



SHIRE OF JERRAMUNGUP

NOTICE OF COUNCIL MEETING

To the President and Councillors,

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

Wednesday, 22 September 2021
At the Council Chambers,
Jerramungup
Commencing at 2:00pm

Council Meeting Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceeding, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s Code of Conduct, policies and decisions of the Shire.

Martin Cuthbert
CHIEF EXECUTIVE OFFICER
17 September 2021

AGENDA

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OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Jerramungup (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any Elected Member or officer of the Shire during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire must obtain and should only rely on written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire in respect of the application.

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

The Shire of Jerramungup extends a warm welcome to you in attending any Shire meeting. The Shire is committed to involving the public in its decision making processes whenever possible. The ability to ask questions during ‘Public Question Time’ is of critical importance in pursuing this public participation objective. The Shire sets aside a period of ‘Public Question Time’ to enable a member of the public to put questions. Questions should only relate to the business of the Shire and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Presiding Member may either answer the question or direct it to an officer to answer, or it will be taken on notice.

Any comments made by a member of the public become a matter of public record as they are minuted by Council. Members of the public are advised that they are deemed to be held personally responsible and legally liable for any comments made by them that might be construed as defamatory or otherwise considered offensive by any other party.

MEETING FORMALITIES

Local government Council meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Members of the public shall ensure that their mobile telephone or audible pager is not switched on or used during any Shire meeting. Members of the public are hereby advised that the use of any electronic, visual or audio recording device or instrument to record proceedings of the meeting is not permitted without the permission of the Presiding Member.

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NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, grants, and setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Administrative:** When Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
- Review:** When Council reviews a decision made by Officers.
- Information:** Includes items provided to Council for information purposed only that do not require a decision of Council (that is for 'noting').

ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Executive Assistant prior to the Council meeting.

DECLARATIONS OF INTERESTS

Elected Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences. Section 5.60A of the *Local Government Act 1995* states;

“a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”

Section 5.60B states;

“a person has a proximity interest in a matter if the matter concerns –

(a) a proposed change to a planning scheme affecting land that adjoins the person's land; or

(b) a proposed change to the zoning or use of land that adjoins the person's land; or

(c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.”

Regulation 34C (Impartiality) states;

“interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”

2021 MEETING DATES

At its Ordinary Meeting of Council on 18 November 2020, Council adopted the following meeting dates for 2021:

January	-	-	Council in Recess
Wednesday	24 February 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	24 March 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	28 April 2021	2.00pm	Emergency Services Shed, Bremer Bay
Wednesday	26 May 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	23 June 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	28 July 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	25 August 2021	2.00pm	Emergency Services Shed, Bremer Bay
Wednesday	22 September 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	27 October 2021	2.00pm	Council Chambers, Jerramungup
Wednesday	24 November 2021	8.30am	Council Chambers, Jerramungup
Wednesday	15 December 2021	8.30am	Emergency Services Shed, Bremer Bay

Council's Audit Committee meet when required. Details of these meetings are advised as appropriate.

APPLICATION FOR LEAVE OF ABSENCE

In accordance with section 2.25 of the *Local Government Act 1995*, an application for leave requires a Council resolution granting leave requested. Council may grant approval for Leave of Absence for an Elected Member for ordinary Council meetings for up to but not more than six consecutive meetings. The approval of the Minister is required for leave of absence greater than six ordinary Council meetings. This approval must be by Council resolution and differs from the situation where an Elected Member records their apologies for the meeting. A failure to observe the requirements of the Act that relates to absence from meetings can lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings.

Shire of Jerramungup
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ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atpm by the Shire President.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

Cr Bill Bailey, Councillor

2.4 ABSENT

2.5 DISCLOSURE OF INTERESTS

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

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

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

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

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Ordinary Council Meeting held 25 August 2021.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 25 August 2021 be CONFIRMED

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

9.0 REPORTS**9.1 TECHNICAL SERVICES****9.1.1 WORKS REPORT FOR AUGUST/SEPTEMBER 2021**

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Greg Stephens, Manager of Works
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 September 2021
Attachments:	a) Road Construction Schedule August/September 2021
Authority/Discretion:	Information

SUMMARY:

To advise Council on information, including works undertaken for August/September 2021.

Questions from Elected Members to the Manager of Works regarding Shire works should be requested prior to the meeting to enable a complete answer. Questions not provided to the Manager of Works prior to the meeting, may be taken on notice and replied to at a later date.

BACKGROUND:

Works, services and the proposed budget for the 2021/22 financial year and routine works and services.

REPORT:**Administration, Meetings and Inspections during this reporting period:**

- Budget operation
- Gravel pit dispute
- Customer enquiries
- Staff works program
- Capital works Program
- Staff and Plant records
- Plant Operator interviews
- Pool construction meeting
- Maintenance Works Program
- Gravel supply for road works
- Airport inspections and reporting
- Flood damage inspections and reporting
- Site Inspections – Rural and Town Inspections
- Administration General Duties – phone, emails
- Capital Works – Rural Road Re-Sheeting program
- Meetings – Executive, Depot Staff, Admin, Contractors, Community members

Roads Report, Grading Program and Town Services during this reporting period:Maintenance and Grading

- Clearing culverts and road washouts.
- Shire maintenance grader – Ludwig, Nyerilup, Peniup, Stock, Rangeview, Cardininup Roads, also attending to other repairs and maintenance patching/importing gravel to areas and private works.
- Contract Grader – completed network grading within the Bremer Bay area.
- Fallen tree removal
- Sand for school sports

- Depot yard and office area clean up.

Construction Crew

Also included in capital Works Program

- Installing beach emergency signage,
- Maintenance grading Boxwood Hill, Ongerup, Monjebup Roads and patching damaged sections of road network.

Please note that due to the inclement weather and staff shortages project start times have been delayed.

Town Works

- Works requests.
- Cemetery maintenance.
- Town beatification works.
- General routine maintenance.
- Road pothole and edge repairs.
- Weed spraying and suppression.
- Street pick up – debris and leaf litter.
- Mowing, weeding and brush cutting.

Routine Inspections

General

- Signage – Town streets.
- Illegal Camping.
- Illegal dumping of rubbish.
- Dog complaints.
- Cat control as required.

Playgrounds and Parks

- Weekly inspections are only a visual inspection of all the equipment, soft fall and cleanliness of the areas well as graffiti.
- Quarterly inspection complete inspections e.g. bolts, nuts, ladders, moving parts, soft fall levels, entrapments.

Aerodromes Jerramungup and Bremer Bay

Inspections include boundary fencing, runway condition, damage and any debris, Pilot Activated Lighting (PAL), strip lighting, windsock condition including lighting, vegetation control, ablutions and building.

Dog Control Activities	Total to 15 September 2021		Comments
	Registrations	22	+ 117 life time
	Returned to Owner		
	Re-homed		
	Wandering	1	Returned to owner
	Impounded		
	Barking Complaints	1	Jerramungup – under investigation, no further complaints received.
	Attacks, Harassment		
	Warnings Issued		
	Expiations Issued		
	Euthanized		
	Cat Control Activities	Registrations	2
Returned to Owner			
Re-homed			
Wandering			
Impounded			
Warnings Issued			
Penalty notices Issued			
Euthanized			
Illegal Camping/ Parking	Verbal Warnings	NIL	
	Warnings Issued	NIL	
	Penalty notices Issued	NIL	
Local Nuisance	Complaints	NIL	
	Warnings	NIL	
	Penalty notices Issued	NIL	
Litter	Complaints	NIL	
	Warnings	NIL	
	Penalty notices Issued	NIL	
Vandalism	To 15 September 2021		Nil reported

While the Shire is responsible for Compliance, Council’s position is generally to educate in the first instance unless there is significant risk attached to the behaviour or activity being investigated.

Reports and Information:Septic Tank Effluent Disposal Scheme (STEDS)

Contractors have been engaged to clear blockages in the piping and video inspect the system.

There has been two blockages recently, one at the rear of Derrick Street and the other east of Sydney Road (Major choke – rocks, concrete and other).

Numerous sections have tree roots encroaching the pipes internally, bulk grease and debris within the pipes.

There are no records of when the system had been cleaned last and seeing video of the internal piping, I would suggest never.

Moving forward with the system, needed is all the internal pipes to be jet blasted, tree roots cut and sludge removed. Once this has been done the system will be videoed for inspection and further planned maintenance and repairs.

The system will need to be cleaned on a regular two yearly basis to eliminate sewer chokes, tree roots and other; the video inspections will be done at the same time.

Plant

As reported last month a staff member drove through some water whilst out on road inspections, some water entered the air intake and has caused an issue with the motor, we have since been advised by our insurance company that the vehicle is to be written off due to the damage, we are currently seeking quotations for a replacement vehicle.

All other plant, trailers and machinery are maintained and serviced on a regular basis.

New Zero turn mower due to be picked up on Thursday September 16.

Capital Works:

Construction Program

Regional Roads Group funded projects

Road aggregate currently being carted in utilising shire staff and machinery.

Road shoulder grading and repairs, currently being carried out within the sections that are to be resealed.

Roads to Recovery Bremer Bay Road Project

Stage one – vegetation management – completed.

Staff will be utilised to widen the existing road/path way 400mm north (inlet) side using a hired excavator, dig out existing soil and replace with select gravels, compacted to line and level.

Bicycle separators, ordered and the resealing of the road and pathway due to be done November/December, with other resealing works programmed.

Boxwood Hill DWER Project.

In Progress – The earth works and road construction completed. Continuing works to include the installation of the pipe from the catchment dam to the tanks, approximately 2km. This work to be done by persons other than shire employees, install the pump at the existing catchment dam (Circuit Road) and other minor works fitments and electrical.

Staff

Two resignations within the works crew, the positions were advertised and closed on 1 September. Interviews have been arranged for the shortlisted applicants.

Staff member on leave 13 to 17 September.

Staff member on leave 20 September to 18 October.

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 2021 – 2031;

Advocate for improved road and communication connectivity to support rural and agricultural businesses and environmental tourism.

Design, construct and maintain infrastructure in a manner that maximise its life, capacity and function.

Deliver a sustainable and progressive approach to natural resource and waste management.

FINANCIAL/BUDGET IMPLICATIONS:

The works completed are included in the 2021/2022 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for August/September 2021.

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – AUGUST 2021**

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 September 2021
Attachments:	a) List of Accounts Paid to 31 August 2021 b) Credit Card Statement 27 July 2021 – 26 August 2021
Authority/Discretion:	Information

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer’s delegated authority during the month of August 2021.

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 2021-22 Annual Budget as adopted by Council at its meeting held 28 July 2021 (Minute No. OCM210706 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 2021. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28175	
EFT Payments	18671 – 18673	\$8,942.36
EFT Payments	18674	CANCELLED
EFT Payments	18675 – 18766	\$481,415.60
Cheque Payments	28176	\$137.00
Direct Deposits		\$68,255.95
Municipal Account Total		\$558,750.91
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$558,750.91

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 2021 – 2031; Implement systems and processes that meet our legal and audit obligations.

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Card

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- a) The List of Accounts Paid to 31 August 2021 as detailed in Attachment 9.2.1(a).**
- b) The Credit Card Statement 27 July 2021 – 26 August 2021 as detailed in attachment 9.2.1(b).**

9.2.2 MONTHLY FINANCIAL REPORT – AUGUST 2021

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 September 2021
Attachments:	a) Monthly Financial Report for the period ending 31 August 2021
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 August 2021 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31 August 2021.

BACKGROUND:

At its meeting held 28 July 2021 (Minute No. OCM210706 refers), Council adopted the annual budget for the 2021-22 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 31 August 2021 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 28 July 2021, Council adopted (Minute No. OCM210706 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2021-22 financial year:

Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2021/2022 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 2021 – 2031; Implement systems and processes that meet our legal and audit obligations.

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 August 2021 has been incurred in accordance with the 2021-22 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 August 2021 in accordance with section 6.4 of the *Local Government Act 1995*.

9.3 DEVELOPMENT SERVICES

Nil

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN AUGUST/SEPTEMBER 2021

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:	17 September 2021
Attachments:	August/September 2021 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for August/September 2021 including actions that have been undertaken in relation to decisions of Council and actions performed under delegated authority.

BACKGROUND:

There is no specific requirement to report on actions performed under delegated authority to Council. However, to increase transparency this report has been prepared for Council and includes actions performed under delegated authority for the month of August/September 2021.

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 2021 – 2031;

Provide informed and transparent decision making that meets our legal obligations and the needs of our diverse community

Implement systems and processes that meet our legal and audit obligations.

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of August/September 2021.

9.4.2 POLICY MANUAL REVIEW – FINANCE

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 September 2021
Attachments:	<ul style="list-style-type: none"> a) FP1 – Capitalisation and Depreciation of Non-Current Assets Policy b) FP2 – Debt Recovery Policy c) FP3 – Investments Policy d) FP4 – Sport and Recreation Grants Policy e) FP5 – Transaction Cards Policy f) FP6 – Procurement of Goods and Services Policy g) FP7 – Concessions on Farming Properties Occupied by Pensioners/Seniors Policy h) FP8 – Financial Hardship Policy i) FP9 – Portable and Attractive Items Policy j) FP10 – Asset Management Policy k) FP11 – Financial Hardship During a Declared State of Emergency Policy
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is to adopt the reviewed Finance Policies of the Shire of Jerramungup as detailed in this report.

BACKGROUND:

Although not a requirement of the *Local Government Act 1995*, it is considered good practice for Council to review its Policy Manual on a regular basis. It is intended to review the Policy Manual on an annual basis.

In addition to any annual review, any changes to existing policies or the need for new policies identified during the course of the year will be presented through the appropriate meetings for Council consideration.

Policies are determined by Council and may be amended or waived according to circumstances. This power is conveyed to Council in section 2.7(2)(b) of the *Local Government Act 1995*. Policies cannot be made in relation to those powers and duties given directly to the CEO by the Act.

The objectives of the Council's Policy Manual are:

- to provide Council with a formal written record of all policy decisions;
- to provide the staff with clear direction to enable them to respond to issues and act in accordance with Council's general direction;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Shire;
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- to enable electors to obtain immediate advice on matters of Council Policy.
- Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.

Policies should not be confused with management practices or operational procedures, which are determined by the CEO, as a mechanism for good management, and implementation of Council policies.

Changes to Council Policy shall be made only on:

1. a) the outcome of the Annual Review or
2. b) an agenda item clearly setting out details of the proposed amendment

Users should be mindful of the fact that, in simple terms:

- Policy provides what can be done;
- Procedures provide for how to do it;
- Delegation provides for who can do it.

It is important to note that the Shire's adopted policies have been made to facilitate:

- Consistency and equity in decision making;
- Promptness in responding to customer needs; and
- Operational efficiency.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

COMMENT:

A review has been conducted of the Shire of Jerramungup's existing Finance Policies and are now presented for Council consideration. Council Policies are developed to assist Council in achieving its strategic goals and contribute to meeting mandatory obligations with the 'Objective' providing the reason why the Policy has been developed.

Policies guide the discretionary powers of Council's decision making and are defined as "A course of principle of action", while Management Practices explain the steps and the considerations to be followed by management when applying Policy to a matter and are defined as "A series of actions conducted in a certain order or manner to give effect to Policy".

Detail is provided below outlining content, intent and/or proposed changes to the policies included in the review.

Amended Policies:

FP1 – Accounting for Non-Current Assets Policy

No changes proposed, reviewed during 2020/2021.

FP2 – Debt Recovery Policy

This policy has been reviewed and amended to reflect current industry standard and compliance with the *Local Government (Financial Management) Regulations 1996*.

FP3 – Investments Policy

This policy has been reviewed and amended to reflect current industry standard and compliance with the *Local Government (Financial Management) Regulations 1996*.

FP4 – Sport and Recreation Grants Policy

This policy has been reviewed and amended to align with the Department of Local Government, Sport and Cultural Industries CSRFF Grant Funding guidelines.

FP5 – Transaction Cards Policy

No changes proposed, reviewed during 2020/2021.

FP6 – Procurement of Goods and Services Policy

This policy was reviewed and amended in May 2020 to align with changes made to the *Local Government (Functions and General) Regulations 1996* in response to the COVID-19 Public Health Emergency to enable

local government to reduce the cost of tendering, become more flexible in times of emergency and generate flexibility in the purchasing process.

An amendment is now proposed to increase the threshold from \$5,000 to \$10,000 to allow staff to purchase directly from a suitable supplier. Staff are finding it challenging and resource hungry to try and obtain quotes from supplies and service providers when there are limited options available locally.

FP7 – Concessions on Farming Properties Occupied by Pensioners/Seniors Policy

This policy has been reviewed and amended to reflect current industry standard and compliance with legislation.

FP8 – Financial Hardship Policy

This policy has been reviewed and amended to reflect current industry standard and compliance with the *Local Government (Financial Management) Regulations 1996*.

FP9 – Portable and Attractive Items Policy

This policy has been reviewed and amended to reflect current industry standard and compliance with the *Local Government (Financial Management) Regulations 1996*.

FP10 – Asset Management Policy

This policy has been reviewed and amended to reflect current industry standard and compliance with legislation.

FP11 – Financial Hardship During a Declared State of Emergency Policy

No changes proposed, original policy adopted in 2020.

STATUTORY ENVIRONMENT:

Local Government Act 1995 s.2.7(2)(b)

2.7. Role of council

1. *The council —*
 - (a) governs the local government’s affairs; and*
 - (b) is responsible for the performance of the local government’s functions.*
2. *Without limiting subsection (1), the council is to —*
 - (a) oversee the allocation of the local government’s finances and resources; and*
 - (b) determine the local government’s policies.*

STRATEGIC IMPLICATIONS:

This item relates to the following components from the Shire of Jerramungup Community Plan 2021 – 2031; Provide informed and transparent decision making that meets our legal obligations, and the needs of our diverse community.

Implement systems and processes that meet our legal and audit obligations.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

Policies provide direction for all Shire of Jerramungup employees.

POLICY IMPLICATIONS:

As detailed in each policy.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council, pursuant to section 2.7(2)(b) of the *Local Government Act 1995*, reaffirm the continued application and operation of each of the following current Council Policies as amended in the report and attached to this report for a further year or such earlier date as Council may determine from time to time:

FP1 – Capitalisation and Depreciation of Non-Current Assets Policy

FP2 – Debt Recovery Policy

FP3 – Investments Policy

FP4 – Sport and Recreation Grants Policy

FP5 – Transaction Cards Policy

FP6 – Procurement of Goods and Services Policy

FP7 – Concessions on Farming Properties Occupied by Pensioners/Seniors Policy

FP8 – Financial Hardship Policy

FP9 – Portable and Attractive Items Policy

FP10 – Asset Management Policy

FP11 – Financial Hardship During a Declared State of Emergency Policy

9.4.3 OUT OF BUDGET EXPENSE – PURCHASE 1 X NEW MITSUBISHI TRITON

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 September 2021
Attachments:	1) CONFIDENTIAL – Motor vehicle assessment report
Authority/Discretion:	Legislative

SUMMARY:

This item seeks Council approval to outright purchase 1 x new Mitsubishi Triton for the Works Department due to the insurance assessment report received on the damage sustained to JP0021, following an incident on the 27 July 2021.

The Shire is not authorised to incur this expenditure as it has not been included in 2021/2022 annual budget, as it is a capital purchase an out of budget expense authorisation needs to be made.

The recommendation seeks Council approval for the out of budget expense to be incurred this financial year.

BACKGROUND:

On 31 August 2018, Council purchased 1 x Mitsubishi Triton GXL 2.4L for the works department, the vehicle was due to be replaced in 2022/2023 financial year.

CONSULTATION:

LGIS (Local Government Insurance Services)

Executive Staff

COMMENT:

On 27 July 2021, an employee was conducting road inspections on Millers Point Road due to the extensive rainfall event that had occurred within the Shire. The employee drove the vehicle through a puddle on the road, immediately the vehicles motor stopped running. The employee tried to start the vehicle however the vehicle would not start.

The vehicle was then towed to Bremer Bay Mechanical. Bremer Bay Mechanical carried out an inspection on the vehicle and advised that the engine needed to be replaced. Following this advice the Shire then lodged an insurance claim for the vehicle.

The Shires insurers were concerned with repairing the vehicle, although the engine could be replaced, the insurance company was concerned that the full extent of the water ingress damage to other areas may not be apparent at this stage. The insurance assessors advised that the vehicle is at risk of corrosion occurring, which may affect the wiring or cause the airbags to malfunction.

With safety in mind and taking into account the insurance assessors cannot guarantee that replacing the engine will fully resolve the damage or that the vehicle will be safe to use in the future, the insurers decided to write the vehicle off and render it a total loss.

As the vehicle is over three (3) years old at the time of loss it will not fall within the “new replacement scheme” and as such the assessors have determined a pre accident value.

On 14 September 2021, LGIS provided an offer of settlement of \$29,573.64;

\$33,081.00 offer inc GST

\$3,007.36 minus GST

\$500 minus excess

Total: \$29,573.64

Based on the insurance assessment provided the Chief Executive Officer has approved the settlement offer.

The Manager of Works is seeking quotes to outright purchase 1x new Mitsubishi Triton with the following extras to be included on the vehicle;

- Steel tipping tray (Tray with hydraulic tipping system)
- Canvas HD Seat Covers
- Roo bar
- Tow bar package
- Tool box (full width tray)
- Window Tint
- Snorkel

Due to the current market and the government discount the expected cost to purchase the new vehicle with accessories is approximately \$40,000 ex GST.

STATUTORY ENVIRONMENT:

Section 6.8 of the *Local Government Act 1995* applies;

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) —*

additional purpose *means a purpose for which no expenditure estimate is included in the local government's annual budget.*

- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Community Plan 2021 – 2031; Implement systems and processes that meet our legal and audit obligations.

FINANCIAL/BUDGET IMPLICATIONS:

The purchase of a new Mitsubishi Triton will be offset by the monies to be received from the offer of settlement of \$29,573.64. The remaining \$10,426.36 will be offset by funds in the Plant Replacement Reserve.

During the budget review process the Deputy Chief Executive Officer will review if any costs savings could be used rather than transferring monies from the Plant Reserve at 30 June 2022.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That COUNCIL, BY AN ABSOLUTE MAJORITY;

- **Note the increase in revenue to the 2021/2022 annual budget due to the settlement offer of \$29,573.64 from LGIS for the write off of the Shire's 2018 Mitsubishi Triton GLX (4x4).**
- **Authorise the out of budget expense of \$40,000 (ex GST) for the outright purchase of 1x new Mitsubishi Triton for the Works Department.**
- **Authorise a transfer from Plant Reserve for the amount of \$10,426.36 prior to 30 June 2022 to the Shire's Municipal account.**

**10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED
(CONFIDENTIAL MATTERS)**

11.0 COUNCILLOR REPORTS

12.0 NEW BUSINESS OF AN URGENT NATURE

13.0 CLOSURE

13.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 27 October 2021, commencing at 2.00pm, in the Council Chambers, Jerramungup.

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atpm

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: