the town centre. These are summarised in the table below.

In favour	Against
A food van would serve to activate the area quickly and before a new permanent business can be constructed to service the area	A food van avoids some of the usual overheads a permanent business has to bear and gives it an unfair competitive advantage
A food van in this area would service the summer influx of people when there anecdotally there appears to be plenty of business to go around and it may improve the visitor experience	Given Bremer Bay’s population swings existing businesses need to make their income from the summer trade in order to service the community all year round
Mobile services and food vans allow a business to ‘test the water’ before being converted to a more permanent location like the town centre, acting like a business incubator	May serve as a disincentive to investment in the area if it can be seen that temporary business can ‘pop up’ and take business during the summer
They offer another food option for locals	Offers the same food as existing business and gain an unfair competitive advantage by moving closer to the customers

Whilst bringing a food van right next to the new civic square and skate park development would offer a great service to visitors and locals using this Park and assist in activating this space in the short term it can be seen to be unfair to the existing businesses in the area that already offer similar food reasonably close by.

There are a high number of food venues opening this year in Bremer Bay with the Roadhouse Café (Monahans), Bremer Bay Resort, Museum Café and Sports Club all offering food during the summer period and all needing to support businesses that run 12 months of the year.

Whilst the Shire does not have a Trading in Public Places Local Law or planning policy, it is usual to prohibit food vans from existing commercial areas in order to support existing business and incentivise new permanent business that would service the community all year.

However, in this case all existing kitchens in Bremer Bay are closed by 8pm. Permitting the food van to operate from the civic square after 8.00pm provides a service not currently available in Bremer Bay which would not compete directly with these existing businesses.

Allowing a late night food van may bring people from the pub to the civic square after hours that has some potential to increase anti-social behaviour but also brings social surveillance to the area that may not necessarily be present otherwise.

There are arguments for and against a food van occupying space adjacent to the new civic square. However, on balance this report recommends supporting the van operating later in the evening only, when no other existing business is serving food. It has potential to add to the experience of the civic square, serve visitors and locals using the park and satisfy a potential demand for takeaway food later in the evening.

It is recommended that any approval be issued for a limited period only and that the applicant be required to reapply annually to allow Council to assess the impact of the van on the town centre, civic square and

nearby businesses and that service standards remain high as they would be operating within Shire managed road reserve. Therefore, annual reapplication should be required as a condition of any approval.

STATUTORY ENVIRONMENT:

Usually mobile businesses are governed by a 'Trading in Public Places' Local Law. The Shire of Jerramungup does not have an adopted Local Law of this nature.

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

The *Land Administration Act 1997* (LAA) is Western Australia's legislation dealing with the disposition of State land.

The internal vehicle fit-out is required to comply with the requirements of the *Health (Food Hygiene) Regulations 1993* and requires a separate licence to operate under the relevant Health legislation like any other food premise.

STRATEGIC IMPLICATIONS:

This item relates to the following components 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

3.2.2 - Implement policies and initiatives to support local small business and agricultural prosperity

3.2.3 - Implement policies and initiatives to attract new businesses to town

FINANCIAL/BUDGET IMPLICATIONS:

As the Shire does not have a Local Law or Local Planning Policy to address trading in public places there is no fee structure to apply to a business located in the road reserve. This will require review when the Fee Schedule is next revised.

All costs involved with the establishment and running of the proposed business should be borne by the applicant.

WORKFORCE IMPLICATIONS:

Additional activity at the civic square may increase maintenance and cleaning in the town centre.

POLICY IMPLICATIONS:

Trading in Public Places may become more popular as Bremer Bay grows and this land use has its own issues that could be better addressed by a Local Law and the Local Planning Scheme. The need for a policy was identified previously, unfortunately this has not been drafted and offered for Council's consideration as yet.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

THAT Council,

- 1. Approve the proposed food van operating from the Seadragon Avenue road reserve immediately adjacent to the civic square at Lot 4 Yandil Street, Bremer Bay subject to the following conditions:**
 - i) Development shall be carried out in accordance with the approved plans and details submitted with the planning application.**
 - ii) This planning approval is granted for a limited period, expiring 2 May 2019 after which time reapplication is required.**
 - iii) Hours of operation limited to 8:00pm and 12:30am.**
-

- iv) Attendance at markets and events is permitted as required with the approval of the event organiser.
 - v) The proponent is to ensure that the area immediately around the business is kept in a clean and tidy condition at all times.
 - vi) Formal arrangements being put in place for a suitable rubbish collection service to the satisfaction of the Chief Executive Officer prior to the commencement of the service.
 - vii) The proponent is solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the business.
 - viii) Provision of an indemnity from the proponent indemnifying the Shire of Jerramungup in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the proponent.
 - ix) Evidence of suitable public liability insurance being supplied to the Shire of Jerramungup.
 - x) Advertising signs are restricted to the van from which the business is conducted.
 - xi) Council reserves the right to rescind this planning approval where conditions of the Planning Consent are contravened subject to 21 days' notice in writing to the applicant.
 - xii) If in the opinion of Council, the food van's presence in the town center is causing a nuisance or annoyance to owners or occupiers of land in the locality, Council may rescind the approval subject to 21 days' notice in writing to the applicant.
2. Advise the applicant in footnotes on the planning approval that:
- a) This approval is issued to the applicant only and is not transferable. Should the business be sold the new owner will need to re-apply.
 - b) The produce to be sold is generally limited those nominated in the application.
 - c) Internal vehicle fit-out to comply with the requirements of the *Health (Food Hygiene) Regulations 1993*.
 - d) That an annual fee will be set at Council's next review of the Council's Fee Schedule for itinerant food vendors.

MOTION: OC031218

MOVED: Cr Trevaskis

SECONDED: Cr Iffla

That Council RESOLVES;

To lay the item on the table until the February 2019 Ordinary Meeting of Council.

CARRIED: 7/0

Reason for variation: Council agreed that the public consultation period was not enough time to allow for submissions to be received and therefore the item is to lay on the table until the February 2019 Ordinary Meeting of Council to allow for an adequate public consultation period.

8.59am Members of the Gallery left the meeting.

9.4 EXECUTIVE SERVICES

9.4.1 DELEGATIONS OF AUTHORITY –REVIEW

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 December 2018
Attachments:	a. Current Register of Delegated Authority b. Revised Register of Delegated Authority
Authority/Discretion:	Executive

SUMMARY:

For Council to meet its statutory compliance requirement to review the delegation of specified powers and duties to the Chief Executive Officer and other employees in accordance with the provisions of the *Local Government Act 1995* (the Act).

BACKGROUND:

In accordance with sections 5.16 and 5.42 of the Act, a local government can delegate certain functions to a committee of Council, or to the Chief Executive Officer. A variety of other legislation also permits the delegations of functions to the Chief Executive Officer, as well as other officers. The Chief Executive Officer's statutory powers and duties under the Act and any powers or duties delegated by the Council can be further delegated by the Chief Executive Officer to other officers of Council. Delegation details must be recorded in a register, which is available for inspection by the public.

Sections 5.18 and 5.46 of the *Local Government Act 1995* require that at least once every financial year, delegations are to be reviewed by the delegator. The Council reviewed its delegations in the 2015/2016 financial year (Minute No. OC161605 refers) and the 2017/2018 financial year (Minute No. OC170707 refers), however it appears a review was not conducted in the 2016/2017 financial year.

CONSULTATION:

Executive Management Team

Internal Shire staff

COMMENT:

A register of delegations of authority is essential in order to inform the public of the activities, functions, powers and duties of the local government as well as meeting the requirements of section 5.46 of the *Local Government Act 1995*.

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

The annual review process does not preclude the Council from granting new delegations to the Chief Executive Officer if and when required, nor for it to review existing delegations at any time during the course of the financial year.

The Shire of Jerramungup's register of delegations of authority was last reviewed by Council in July 2017 and is now due for review. The register of delegations of authority has undergone significant amendment both in format and content.

Format

The new format of the delegations contained in the register seeks to reflect the legislative requirements of the Act. Each delegation specifies the head of power under which the delegation has been made and the legislative reference of the power that is delegated. The current register referred mostly to the general power of delegation under section 5.42 of the Act and only in limited circumstances to the legislative reference. The new format clearly states the function delegated and any conditions that Council wishes to place on the exercise of delegation. It notes whether the Chief Executive Officer has the power to sub-delegate under section 5.44 of the Act to another employee. It also records whether the function or duty has been sub-delegated and to whom. Record keeping requirements are documented including reporting to Council requirements and keeping of appropriate registers.

It should be noted that whether a function or duty has been sub-delegated is determined by the Chief Executive Officer unless the Council has made it a condition that the original delegation may not be sub-delegated.

Content

Each delegation has been considered on the basis of whether or not the delegation is necessary and if it will provide greater efficiency in service delivery for the Shire. A number of new delegations have been created that reflect legislative changes since the July 2017 review. Foremost has been the passage of the *Public Health Act 2016* and the enactment of part of that legislation. A delegation to the Chief Executive Officer under section 21 of that Act to appoint officers has been included in the current list of delegations. A general delegation pursuant to the *Bush Fires Act 1954* and the *Dog Act 1976* have been included. The delegations relating to the *Bush Fires Act 1954* required amendment to comply with legislation, section 48(3) prohibits sub-delegation of authority.

New delegations have been included for legislation that has come into effect yet never been included in the delegation review such as the *Cat Act 2011*, *Public Health Act 2016* and the *Graffiti Vandalism Act 2016*.

Although Council has used a panel of prequalified suppliers in recent years no delegation has been developed for this review. Before a delegation can be given to use a panel of prequalified suppliers Council must have a policy on developing a panel of suppliers. Section 24AC(1) of the *Local Government (Functions and General) Regulations 1996* states that a local government must not establish a panel of pre-qualified suppliers unless (a) it has a written policy that makes provision in respect of the matters set out in subregulation (2). Officers are currently investigating the benefits of developing a panel of pre-qualified suppliers and an item will be presented to Council once complete.

A combined delegation for the Shire of Jerramungup Local Laws has been included. The Department of Local Government and the Western Australian Local Government Association recommend that delegation of functions under local laws should be specific to each local law as a delegation under s3.18(1) is too broad and requires extensive conditions/limitations relevant to each delegate. Given the Shire of Jerramungup local laws are overdue for review it is considered appropriate at this time to adopt a combined delegation with a review to be done at the conclusion of the local law review process.

Repeal

A number of existing delegations were deleted that were already a function of the Chief Executive Officer and could not be delegated. Delegations such as existing delegation 1.26 Execution of Documents is an example of this. Section 9.49A(4) Execution of Documents, specifically requires a local government to authorise, by resolution, authorise the chief executive officer, another employee or an agent to sign documents on behalf of the local government. The drafting purposefully uses “authorise” and not “delegate” as there is no power for a Chief Executive Officer, Employee or Agent to execute documents. Adoption of a Council policy is recommended, which details the classes of offices authorised to execute specified types of documents on behalf of the local government.

Under section 5.45 of the Act, a delegation made under the Act will be effective for the period of time specified in the delegation or otherwise indefinitely. Any amendment or repeal of a delegation by a local government is to be by an absolute majority. Some existing delegations have been significantly amended

whilst others have been deemed invalid, therefore it is appropriate to repeal the existing delegations as contained in the July 2017 Register of Delegations of Authority and to adopt the new delegations as rewritten.

Delegation to the Chief Executive Officer

It should be noted that a delegation made under the *Local Government Act 1995*, may only be made to the Chief Executive Officer. However, not all delegations are made under the *Local Government Act 1995*. Other Acts such as the *Dog Act 1976* also allow for delegations to be made. In some instances, such as the *Building Act 2011*, delegations may be made to employees other than the Chief Executive Officer.

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.16. Delegation of some powers and duties to certain committees

(1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

(3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984—*

(a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*

(b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*

(4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

5.17. Limits on delegation of powers and duties to certain committees

(1) *A local government can delegate—*

(a) *to a committee comprising council members only, any of the council's powers or duties under this Act except—*

(i) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and*

(ii) *any other power or duty that is prescribed;*

And

(b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*

(c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of—*

(i) *the local government's property; or*

(ii) *an event in which the local government is involved.*

(2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under*
- (a) *this Act other than those referred to in section 5.43.*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5)*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties—

- (a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty—*
- (a) *The CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,*
- are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) *Subsection (3) (b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4)—*
- conditions includes qualifications, limitations or exceptions.*
-

5.45. Other matters relevant to delegations under this Division

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984—*
- (a) *A delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *Any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing—*
- (a) *A local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *A CEO from performing any of his or her functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Regulation 19 of the Local Government (Administration) Regulations relates to records to be kept of delegations exercised.

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.*

Building Act 2011 section 127

Bush Fires Act 1954 section 48

Cat Act 2011 section 44

Dog Act 1976 section 10AA

Food Act 2008 section 118

Public Health Act 2016 section 21

Road Traffic (Events on Roads) Regulations 1991

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:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

1. **NOTES** completion by Council as the Delegator, the 2018/2019 annual statutory review of the Register of Delegations of Authority, in accordance with sections 5.18 and 5.46 of the Local Government Act 1995, section 47(2) of the *Cat Act 2011* and section 10AB of the *Dog Act 1976*.
2. **REVOKEs** the Register of Delegations of Authority contained in the Shire of Jerramungup Register of Delegations of Authority dated July 2017 as detailed in attachment 1, under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976* and *Graffiti Vandalism Act 2016*; *Building Act 2011*, *Bush Fires Act 1954* and *Food Act 2008*.
3. **APPROVES** the local government functions as listed in the amended Register of Delegations of Authority 2018/2019 forming Attachment 2 to report 9.4.1, in accordance with section 5.17 and 5.42 of the *Local Government Act 1995*, acknowledging the relevant heads of power in addition to the *Local Government Act 1995*:
 - *Building Act 2011* – section 127
 - *Bush Fires Act 1954* – section 48
 - *Cat Act 2011* – section 44
 - *Dog Act 1976* – section 10AA
 - *Food Act 2008* – section 118
 - *Public Health Act 2016* – section 21
 - *Graffiti Vandalism Act 2016* – section 16

MOTION: OC081218

MOVED: Cr Trevaskis

SECONDED: Cr Iffla

That Council RESOLVES;

To lay the item on the table until the February 2019 Ordinary Meeting of Council.

CARRIED: 7/0

Reason for Variation: Council requested a detailed report advising of the changes made to the Delegation Register.

9.4.2 INFORMATION BULLETIN NOVEMBER 2018

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	10 December 2018
Attachments:	1. November 2018 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for November 2018 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 November 2018.

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 November 2018.

MOTION: OC091218

MOVED: Cr Price

SECONDED: Cr Trevaskis

That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of November 2018.

CARRIED: 7/0

10.00am Murray Flett returned to the meeting.

9.4.3 FIVE YEAR ROADS STRATEGY

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 December 2018
Attachments:	1. Shire of Jerramungup Five Year Roads Strategy 2018-2023
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is for Council to consider endorsing the attached Five Year Roads Strategy 2018–2023 as presented. The proposed program is a planned direction on the maintenance for the Shire of Jerramungup’s road network including sealed and unsealed roads. The program further enables the Shire’s budgeting process to continue into the future including the Shire’s Long Term Financial Plan.

BACKGROUND:

The presented Roads Strategy takes into account local knowledge of the Manager of Works, Shire staff and input from Elected Members and complaints received from the community. Further to this, data from road traffic counters is being collected for analysis to determine traffic volumes and types of traffic. This data supplies valuable information on road usage and why roads may or may not be deteriorating. Collection of traffic counts will be an ongoing process and updated in the Strategy each year as information is collected.

Proposed road projects in the Strategy have been based on the following three funding categories:

- R2R – Roads to Recovery – Federal grant funded
- RRG – Regional Road Group – State grant funded
- Muni – Own Source Expenditure – Council funded

It is worth noting that Roads to Recovery projects can be fully funded by the grant and do not require a Council contribution. Regional Road Group projects are based on a two thirds, one third arrangement, whereby Council must contribute one third of the cost of the nominated project and RRG funds the remaining two thirds.

If further funding sources are identified the Strategy will be updated to reflect the additional funds availability and projects brought forward on a priority basis.

CONSULTATION:

Internal, Shire staff have been consulted for historical and known maintenance issues on roads within the Shire of Jerramungup.

COMMENT:

The proposed Five Year Roads Strategy is a plan based on current road conditions and expected funding sources, it will be reviewed annually to take into account changing road conditions, traffic movements, community needs, environmental factors such as extreme weather events and financial availability or restraints.

Having a five year plan assists Council and Executive Staff to forward plan budgets and identify priority road works that can be brought forward if additional funding can be obtained.

Traditionally Councils have operated on a reactive basis year by year dependant on funding and issues raised by the community on urgent works. Having a forward plan is a fantastic resource to be able to identify to community members when roads will be receiving upgrade works in their area, instead of only being able to advise that there is no allocation in the current year budget.

Sourcing gravel, water sources and gaining environmental approvals is becoming increasingly difficult and time consuming, therefore knowing the priority of projects into the future allows staff to commence work earlier on addressing these issues.

STATUTORY ENVIRONMENT:

Nil

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.

3.4.2 – Formalise a local road hierarchy to determine levels of service provided on different roads.

FINANCIAL IMPLICATIONS:

The proposed Five Year Roads Strategy 2018-2023 is to be considered in the Shire of Jerramungup's annual capital works budget and included in the Shire's Long Term Financial Plan and is dependent on grant funding and staff availability.

WORKFORCE IMPLICATIONS:

The Chief Executive Officer is the position tasked with the responsibility of overall workforce management and leadership for the Shire of Jerramungup. The proposed Strategy will inform the staffing requirements for the Works Crew in future years.

POLICY IMPLICATIONS:

Shire of Jerramungup Policy OP3 – Gravel and Sand Acquisition

Shire of Jerramungup Policy OP4 – Rural Road Verge Vegetation Management

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council ADOPTS the proposed Five Year Roads Strategy 2018-2023 as attached to form the basis of future budget considerations including the Shire of Jerramungup's Long Term Financial Plan.

MOTION: OC101218

MOVED: Cr Price

SECONDED: Cr Parsons

That Council ADOPTS the proposed Five Year Roads Strategy 2018-2023 as attached to form the basis of future budget considerations including the Shire of Jerramungup's Long Term Financial Plan.

CARRIED: 7/0

9.4.4 2019 LOCAL GOVERNMENT ELECTIONS – WAEC POSTAL VOTING

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 December 2018
Attachments:	1. Correspondence from Western Australian Electoral Commission
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is to seek Council's endorsement for the Western Australian Electoral Commission (WAEC) to conduct as a postal election, the 2019 local government ordinary elections and any other election or poll that may be required for the Shire of Jerramungup up to but not including the 2021 ordinary election.

BACKGROUND:

The next local government elections will take place on Saturday, 19 October 2019. As part of Council's planning for the election Council must consider the method of conducting the election and the appointment of a returning officer, if other than the Chief Executive Officer.

Council has supported local government elections being conducted by postal vote and managed by the WAEC since 2009, and the Electoral Commission is currently seeking an indication from the Shire of Jerramungup as to its intentions for the October 2019 elections. This is primarily for the Commission's own internal planning but will also assist Council staff in preparing future budgets.

In accordance with the *Local Government Act 1995*, Council can opt to conduct a local government election either as an in person election or a postal election. Current legislation dictates that if a Council decides to conduct a postal election, the WAEC must conduct the election, with the cost of the election to be recouped by the WAEC on the basis of full cost recovery.

Local government elections occur on the third Saturday in October every two years. Councillors each serve four year terms. The Shire of Jerramungup has four Councillors whose term expires in 2019.

The issue of a change in legislation to allow local government to undertake their own postal voting has been ongoing. The Western Australian Local Government Association (WALGA) is of the view that the WAEC monopoly in the running of postal voting elections should be opened up to provide the opportunity for local governments to have access to alternative arrangements, including but not limited to managing their own postal elections. WALGA has a current policy position which is to continue to advocate for an amendment to the Act to allow for both the WAEC and local governments to conduct postal elections. It is not however envisaged that this situation will be resolved prior to the October 2019 elections.

A summary of each voting method is listed below:

Attendance Voting:

- Voters are required to attend a polling place within the municipality on election day.
 - Consistent with State and Federal election voting methods.
 - Usually lower voter participation rate compared to postal voting.
 - Incorrectly enrolled voters are more effectively managed.
 - Cost to conduct an attendance election is higher than a postal ballot.
-

Postal Voting:

- No need for voters to attend a polling place on election day.
- Provides more time for completing the ballot paper.
- Better enables aged, infirm and disabled voters to participate in the election.
- Higher voter participation rate compared with attendance voting.
- More difficult to manage incorrectly enrolled voters.
- Cost to run a postal election is less than an attendance election.
- Generally, postal voting has resulted in lower levels of informal votes than attendance voting.

Many local government authorities in Western Australia are moving away from in person voting to postal voting for the local elections for a variety of reasons. These include the costs, access and transparency.

While there is little in the way of specific direction on this aspect of electoral administration, international best-practice literature consistently refers to the need for parties and candidates not to interfere with election processes. The handbook of electoral standards of the International Institute for Democracy and Electoral Assistance (International IDEA), while concentrating on polling day behaviour, also refers to the need for parties not to 'handle any official election material'. The emphasis is on parties observing rather than being involved in the conduct of an election.

It is also widely accepted that, to ensure free and fair elections and to maintain transparency, electoral management bodies should be independent, both of the government of the day and of any political partisan connections. This is also true of local government where the election process must be seen as a transparent process.

Prior to the 2009 election, the Shire conducted its elections in house by attendance voting. This meant that a number of Shire staff were involved in the election process. In order to have a transparent process, the option of the WAEC continuing to conduct the election would remove any possibility of staff being "involved" in the actual process and that the CEO and staff would remain at arm's length from potentially contentious aspects of the electoral process.

CONSULTATION:

Mr Phillip Richards, Western Australian Electoral Commission.

Consultation with a number of similar local governments was undertaken to inform the report on this matter. Efficiencies of costs, reduced impost on staff, accessibility for electors and transparency, with staff being kept at arm's length from the election process, were provided as reasons for the majority of these local government authorities continuing with the WAEC conducting the election for both postal and in person methods.

COMMENT:

Council has received written advice from the Electoral Commissioner agreeing to be responsible for the conduct of the 2019 local government ordinary election, as a voting in person election, at an estimated cost of \$14,000 (inc GST).

Local government elections can be either a postal election, which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day, or a voting in person election.

The Electoral Commissioner is responsible for conducting postal elections in Western Australia and conducts voting in person elections on request under extenuating circumstances. By making the Electoral Commissioner responsible for these elections, the local governments concerned ensure that elections are conducted independently and with impartiality.

Postal elections for local government were first trialled by four local governments in 1995. Since then the Commission's involvement in postal elections has increased at successive local government elections, with 85 postal elections conducted in 2017.

The WAEC has provided the Shire with an estimate to conduct a voting in person election for the 2019 election with the estimated cost being \$14,000 (inc GST). This is based on an election being required to fill four vacancies, a total of approximately 850 electors and the count being conducted at the premises of the Shire of Jerramungup.

This estimate includes the following:

- appointment of a Returning Officer
- Statutory advertising
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- A proportion of the total cost of West Australian Electoral Commission staff time and corporate overheads.

Costs not incorporated in this estimate include:

- non-statutory advertising (ie additional advertisements in community newspapers and promotional advertising)
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns.

Having regard to the matters outlined above, there are two options available to Council as to how they wish to run the 2019 elections;

1. Postal election—run by the Electoral Commissioner.
2. Voting in person—run by the local government.

It is recommended that Option 1 be adopted, given;

Advantages for Electors:

- Convenience of casting a vote in their own homes – particularly for disabled and aged voters and those without access to transport.
- Provision of candidate profiles to each elector to assist in their decision-making.
- Time to contact candidates and make an informed decision.
- Reduced costs in time and travel in casting a vote.

Advantages for Candidates:

- Availability of an experienced Returning Officer “at arms length” from local government business.
- Detailed candidates’ guides prepared by the Electoral Commission.
- An opportunity to reach all eligible electors at no cost through the candidate profile.
- Confidence that the election is being run by the State’s independent Electoral Commission.
- Elected candidates have an increased support base.

Advantages for the Local Government:

- All eligible electors are given information about the election.
 - Electors can vote more easily as there are virtually no barriers to voting.
 - Elections are seen to be conducted by the impartial Western Australian Electoral Commission.
 - The workload for the CEO is reduced in an area that is not core business.
 - The vast majority of elector and candidate enquiries are received and resolved by either the Returning Officer or the Electoral Commissioner.
 - Statutory requirements are fulfilled.
 - A full election report (including statistics) is prepared by the Electoral Commission for presentation to Council.
 - Materials and equipment used in the processes meet contemporary electoral standards.
 - Economies of scale can reduce some of the costs.
 - Elected Councillors have a high level of support from the local community due to the broader turnout at postal elections.
-

There is a possibility that an election would not be required, in the event that only four nominations are received for the four vacancies.

STATUTORY ENVIRONMENT:

The principal legislation covering local government elections is:

Part 4 of the *Local Government Act 1995*;

The *Local Government (Elections) Regulations 1997*; and

The *Local Government (Constitution) Regulations 1998*.

4.20. CEO to be returning officer unless other arrangements made

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for— (a) an election; or (b) all elections held while the appointment of the person subsists.*

** Absolute majority required.*

- (3) *An appointment under subsection (2)— (a) is to specify the term of the person’s appointment; and (b) has no effect if it is made after the 80th day before an election day.*
- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

- (5) *A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (6) *A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.*

4.61. Choice of methods of conducting election

- (1) *The election can be conducted as a —*

postal election *which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or*

voting in person election *which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.*

- (2) *The local government may decide* to conduct the election as a postal election.*

** Absolute majority required.*

- (3) *A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (4) *A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.*

- (5) *A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.*
- (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.*
- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

STRATEGIC IMPLICATIONS:

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

Objectives:

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

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

FINANCIAL IMPLICATIONS:

The WAEC conduct elections on behalf of local governments on a full cost recovery basis. In 2017, the cost to the Shire Jerramungup for the WAEC to conduct the election was \$12,261.29. On top of this cost, charges were incurred by the Shire for local advertising and staff to assist with the election process including early voting.

The Shire has received an estimate from WAEC to conduct the 2019 election of \$14,000 inc GST for a postal election. This may vary depending on a number of factors including the cost of materials or number of replies received.

Not included in the estimate are non-statutory advertising and any legal expenses other than those that are determined to be borne by the WAEC in a Court of Disputed Returns.

Funding for the election will be included in the 2019/2020 draft budget whether conducted in house by staff or the WAEC.

Financial implications to be considered should Council otherwise opt to conduct an in house, in person election include:

- production and printing of all election related material
- advertising, both statutory and any other local and promotional advertising
- staffing, including engagement of a Returning Officer (generally the Chief Executive Officer) and staff for the conduct of early voting, at any polling booths on polling day and additional staff required to count the votes at the close of the poll.

It is considered that the printing and production costs for all election related material would be at least that incurred by the WAEC given the economies of scale that WAEC can achieve by running more than 80 elections at once.

Consideration would also need to be given to the resourcing implications for both the CEO and the administration staff with the additional workload and the necessary training to undertake the responsibility of managing the election in house.

If candidates are elected unopposed there will still be a cost to Council, however costs incurred will be significantly less than conducting a full election process.

WORKFORCE IMPLICATIONS:

There are no additional workforce implications for this report if Council resolves to engage the WAEC to conduct the election. Alternatively, if Council preferred the elections to be conducted in-house additional staff resources and training would be required to manage the election process.

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:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

- 1. DECLARE, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2019 Shire of Jerramungup ordinary elections together with any other elections or polls which may be required; and**
- 2. DECIDE, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.**

MOTION: OC111218

MOVED: Cr Iffla

SECONDED: Cr Leenhouders

That Council, BY AN ABSOLUTE MAJORITY:

- 1. DECLARE, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2019 Shire of Jerramungup ordinary elections together with any other elections or polls which may be required; and**
- 2. DECIDE, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.**

CARRIED: 7/0 BY AN ABSOLUTE MAJORITY

9.4.5 REVIEW OF LOCAL GOVERNMENT ACT 1995

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 December 2018
Attachments:	1. WALGA Infopage
Authority/Discretion:	Advocacy

SUMMARY:

The purpose of this report is for Council to consider, review, amend and add to the advocacy positions endorsed by State Council in relation to the review of the *Local Government Act 1995*.

BACKGROUND:

The Minister for Local Government commenced a review of the *Local Government Act 1995* with both a community and a local government consultation process in 2017. The Western Australian Local Government Association (WALGA) conducted a comprehensive consultation process with member local governments, resulting in the adoption of policy positions on Phase 1 of the *Local Government Act 1995* by State Council in December 2017 and March 2018.

The Minister for Local Government announced Phase 1 policy positions at the WALGA Annual General Meeting on 1 August 2018 and intends to introduce legislation prior to the end of the year. WALGA and Local Government Professionals have been consulted on the draft legislation. It is anticipated an Amendment Bill dealing with matters raised under Phase 1 – gifts, training for Council members, behaviours, administrative efficiencies etc – will soon be presented to Parliament.

The Minister for Local Government announced the consultation process for Phase 2 of the Act review in August 2018, with 11 themes arranged under the ‘Smart, Agile and Inclusive’ headings.

Agile

- Beneficial Enterprises
- Financial Management
- Rates

Smart

- Administrative Efficiencies
- Local Laws
- Council Meetings
- Interventions

Inclusive

- Community Engagement
- Integrated Planning and Reporting
- Complaints Management
- Elections

CONSULTATION:

Western Australian Local Government Association.

COMMENT:

WALGA have provided their advocacy positions on the review of the *Local Government Act 1995*.

BENEFICIAL ENTERPRISES

Position Statement	The <i>Local Government Act 1995</i> should be amended to enable Local Government to establish Beneficial Enterprises (formerly known as Council Controlled Organisations)
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FINANCIAL MANAGEMENT**Tender Threshold**

Position Statement	WALGA supports an increase in the tender threshold to align with the State Government tender threshold of \$250,000, with a timeframe of one financial year for individual vendors
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Procurement

Position Statement	That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity
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Power to Borrow: Section 6.20

That Section 6.20(2) of the *Local Government Act 1995*, requiring one month's public notice of the intent to borrow, be deleted.

Basis of Rates: Section 6.28

That Section 6.28 be reviewed to examine the limitations of the current methods of valuation of land, Gross Rental Value or Unimproved Value, and explore other alternatives including simplifying and providing consistency in the rating of mining activities.

Differential General Rates: Section 6.33

That Section 6.33 of the *Local Government Act* be reviewed in contemplation of time-based differential rating, to encourage development of vacant land.

Members Interest – Exemption from AASB 124

Elected Member obligations to declare interest are sufficiently inclusive that WALGA seeks an amendment to create an exemption under Regulation 4 of the *Local Government (Financial Management) Regulations 1996* relating to AASB 'Related Party Transactions' of the Australian Accounting Standards (AAS).

RATES, FEES AND CHARGES**Imposition of Fees and Charges: Section 6.16**

Position Statement	That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services
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Rating Exemptions – Charitable Purposes: Section 6.26(2)(g)

1. Amend the *Local Government Act 1995* to clarify that Independent Living Units should only be exempt from rates where they qualify under Commonwealth Aged Care Act 1197
2. Either:
Amend the charitable organisation section of the *Local Government Act 1995* to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations;
or
Establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates; and
3. Request a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the *Local Government Act 1995*.

Rating Exemptions – Rate Equivalency Payments

Position Statement	Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of State Government
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Rate or Service Charges Recoverable in Court: Section 6.56

Position Statement	That Section 6.56 be amended to clarify that all debt recovery action costs incurred by a Local Government in pursuing recovery of unpaid rates and service charges be recoverable and not be limited by reference to 'cost of proceedings'
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Rating Restrictions – State Agreement Acts

Position Statement	Resource projects covered by State Agreement Acts should be liable for Local Government rates
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ADMINISTRATIVE EFFICIENCIES**Control of Certain Unvested Facilities: Section 3.53**

WALGA seeks consideration that Section 3.53 be repealed and that responsibility for facilities located on Crown Land return to the State as the appropriate land manager.

Local Government Grants Commission and Local Government Advisory Board

WALGA seeks inclusion of a proposal to allow electors of a Local Government affected by any boundary change or amalgamation proposal entitlement to petition the Minister for a binding poll under Schedule 2.1 of the *Local Government Act 1995*.

Schedule 2.1 – Proposal to the Advisory Board, Number of Electors

That Schedule 2.1 Clause 2 (1)(d) be amended so that the prescribed number of electors required to put forward a proposal for change, increase from 250 (or 10% of electors) to 500 (or 10% of electors) whichever is the fewer.

Schedule 2.2 – Proposal to amend names, wards and representation, Number of Electors

That Schedule 2.2 Clause 3 (1) be amended so that the prescribed number of electors required to put forward a submission increase from 250 (or 10% of electors) to 500 (or 10% of electors) whichever is the fewer.

Transferability of employees between State and Local Government

A General Agreement between State and Local Government should be established to facilitate the transfer of accrued leave entitlements (annual Leave, sick leave, superannuation and long service leave) for staff between the two sectors of Government. This will benefit public sector employees and employers by increasing the skills and diversity of the public sector, and lead to improved collaboration between State and Local Government.

Proof in Vehicle Offences may be shifted: Section 9.13(6)

That Section 9.13 of the *Local Government Act 1995* be amended by introducing the definition of 'responsible person' to enable Local Governments to administer and apply effective provisions associated with vehicle related offences.

COMPLAINTS MANAGEMENT**Querulous, Vexatious and Frivolous Complaints**

The Complaints Management commentary contemplates the issue up to the point of unresolved complaints and then references the Ombudsman resources with regards to unreasonable complainants. WALGA seeks inclusion of commentary and questions relating to Local Governments adopting within their proposed complaints management framework, the capacity to permit a Local Government to declare a member of the public a vexatious or frivolous complainant, subject to the declaration relating to the nature of the complaint and not to the person.

Amend the *Local Government Act 1995*, to:

- Enable Local Governments discretion to refuse to further respond to a complainant where the CEO is of the opinion that the complaint is trivial, frivolous or vexatious or is not made in good faith, or has been determined to have been previously properly investigated and concluded, similar to the terms of section 18 of the *Parliamentary Commissioner Act 1971*;
- Provide for a complainant, who receives a Local Government discretion to refuse to deal with that complainant, to refer the Local Government's decision for third party review;
- Enable Local Government discretion to declare a member of the public a vexatious or frivolous complainant for reasons, including:
 - Abuse of process;
 - Harassing or intimidating an individual or an employee of the Local Government in relation to the complaint;
 - Unreasonable interfering with the operations of the Local Government in relation to the complaint

COUNCIL MEETINGS**Electors' General Meeting: Section 5.27**

Position Statement	Section 5.27 of the <i>Local Government Act 1995</i> should be amended so that Electors' General Meetings are not compulsory
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Special Electors' Meeting: Section 5.28

That Section 5.28(1)(a) be amended:

- a) so that the prescribed number of electors required to request a meeting increase from 100 (or 5% of electors) to 500 (or 5% of electors), whichever is the fewer; and
- b) to preclude the calling of Electors' Special Meeting on the same issue within a twelve (12) month period, unless Council determines otherwise.

Minutes, contents of: Regulation 11

Regulation 11 should be amended to require that information presented in a Council or Committee agenda must also be included in the Minutes to that meeting.

Revoking or Changing Decisions: Regulation 10

That Regulation 10 be amended to clarify that a revocation or change to a previous decision does not apply to Council decisions that have already been implemented.

Elected Members attendance at Council meetings by technology

The current *Local Government (Administration) Regulations 1996* allows for attendance by telephone, however, only if approved by Council and in a suitable place. A suitable place is then defined as in a townsite as defined in the *Land Administration Act 1997*. This restricts an Elected Members ability to attend the meeting to a townsite in Western Australia.

This requirement does not cater for remote locations or the ability to attend via teleconference whilst in another state or overseas. The regulations require amendment to consider allowing attendance at a meeting via technology from any location suitable to a Council.

INTERVENTIONS

Remedial Intervention; Powers of appointed person; Remedial action process

In respect to remedial intervention, the appointed person should be a Departmental employee with the required qualifications and experience. This provides a connection back to the Department and its requirements.

The appointed person should only have an advice and support role. Funding of the remedial action should be by the Department where the intervention is mandatory. The Local Government to pay where the assistance is requested.

This area relates to the bigger picture of differentiating between Local Governments based on their size and scale. Suitable arrangements to determine a size and scale compliance regime should be prioritised.

ELECTIONS**Conduct of Postal Elections: Section 4.20 and 4.61**

Position Statement	The <i>Local Government Act 1995</i> should be amended to allow the Australian Electoral Commission (AEC) and or any other third party provider to conduct postal elections
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Voluntary Voting: Section 4.65

Position Statement	Voting in Local Government elections should remain voluntary
---------------------------	--

Method of Election of Mayor/President: Section 2.11

Position Statement	Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community
---------------------------	--

On-Line Voting

That WALGA continue to investigate online voting and other opportunities to increase voter turnout.

Method of Voting – Schedule 4.1

Position Statement	Elections should be conducted utilising the first past the post (FPTP) method of voting
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Leave of Absence when contesting State of Federal Election

Amend the Act to require an Elected Member to take leave of absence when contesting a State or Federal election, applying from the issue of Writs. The options to consider include:

- that an Elected Member remove themselves from any decision making role and not attend Council and Committee meetings; or
- that an Elected Member take leave of absence from all aspects of their role as a Councillor and not be able to perform the role as specified in Section 2.10 of the *Local Government Act 1995*.

STATUTORY ENVIRONMENT:

The principal legislation covering local government is the *Local Government Act 1995*, this item relates to the review of that Act.

STRATEGIC IMPLICATIONS:

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

Objectives:

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

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no additional 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 ENDORSES WALGA’s position and policy statements as contained within the report with regards to Phase 2 of the review of the *Local Government Act 1995*.

MOTION: OC121218

MOVED: Cr Price

SECONDED: Cr Trevaskis

That Council ENDORSES WALGA’s position and policy statements as contained within the report with regards to Phase 2 of the review of the *Local Government Act 1995*.

CARRIED: 7/0

9.4.6 INFORMING DOCUMENT FOR THE CORPORATE BUSINESS PLAN – WORKFORCE PLAN

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 December 2018
Attachments:	Workforce Plan
Authority/Discretion:	Executive

SUMMARY:

This agenda report presents an updated annual review of the Workforce Plan which is an informing document to Council's Corporate Business Plan.

BACKGROUND:

The Shire of Jerramungup is responsible for managing and delivering a range of quality services. The Shire has a proactive approach to planning for the future of our community. Like other local governments, elements of the Shire's future planning is legislated in Section 5.56 (1) of the Local Government Act 1995 and the Local Government (Administration) Amendment Regulations (No. 2) 2011.

This planning is completed under the Integrated Planning and Reporting (IPR) Framework and Guidelines which were introduced in Western Australia (WA) in 2010 as part of the State Government's Local Government Reform Program.

Workforce Planning is one of the core components of IPR, underpinning our Community Plan and Corporate Business Plan. Workforce Planning is "a continuous process of shaping the workforce to ensure that it is capable of delivering organisational objectives now and in the future.

This report is separated into the following areas:

1. **Current Workforce Analysis** – Provides an overview of the current Shire workforce functional and reporting structure; a normative comparison of functional role provision against 'typical' non-metropolitan local governments; workforce statistics and an analysis of current workforce planning related issues;
2. **Environmental Analysis** – Identifies external factors that influences the required labour related resources in Shire of Jerramungup;
3. **Forecast Future Needs** – A summary of the Shire's strategic direction, objectives and future projects influencing workforce planning;
4. **Strategies Development** – A gap analysis and high level short-term and long-term strategies to address the gaps and meet future Shire of Jerramungup workforce requirements;
5. **Monitoring** – The methodology to be used for reviewing results of implementing the plan against performance measures.

CONSULTATION:

Shire of Jerramungup Community Plan

Executive Officers

COMMENT:

Implementation of the Workforce Plan will involve the following key guiding principals:

- The organisation will imbue the principals of effective change management at all levels of implementation. This includes ensuring sound and effective engagement involving all staff;
- Where significant changes to individual positions are required the Shire will work with any individual affected and consider all options. These may include:
 - Ensuring changes are implemented over a sufficient time period to adequately involve effected staff in the change;
 - Implement retraining and skilling as appropriate;
 - Offering redeployment if available; and
 - As a last resort offering redundancy if required.

The document will be reviewed and updated regularly as required to improve the content, layout and evolve as community aspirations do.

STATUTORY ENVIRONMENT:**Local Government Act 1995 - Section 5.56(1) and (2)****5.56. Planning for the future**

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government Administration Regulations 1996**Division 3 — Planning for the future****19C. Strategic community plans, requirements for (Act s.5.56)**

- (1) A local government is to ensure that a strategic community 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 strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
 - (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
 - (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
 - (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
 - (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
-

- (7) A council is to consider a strategic community 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.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

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.

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
 - (a) notification that —
 - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the plan may be inspected;

or

- (b) where a strategic community plan for the district has been modified —
 - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
 - (ii) details of where and when the modified plan may be inspected.

STRATEGIC IMPLICATIONS:

The document attached sits underneath Council's Corporate Business Plan and is driven by the Community Plan projects and objectives.

FINANCIAL IMPLICATIONS:

The majority of actions and strategies detailed within the Workforce Plan will be completed utilising Shire of Jerramungup human resources in the form of staff time.

The total impact of changes in 2019/20 is estimated to be \$122,000. It is anticipated that future budgets will not feature additional increases related to measures detailed within this plan. Costs will be reviewed as part of a minor review of the workforce plan each year.

WORKFORCE IMPLICATIONS:

The majority of increase in net salaries is as a result of bringing on board a part time Bush Fire Risk Planning Coordinator and converting the current Buildings Officer role to an Asset Management role. There will also be a net increase to salaries as a result of incremental increase in pay due to retention of the majority of the current indoor workforce. In order to develop the current workforce the training budget will increase from the current \$1,000 per staff member to \$ 2,000 per staff member.

The Workforce Plan which will ensure a continuous process of shaping the workforce to ensure that it is capable of delivering organisational objectives now and in the future.

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 annual review of the Shire of Jerramungup Workforce Plan 1 July 2018 – 30 June 2022.

MOTION: OC131218

MOVED: Cr Leenhouders

SECONDED: Cr Trevaskis

That Council RECEIVE the annual review of the Shire of Jerramungup Workforce Plan 1 July 2018 – 30 June 2022.

CARRIED: 7/0

10.0 COUNCILLOR REPORTS

Cr Iffla

Attended a Lower Great Southern Economic Alliance workshop

Attended the Gairdner Primary School presentation night on behalf of Rick Wilson

Attended the Bremer Bay Primary School presentation night

Attended a GSDC meeting re RADS Funding

Cr Price

Attended the Gairdner Primary School presentation night

Attended a Great Southern Recreation Advisory Group meeting

Attended a Jerramungup CRC meeting

Cr Lester

Attended a WALGA zone meeting

Attended two Lower Great Southern Economic Alliance workshop/meetings

Attended a Bremer Boat Harbour Marine Advisory Group meeting

Attended the Jerramungup District High School Presentation night

11.0 NEW BUSINESS OF AN URGENT NATURE

Cr Iffla requested the Shire acknowledge and thank the Bremer Bay CRC Manager, Kate Dowdell and the CRC Committee for allowing the Shires planning department to relocate into the larger office which was previously occupied by the CRC Manager.

Cr Iffla enquired on the “Respect Bremer Bay” Campaign and why this has not been publicised through social media.

MOTION: OC131218

MOVED: Cr Parsons

SECONDED: Cr Trevaskis

That Council close the meeting to the public to discuss Confidential Item 12.1 – Australia Day Awards.

CARRIED: 7/0

10.45am Cr Iffla left the meeting after declaring an interest in item 12.1 Australia Day Awards.

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

12.1 AUSTRALIA DAY AWARDS

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	CR.AW.1
Author:	Sharon Baldwin, Events Co-ordinator
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 December 2018
Attachments:	Selection Criteria, Confidential – Award Nominations
Authority/Discretion:	Confidential

SUMMARY:

This item addresses Council's annual Citizenship and Sporting Awards which are presented at the Australia Day Breakfast.

BACKGROUND:

As part of Council's annual traditions Citizenship and Sporting Awards are presented each year at the Australia Day Breakfast.

CONSULTATION:

Community nominations are sought for these awards.

COMMENT:

Copies of the nominations will be presented to the Council meeting and Council may elect to close the meeting to the public to consider the nominations in "committee". Council set guidelines for the selection of winners of the Sports Star awards at the December 2018 Council meeting.

Nominations for the awards closed on December 10, 2018.

The award winners will be recorded in the official minutes however in order to maintain confidentiality the names will not be published in community minutes until after the presentation.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no additional workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

- 1) AWARD the 2018 Citizenship Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.
- 2) AWARD the 2018 Community Group or Event Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.
- 3) AWARD the 2018 Junior Sportsperson Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.
- 4) AWARD the 2018 Senior Sportsperson Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.

MOTION: OC141218**MOVED: Cr Bailey****SECONDED: Cr Leenhouders**

That Council:

- 1) AWARD the 2018 Citizenship Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.
- 2) AWARD the 2018 Community Group or Event Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.
- 3) AWARD the 2018 Junior Sportsperson Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.
- 4) AWARD the 2018 Senior Sportsperson Award to _____, with it being presented to the recipient on 26 January 2019 at the Australia Day Breakfast Event.

CARRIED: 6/0**MOTION: OC151218****MOVED: Cr Parsons****SECONDED: Cr Trevaskis**

That Council reopen the meeting to the public.

CARRIED: 6/0

11.05am Cr Iffla returned to the meeting.

13.0 CLOSURE

13.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 20 February 2019, commencing at 2.00pm, in the Council Chambers, 8 Vasey Street, Jerramungup.

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 11.30am.

These minutes were confirmed at a meeting held

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Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: