



SHIRE OF JERRAMUNGUP

ORDINARY COUNCIL MEETING

**Held at the Council Chambers
Jerramungup
Wednesday, 26 May 2021**

MINUTES

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Shire of Jerramungup
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Wednesday 26 May 2021

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ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 2:01pm 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 Rex Parsons	Councillor
Cr Bill Bailey	Councillor
Cr Julie Leenhouders	Councillor
Cr Andrew Price	Councillor
Cr Drew Dawson	Councillor

STAFF:

Martin Cuthbert	Chief Executive Officer
Charmaine Solomon	Deputy Chief Executive Officer
Greg Stephens	Manager of Works
Noel Myers	Manager of Development
Tamara Pike	Senior Finance Officer
Rachel Smith	Executive Officer

VISITORS:

Nil

GALLERY:

Nil

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

The Chief Executive Officer, Mr Martin Cuthbert, declares a financial interest in Item 8.2 Chief Executive Officer Annual Review as it has a direct bearing on his contract of employment with the Shire of Jerramungup.

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

Cr Joanne Iffla declared a Proximity Interest in item 9.3.1 Proposed Acquisition of Unallocated Crown Land Parcel and Amalgamation into Adjoining Reserve No. 48293, Bremer Bay. The nature of the interest is that she is an owner of adjoining land.

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

Cr Drew Dawson declared a Impartiality Interest in item 9.3.1 Proposed Acquisition of Unallocated Crown Land Parcel and Amalgamation into Adjoining Reserve No. 48293, Bremer Bay. The nature of the interest is that he is a volunteer for St John Ambulance.

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

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

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

Nil

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil

Tamara Pike left the meeting at 2:02pm

Tamara Pike returned to the meeting at 2:03pm

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Ordinary Council Meeting held 28 April 2021.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 28 April 2021 be CONFIRMED

Bushfire Advisory Committee Meeting held 19 April 2021

That the Minutes of the Bushfire Advisory Committee Meeting held in the Council Chambers, Jerramungup on 19 April 2021 be CONFIRMED

MOTION: OCM210501

MOVED: Cr Parsons

SECONDED: Cr Dawson

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 28 April 2021 be CONFIRMED

That the Minutes of the Bushfire Advisory Committee Meeting held in the Council Chambers, Jerramungup on 19 April 2021 be CONFIRMED

CARRIED: 7/0

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

8.1 FINANCIAL MANAGEMENT REVIEW 2021

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	GR.AU.1
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	17 May 2021
Attachments:	a) Financial Management Review 2021
Authority/Discretion:	Legislative

SUMMARY:

For Council to adopt the recommendation of the Audit Committee to receive the Financial Management Review on the appropriateness and effectiveness of the financial management systems and procedures, and to note the officer's comments in regards to the findings.

BACKGROUND:

A review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire must be undertaken ("Financial Management Review"), not less than once every three years. Audit Partners Australia (external auditors) was engaged to conduct this review in accordance with section 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* (as amended).

In accordance with the requirements outlined within the Local Government (Financial Management) Regulation 5 (2) (c), a review of the Financial Management Systems at the Shire of Jerramungup has been undertaken. This report summarises the findings and observations of the review and makes recommendations as appropriate to improve any weaknesses in systems and controls.

The primary objective of the review was to provide assurance to the Council that its Financial Management Systems are being effectively managed and have effective controls. This includes a review of:

- Proper segregation of functional responsibilities
- A system of authorisation and recording adequate to provide accounting control of assets, liabilities, revenues and expenses
- Sound practises in performance of duties and functions

The following financial systems and procedures of Council were the subject of this review:

- Bank Reconciliations and Petty Cash
- Trust Fund
- Receipts and Receivables
- Rates
- Budget
- Purchases, Payments and Payables
- Fees and Charges
- Wages and Salaries
- Fixed Assets
- Financial Reports
- Integrated Planning and Reporting Framework
- Minutes and Meetings
- Annual Electors Meeting
- Registers (i.e. tenders, financial interest, contracts and legal documents)
- Delegations

- Audit Committee
- Insurance
- Storage of Documents/Record Keeping
- Other Matters

Attached to this agenda is the full report provided Audit Partners Australia.

CONSULTATION:

Audit Partners Australia.

COMMENT:

The following items were highlighted by Audit Partners Australia in the Financial Management Review for consideration and action.

Area of Financial Management	Finding	Audit Partners Australia Comment	Shire Officer Comment
Bank Reconciliations	It was noted from mapping the process surrounding Bank Reconciliations that for the Reserve account, Pool grant funds & Waste grant funds the Shire does not use the “Bank Reconciliation module” within SynergySoft, rather it prepares “Manual Reconciliation” by way of spreadsheets.	Recommendation: Although we do not consider this to be a control weakness, we do recommend using the SynergySoft system as it allows for rolling forward balances and electronically reconciling bank accounts.	Staff have been investigating the implementation of the Synergy Soft module. A decision was made to implement when the Synergy Soft upgrade to Altus was undertaken.
Receipts and Receivables	On review of sample rates receivables and sundry debtors month-end reports, we noted the reports are reconciled as at the end of month; however the reports did not agree to monthly Statement of Financial Activity for the months of July 2020, September 2020, November 2020 and January 2021.	Recommendation: To ensure the accuracy of the month-end reports, we recommend that at all times, a final copy of rates and sundry debtors reconciliation report be prepared which reconciles with the monthly financial report reported to council and is signed off or initialled by the designated authority.	The Rates receivable and Sundry debtor month-end reports are run after the end of the month and not necessarily on the same day as the Monthly Statement is produced. These reports are checked and signed to check the debtors and rates aged trial balance agrees to general ledger and that there are no discrepancies within debtor or rate system. Because the reports are not necessarily run on the same date as the Monthly statement it means that transactions can occur after the debtor report has been printed and before the monthly statement. As suggested staff will now produce a debtor aged trial balance on the same day as the monthly statement is produced.
Purchases, Payments and Payables	On review of sample creditors month-end reports, we noted the reports are reconciled as at the end of month; however the reports did not agree to monthly Statement of Financial Activity for the months of July 2020, September 2020, November 2020 and January 2021.	Recommendation: To ensure the accuracy of the month-end reports, we recommend that at all times, a final copy of creditors reconciliation report be prepared which reconciles with the monthly financial report reported to council and is signed off or initialled by the	The Creditor reports are produced to check that there are no discrepancies within the creditor system. As the Shire is always receiving invoices and needing to back date to the correct month for GST purposes the outstanding creditor figure is always changing. As the monthly report was run the second week of the following month there are invoices received and processed after the monthly report

		designated authority.	was run as the invoices had not been received before the report was processed. Going forward staff will print a copy of the creditor aged trial balance on the day the monthly report is run. Since changing the Council meeting date to the last week of the month, this will allow more creditors to be paid before the monthly report is run.
Fixed Assets	Our review of the fixed assets management system we did not find any exceptions to our testing.	It was noted however from our review, the Shire's capitalisation and depreciation policy does not include the current amendments to Local Government (Financial Management) Regulations relating to fair value cycle, measurement basis for plant and equipment, vested land etc. We therefore recommend that the Shire review its current policy to ensure it incorporates the current regulation changes.	The Capitalisation and Depreciation of Non-Current Assets Policy was last updated at the Ordinary Council Meeting in June 2019 to comply with changes to the Regulations. An item is being presented to the Ordinary Council Meeting to be held 26 May 2021 to ensure the policy is compliant with latest changes to the <i>Local Government (Financial Management) Regulations 1996</i> .
Integrated Planning Framework	Our review of the Strategic Community Plan and the Corporate Business Plan indicated the Shire has met the requirements of the integrated planning framework in establishing and adopting a Strategic Community Plan and Corporate Business Plan, except the following: <ul style="list-style-type: none"> • Strategic Community Plan was adopted in September 2016 and was due for review in September 2020 as the regulations require the Shire to review the Strategic Community Plan at least once every 4 years. However subsequently the review has been 	Recommendation: To ensure proper compliance with the statutory provisions, we recommend the Strategic Community Plan be reviewed at least once every four years and Corporate Business Plan to be reviewed every year.	The Shire has committed to a major review of the full suite of Integrated Planning and Reporting Framework documents, this review was held up during 2020 due to being unable to hold public consultation due to Covid-19. The Strategic Community Plan is being presented to the Ordinary Meeting of Council to be held 26 May 2021 for final adoption, with a draft Corporate Business Plan being completed for review prior to June.

	<p>completed and endorsed by the Council in the 24 March 2021 council meeting. There was delay due to COVID-19 and no community meetings could be held mid last year.</p> <ul style="list-style-type: none"> • Corporate Business Plan was adopted in October 2017 and was reviewed in June 2020. However the regulations require the Shire to review the Corporate Business Plan every year. 		
<p>Other Matters</p> <p>Shire's Policy Manual</p>	<p>A review of all shire's finance policies was performed and we noted that: The following policies had not been updated since the below adoption dates. However based on our discussion with management, the CEO is currently undertaking a major review of all the policies. There is risk that overlooking a review can suggest procedures documented are non-operational/non-compliant to the current regulations.</p> <p>Finance Policies Date adopted</p> <p>FP2- Rates and Accounts collection 21-August-2013</p> <p>FP3 – Investments 21-August-2013</p> <p>FP4 – Sport and Recreation Grants 21-August-2013</p> <p>FP5 – Corporate Credit Card 21-September-2016</p> <p>FP7 – Pensioner Rebates on Rural Properties 17-September-2014</p> <p>FP8 – Financial Hardship Policy 19-March-2014</p> <p>Record Keeping – Disaster Recovery Plan Pre 2008</p>	<p>Recommendation: Policies should be reviewed and updated on a regular basis to ensure the policies are current, compliant with the regulations and staff are following appropriate procedures and policies in place. Business Continuity and Disaster Recovery Plan should be tested annually and revised upon the results of the test. Refer to section 2.9 of this report for further understanding of the asset policy.</p>	<p>A major review of all Council policies was being undertaken during 2018 and 2019. With the State Government undertaking a review of the <i>Local Government Act 1995</i>, the priority has been on preparing new policies or amending policies that have been required due to legislation changes. There have been 10 policies that required review or creation in the last 12 months plus new Codes of Conduct and Model Standards. A review of remaining Council Policies is intended to be completed during 2021.</p>

	A Business Continuity Manual was originally developed and adopted in March 2018. It states Business Impact Analysis, should be conducted or formally reviewed every two years and the major components of the Plan should be tested annually. We noted that the policy review in 2019 has not been adopted. Also, Business Continuity and Record Keeping – Disaster Recovery Plan requires the plan to be tested annually.		
IT General Environment	Shire does not have any formal policies governing IT security nor procedures to maintain the integrity of the IT systems and corresponding user access. This also extends to security around removable/portable devices. Presently, an external provider is engaged to provide IT support services and advice regarding security and hardware.	Recommendation: Shire should also undertake a comprehensive IT security review to identify the key IT risks along with the IT controls to reduce the risk to an acceptable level. IT Policy and procedures should be documented and communicated to users of the IT systems.	Staff will work with the Shire’s external IT provider to undertake a comprehensive IT security review during the 2021/2022 financial year.
Month End Procedures	An examination of the shires month end procedures was performed and the following issue was noted. <ul style="list-style-type: none"> The Monthly Statement of Financial Activity for the months of July 2020, September 2020, November 2020 and January 2021 did not balance to the Trial Balance within Synergy mainly due to the adjustments being made whereby invoices are received subsequent to the month-end finalisation. 	We recommend a copy of Synergy trial balance is be printed and retained which agrees to Monthly Statement of Financial Activity and adjustments made after the approved monthly financial report are to be monitored and retained.	As previous monthly reports had to be completed by the second week of the month there were often invoices received or transactions entered after the monthly report was completed. Now that Council meetings have moved to last week of the month, this will allow more time to get all invoices received and processed before the monthly report is produced. As suggested, staff will print a Trial Balance on the day that the Monthly Statement is produced so that it reconciles with the monthly statement.

STATUTORY ENVIRONMENT:***Local Government (Financial Management) Regulation 5(2)(c)*****5. CEO's duties as to financial management**

- (1) *Efficient systems and procedures are to be established by the CEO of a local government —*
- (a) *for the proper collection of all money owing to the local government; and*
 - (b) *for the safe custody and security of all money collected or held by the local government; and*
 - (c) *for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and*
 - (d) *to ensure proper accounting for municipal or trust —*
 - (i) *revenue received or receivable;*
 - (ii) *expenses paid or payable; and*
 - (iii) *assets and liabilities;**and*
 - (e) *to ensure proper authorisation for the incurring of liabilities and the making of payments; and*
 - (f) *for the maintenance of payroll, stock control and costing records; and*
 - (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or regulations.*
- (2) *The CEO is to —*
- (a) *ensure that the resources of the local government are effectively and efficiently managed; and*
 - (b) *assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and*
 - (c) *undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.*

Local Government (Audit) Regulations 1996**17. CEO to review certain systems and procedures**

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
- (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

Local Government Act 1995***Part 6 – Financial management******Division 4 – General financial provisions*****6.5. Accounts and records**

The CEO has a duty —

- (a) to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government; and
- (b) to keep the accounts and records up to date and ready for inspection at any time by persons authorised to do so under this Act or another written law.

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 to be considered as part of this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications to be considered as part of 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) **Receive the Financial Management Review of the appropriateness and effectiveness of the local government's systems and procedures in regard to internal financial control.**
- 2) **Notes the officer's responses to the comments and recommendations in relation to the review.**

MOTION: OCM210502

MOVED: Cr Leenhouders

SECONDED: Cr Price

That Council:

- 1) **Receive the Financial Management Review of the appropriateness and effectiveness of the local government's systems and procedures in regard to internal financial control.**
- 2) **Notes the officer's responses to the comments and recommendations in relation to the review.**
- 3) **Request the CEO to provide a report, on a six-monthly basis, to the Audit Committee to enable to Committee to monitor the Shire's progress in addressing the recommendations, pursuant to regulation 16(d) of the *Local Government (Audit) Regulations 1996*.**

CARRIED: 7/0

Reason for variation to Officer Recommendation:

For Council to satisfy itself that the recommendations from the Financial Management Review have been investigated and implemented.

OFFICER RECOMMENDATION:

That the meeting be closed to the general public to discuss Confidential Item 8.2 pursuant to the *Local Government Act 1995* section 5.23 (2)(a) relating to a matter affecting an employee or employees.

MOTION: OCM210503**MOVED: Cr Dawson****SECONDED: Cr Bailey**

That the meeting be closed to the general public to discuss Confidential Item 8.2 pursuant to the *Local Government Act 1995* section 5.23 (2)(a) relating to a matter affecting an employee or employees.

CARRIED: 7/0**8.2 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW**

Location/Address: N/A
Name of Applicant: N/A
File Reference: Personnel File
Author: Martin Cuthbert, Chief Executive Officer
Responsible Officer: Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest: Financial Interest – Relates to author’s contact of employment
Date of Report: 18 May 2021
Attachments: a) CONFIDENTIAL – Shire of Jerramungup CEO Annual Performance Review Report
Authority/Discretion: Legislative

OFFICER RECOMMENDATION:

That Council:

1. **NOTES** that Mr Martin Cuthbert’s Performance Review in his role as Chief Executive Officer for the Shire of Jerramungup for the 2020/21 appraisal period has been undertaken;
2. **ENDORSES** Mr Cuthbert’s overall rating of “Meets Performance Requirements”;
3. **SCHEDULES** the next review of the Chief Executive Officer’s performance to be conducted by August 2022; and
4. **ENDORSES** the Key Performance Indicators for the 2021/22 appraisal period.

MOTION: OCM210504**MOVED: Cr Bailey****SECONDED: Cr Price**

That Council:

1. **NOTES** that Mr Martin Cuthbert’s Performance Review in his role as Chief Executive Officer for the Shire of Jerramungup for the 2020/21 appraisal period has been undertaken;
2. **ENDORSES** Mr Cuthbert’s overall rating of “Meets Performance Requirements”;
3. **SCHEDULES** the next review of the Chief Executive Officer’s performance to be conducted by August 2022; and
4. **ENDORSES** the Key Performance Indicators for the 2021/22 appraisal period.

CARRIED: 7/0

OFFICER RECOMMENDATION:

That the meeting again be opened to the general public.

MOTION: OCM210505

MOVED: Cr Dawson

SECONDED: Cr Parsons

That the meeting again be opened to the general public.

CARRIED: 7/0

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR APRIL/MAY 2021

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Greg Stephens, Manager of Works
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	19 May 2021
Attachments:	a) Road Construction Schedule April/May 2021
Authority/Discretion:	Information

SUMMARY:

To advise Council on information, including works undertaken for April/May 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 and Services budget adopted for the 2020/21 financial year.

REPORT:

Administration, Meetings and Inspections during this reporting period:

- Budget operation.
- Customer enquiries.
- Staff works program.
- Staff and Plant records.
- Capital Works Program.
- Site Inspections – Road, Town Inspections.
- Administration General Duties – phone, emails.
- Capital Works – Rural Road Re-Sheeting program,
- Meetings – Depot Staff, Admin, Contractors, Community members.

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

Maintenance and Grading

The Grading Program has been included to enable Council to follow the progress of the grading crew working throughout the Shire area.

Maintenance Grade and Tree Trimming.

- The trees along Needilup North Road have been trimmed back to make a safe passage, the shoulders have been partly graded and will recommence once the shoulders and drains have dried out, followed by installing guide posts and signage.
- The crew are currently working on patching/importing gravel to areas with limited and/or no gravel within the road network.

Reports and Information during this reporting period:

Plant

Quotations were invited for the supply of one Zero Turn mower; three quotations were received being;

Hustler, Kubota and Husqvarna.

The Shire of Jerramungup has in its fleet an existing Hustler Zero Turn Mower, used in both Bremer Bay and Jerramungup town sites; there has been minimal issues and faults with this machine.

The Works Manager has had previous usage and purchases of Kubota mowers in other Shires and have seen the Kubota mowers perform well and have had minimal issues with the machines.

There have been no dealings with the Husqvarna mowers and cannot report on the service and reliability of the machines except of the information supplied from the dealer.

Consideration was taken into account with the Budget of \$9,000 when assessing the quotations, the Kubota and Husqvarna were under the budget allocation, the Hustler was quoted over the budget allocation.

The Manager of Works and staff from Parks and Gardens formed the assessment panel for the evaluation criteria on the three machines; the preferred option is to purchase the Kubota Z412KW-48AU Mower.

Provided was a recommendation report to the CEO with the evaluation methodology and reasoning for the preferred option being to purchase of the Kubota Z412KW-48AU Mower.

Town Works

- General routine maintenance.
- Street pick up – debris and leaf litter ongoing.
- Mowing, weeding and brush cutting – ongoing.
- Works requests – Ongoing.
- Pot hole patching.
- Weed spraying and suppression.
- Bremer Bay CRC gardens landscape and plantings.
- Airport routine inspections, reporting and mowing.

Capital Works during this reporting period:

Cowalellup Road

Road works including the reformation of the existing surface and drainage completed', new gravel base laid in, compacted to line and level, there was a slight delay in the works due to the rain event early May, all works have been completed.

Stock Road

Road works have now re-commenced on the road, the crest, 200 meters west of Chittowurup Road intersection is to be lowered and widened, due to insufficient sight distance, the material will be used to fill the western road area (cut and fill) for the road sub-base, the road base gravel will then be laid in to line and level.

Jerramungup North Road

Gravel sourced for the roadworks; slight issue with acquiring a dozer to push the gravel due to breakdowns and unavailable plant, initial works will include tree pruning, removing excess sand and material from the road verge prior to forming up the sub-base and laying in the base road gravel.

Refer to the attached 2020 – 2021 construction plan (Attached) for the completed and current works.

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 components from the Shire of Jerramungup Community Plan 2016 – 2026;

- **Environment** Partner with local natural resource management groups to promote, preserve and improve the natural environment to attract people to the region and strengthen the local economy
- **Community** Maintain a highly accountable and transparent governance network and decision making process
- **Economy** Continued improvements on the local road network

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for April/May 2021.

MOTION: OCM210506**MOVED: Cr Bailey****SECONDED: Cr Price****That Council RECEIVE the works report for April/May 2021.****CARRIED: 7/0**

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – APRIL 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:	17 May 2021
Attachments:	a) List of Accounts Paid to 30 April 2021 b) Credit Card Statement 25 March 2021 – 29 April 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 April 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 2020-21 Annual Budget as adopted by Council at its meeting held 19 August 2020 (Minute No. OCM200805 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 April 2021. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28175	
EFT Payments	18296 – 18369	\$612,459.55
Direct Deposits		\$64,354.68
Municipal Account Total		\$676,814.23
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$676,814.23

CERTIFICATE

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

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

Objectives:

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Corporate Credit Card

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- a) The List of Accounts Paid to 30 April 2021 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 25 March 2021 – 29 April 2021 as detailed in attachment 9.2.1(b).

MOTION: OCM210507**MOVED: Cr Dawson****SECONDED: Cr Price**

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 April 2021 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 25 March 2021 – 29 April 2021 as detailed in attachment 9.2.1(b).

CARRIED: 7/0

9.2.2 MONTHLY FINANCIAL REPORT – APRIL 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:	19 May 2021
Attachments:	a) Monthly Financial Report for the period ending 30 April 2021
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 April 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 30 April 2021.

BACKGROUND:

At its meeting held 19 August 2020 (Minute No. OCM200805 refers), Council adopted the annual budget for the 2020-21 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 April 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 19 August 2020, the Council adopted (Minute No. OCM200805 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2020-21 financial year:

Officer Recommendation 4: 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 2020/2021 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 April 2021 has been incurred in accordance with the 2020-21 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP4 – Regional Price Preference

FP1 – Capitalisation and Depreciation of Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – 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 30 April 2021 in accordance with section 6.4 of the *Local Government Act 1995*.

MOTION: OCM210508

MOVED: Cr Bailey

SECONDED: Cr Leenhouders

That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 April 2021 in accordance with section 6.4 of the *Local Government Act 1995*.

CARRIED: 7/0

Tamara Pike left the meeting at 2:22pm and did not return.

Cr Joanne Iffla declared a Proximity interest in item 9.3.1. Due to the nature of this interest Cr Joanne Iffla left the meeting at 2:24pm.

Cr Drew Dawson declared an Impartiality interest in item 9.3.1. Due to the nature of this interest Cr Drew Dawson remained in the meeting.

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED ACQUISITION OF UNALLOCATED CROWN LAND PARCEL AND AMALGAMATION INTO ADJOINING RESERVE NO.48293, BREMER BAY

Location/Address:	Vacant Crown Land – Lot 803 Bremer Bay Road Bremer Bay.
Name of Applicant:	St. John WA and Shire of Jerramungup
File Reference:	A1605944
Author:	Noel Myers, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 May 2021
Attachments:	a) Location Plan - Lot 802-803 Bremer Bay Road b) Applicants Submission
Authority/Discretion:	Legislative

SUMMARY:

St John WA are requesting that Council initiate actions to have Lot 803 Bremer Bay Road amalgamated into the adjoining Lot 802 Bremer Bay Road, Bremer Bay.

The action is being requested to facilitate the future construction of a new standalone St John Ambulance Base in Bremer Bay.

It is the recommendation of the Administration that Council resolves to initiate the actions to have the land amalgamated into the adjoining Lot 802 and Reserve and to extend the existing management order over the amended land parcel.

BACKGROUND:

- Lot 802 Bremer Bay Road is a parcel of undeveloped Vacant Crown Land with an overall area of 3,622m²;
- The land is Reserved 'Public Purpose – Civic and Cultural' under Local Planning Scheme No.2;
- The lot is located immediately adjacent to the east of Reserve No.48293, Lot 802 Bremer Bay Road which is the lot on which the existing DFES Emergency Services building is located;
- The Shire of Jerramungup holds a Management Order over Reserve No.48293. The identified land use for the Reserve is 'Emergency Services' and the management order provides the power to lease for 21 years, subject to consent of the Minister for Lands;

CONSULTATION:

Preliminary consultation has taken place with representatives from local emergency services groups concerning the future intent to amalgamate the two lots and then for St John WA to establish a new standalone facility on the land.

There is a general agreement to the matter being progressed.

COMMENT:

The proposal at hand is for Council to initiate actions to have Lot 802 amalgamated with adjoining Lot 802 (Reserve 48293) to form a consolidated land holding with a management order to the Shire for Emergency Services.

As previously identified the proposal to amalgamate the land and form a new emergency services precinct has been discussed with and agreed to by other local emergency services groups and there is a consensus to the action proceeding.

Upon completion of the amalgamation process St John WA would seek to lease a portion of the land to facilitate the construction of their new standalone facility. Planning for the new St John facility is presently underway and ultimately that process will determine the final location for the siting of the new building on the lot and this will assist in informing what area of land will be required. This process is to be progressed in conjunction with the other service groups who occupy Reserve 48293 to ensure that the optimal spatial layout is achieved and can accommodate both current and future needs of all other users.

The proposed use of the land is consistent with the current Public Purpose Reservation of the land and the form of the new St John building would be consistent with the existing emergency services building.

STATUTORY ENVIRONMENT:

- Local Planning Scheme No.2
- *Land Administration Act 1997*
- *Local Government Act 1995*

STRATEGIC IMPLICATIONS:

This item relates to the following components from the Shire of Jerramungup Community Plan 2016 – 2026; Aspiration 2.4 – Emergency Management: To ensure that the Shire of Jerramungup is seen as an industry leader in emergency management and preparedness.

Objectives:

2.4.2 – Retain strong relationships and support to volunteer emergency services.

FINANCIAL/BUDGET IMPLICATIONS:

As the Shire will be the applicant and the beneficiary of the land acquisition process it will become liable for documentation costs associated with the preparation and lodgements of compiled diagrams to Landgate. There is no existing budget provision for this matter.

Costs associated with this are anticipated to be within the range of \$2,000-\$3,000 and would not become payable until the 2021-2022 financial year. This would demand that a budget allocation be made for this forward expenditure.

Council has also typically assumed responsibility for the cost of having leases prepared when dealing with public interest groups and a further provision would need to be made within the 2021-2022 financial budget for this future cost, anticipated at \$1,500.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

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

SUMMARY:

From a planning perspective the grouping of emergency service organisations on a consolidated parcel of land in this location is considered to be a positive outcome. Located at the entry to town affords the various organisations good visibility and direct access to Bremer Bay Road. Previously St John had advocated for land within the new town centre area, however that location was considered to be a less desirable location from a land use perspective insofar that it would have consumed a significant proportion of the land within the town centre and the land use does not accord with the vision and objectives for that area.

Once amalgamated the reconfigured lot would have an overall area of 7,621m² which should ensure that the new St John WA Base can be readily accommodated on-site without compromising the current and future requirements of DFES and potentially the area would provide opportunity for other aligned organisations to locate there in the future.

From a land use standpoint, the proposed amalgamation and future use of the land for the intended purpose does not introduce any uses that were not reasonably contemplated under the current Reservation of the land in LPS No.2.

Future Lease to St John WA:

To assist with their feasibility planning, St John WA are seeking an indication from Council as to what general leasing terms they could reasonably expect to be offered once the land became available.

St John WA is a charitable organisation that performs services on behalf of government for the provision of ambulance and other health services in Western Australia. Given the standing of the organisation Council could determine that in this instance that the future disposition of the land to St John was exempt from the requirements and procedures to be followed when disposing of land as set out under section 3.58 of the *Local Government Act 1995*.

Council would have the discretion to offer the land to St John's for a nominal value and for a term of up to 21 years as has been the practice of Council when dealing with other community and service orientated organisations in the past.

If Council is of mind to deem that future disposition of land to St John was an exempt disposition of land in accordance with *Local Government (Functions and General) Regulations 1996, section 30(2)(a)(ii)*, it is not obliged to seek a commercial rate of return on the property.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council;

- 1. Authorises the Administration to make application to the Department of Planning Lands and Heritage to have Vacant Crown Land Parcel being Lot 803 on Deposited Plan 47189 transferred to the control and management of the Shire of Jerramungup for the purpose of Emergency Services;**
- 2. Requests that the Department of Planning Lands and Heritage effects the amalgamation of Lots 802 and 803 on DP47189 to create one consolidated lot forming Reserve No. 48293;**
- 3. Requests that the existing Management Order being document No. J401797 over Reserve No.48293 being Lot 802 on DP47189 given in favour of the Shire, be extended over the whole of the newly created reserved as proposed in Conditions 1 and 2 above;**
- 4. Advises St John WA that the Council supports their written request dated 18 May 2021 that the Shire, subject the finalisation of land amalgamation of Lots 802 and 803 on DP47189 Bremer Bay Road, confirms its willingness to enter into lease negotiations with St John WA to facilitate the development of a new standalone St John Ambulance facility;**
- 5. Advises St John WA that any future lease entered into would be provided at a nominal cost and for the maximum term provided for by the management order over the land and that Council would assume all costs for the preparation and registration of that lease.**

MOTION: OCM210509**MOVED: Cr Dawson****SECONDED: Cr Leenhouders****That Council;**

- 1. Authorises the Administration to make application to the Department of Planning Lands and Heritage to have Vacant Crown Land Parcel being Lot 803 on Deposited Plan 47189 transferred to the control and management of the Shire of Jerramungup for the purpose of Emergency Services;**
- 2. Requests that the Department of Planning Lands and Heritage effects the amalgamation of Lots 802 and 803 on DP47189 to create one consolidated lot forming Reserve No. 48293;**
- 3. Requests that the existing Management Order being document No. J401797 over Reserve No.48293 being Lot 802 on DP47189 given in favour of the Shire, be extended over the whole of the newly created reserved as proposed in Conditions 1 and 2 above;**
- 4. Advises St John WA that the Council supports their written request dated 18 May 2021 that the Shire, subject the finalisation of land amalgamation of Lots 802 and 803 on DP47189 Bremer Bay Road, confirms its willingness to enter into lease negotiations with St John WA to facilitate the development of a new standalone St John Ambulance facility;**
- 5. Advises St John WA that any future lease entered into would be provided at a nominal cost and for the maximum term provided for by the management order over the land and that Council would assume all costs for the preparation and registration of that lease.**

CARRIED: 6/0

Cr Joanne Iffla returned to the meeting at 2:30pm

Cr Andrew Price left the meeting at 2:30pm

Cr Drew Dawson left the meeting at 2:32pm

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN APRIL 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:	20 May 2021
Attachments:	April 2021 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for April 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 April 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 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 April 2021.

MOTION: OCM210510**MOVED: Cr Leenhouders****SECONDED: Cr Iffla****That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of April 2021.****CARRIED: 5/0**

9.4.2 MAJOR REVIEW OF STRATEGIC COMMUNITY PLAN 2021-2031

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 May 2021
Attachments:	a) Shire of Jerramungup Strategic Community Plan 2021-2031
Authority/Discretion:	Legislative

SUMMARY:

To seek Council adoption of the Shire of Jerramungup Strategic Community Plan 2021-2031 and give local public notice.

BACKGROUND:

All local governments in Western Australia are required to develop a Plan for the Future as prescribed under section 5.56(1) of the *Local Government Act 1995* (Act). In 2011, amendments were made to the *Local Government (Administration) Regulations 1996* (Regulations), specifically the inclusion of regulation 19BA which in summary states that a Plan for the Future is to incorporate a Strategic Community Plan and a Corporate Business Plan.

The Strategic Community Plan provides the long term view (10 plus year timeframe) for the Shire and sets out the vision, aspirations and objectives of the community. Council adopted the initial Strategic Community Plan at the Ordinary Meeting of Council held 21 November 2012, (Minute No. OC121107 refers).

The Corporate Business Plan is responsible for translating the strategic direction of the Shire, articulated within the Strategic Community Plan, into specific priorities and actions at an operational level. The Corporate Business Plan also draws together actions contained within the Long Term Financial Plan, Capital Works Programs and various informing strategies. It provides a medium term snapshot of operational actions and priorities to inform the annual planning and budgeting process.

CONSULTATION:

Executive Staff

All Staff

Elected Members

Broad Community Consultation via an online and paper survey, coffee and chat sessions and community BBQ's.

Steve Grimmer – IPR Peer Support Group Consultant

The Draft Strategic Community Plan was available for public comment for the period 8 April 2021 to 7 May 2021.

In accordance with the *Local Government (Administration) Regulations 1996* (regulation 19D) local public notice will be given once the plan is adopted by Council.

COMMENT:

The Strategic Community Plan is the highest level planning document that the Shire of Jerramungup possesses. It sets out the visions and priorities of the community and Council for the local government area. It forms the basis for the Shire's Integrated Planning and Reporting Framework and guides development of all other strategies and plans produced by the Shire.

The reviewed Plan will continue to be used to:

- Guide Council decision-making and priority setting;
- Engage local residents and ratepayers, local businesses, community groups, and education providers that contribute to the future of our community;
- Inform decision-making with respect to other partners and agencies, including the State Government, other local governments, WALGA, and the private sector;
- Provide a clear avenue to pursue funding and grant opportunities by demonstrating how projects align with the aspirations of our Council, and within the strategic direction outlined in this Plan;
- Inform future partners of Council's key priorities, and the ways in which it seeks to grow and develop; and
- Provide a framework for monitoring progress against the community's vision and aspirations.

The following process has been followed in undertaking the major review of the Strategic Community Plan.

1. Consideration of research – key drivers and challenges facing the Shire, including trends, demographics and population forecasts.
2. Broad community consultation – consisting of an online and paper survey advertised via the local newspapers, on the Shire's website and social media.
3. Community Coffee and Chat – Community sessions were held in both Jerramungup and Bremer Bay where the public were invited to meet with Shire staff and facilitator to provide feedback.
4. Community BBQ's – Community BBQ's were organised in Jerramungup and Bremer Bay at local playgrounds to discuss local issues with each attendee encouraged to complete a survey.
5. Council priorities and direction – individual Councillors were given the opportunity to provide general priorities and direction, with further opportunity to provide feedback on draft changes in March 2021.
6. Council endorsement of Draft Strategic Community Plan – at the Ordinary Council Meeting held 24 March 2021, Council endorsed the Draft Strategic Community Plan to be advertised for public comment and feedback.
7. Public comment on Draft Strategic Community Plan – the Draft Strategic Community Plan was made available for public comment for four weeks, from 8 April 2021 to 7 May 2021. There were no submissions received during the public comment period.

Following adoption by Council, the Strategic Community Plan will be printed and made available online and at the Shire's Main Administration Building and Libraries.

STATUTORY ENVIRONMENT:

Local Government Act 1995

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

19BA. Terms used

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

19CA. Information about modifications to certain plans to be included (Act s.5.53(2)(i))

- (1) *This regulation has effect for the purposes of section 5.53(2)(i).*
- (2) *If a modification is made during a financial year to a local government's strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.*
- (3) *If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.*

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. Public notice of adoption of strategic community plan

- (1) *If a strategic community plan is adopted, the CEO must —*
- (a) *give local public notice that the plan has been adopted; and*
 - (b) *publish the plan on the local government’s official website.*
- (2) *If modifications to a strategic community plan are adopted, the CEO must —*
- (a) *give local public notice that modifications to the plan have been adopted; and*
 - (b) *publish the modified plan on the local government’s official website.*

STRATEGIC IMPLICATIONS:

The Strategic Community Plan has been developed based on the priority areas and aspirations expressed by the community as contained within the Community Engagement Report.

The Strategic Community Plan is the highest level planning document that the Shire possesses, and as such influences all other strategy and planning undertaken by the Shire of Jerramungup.

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications associated with this report. Financial implications relevant to the strategies contained within the Strategic Community Plan will be addressed through the Annual Budget and Corporate Business Plan processes.

WORKFORCE IMPLICATIONS:

The Strategic Community Plan will set direction for staff over the next ten years.

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, resolve to:

- 1. Adopt the Shire of Jerramungup Strategic Community Plan 2021-2031 as contained within Attachment 1.**
- 2. Give local public in accordance with the requirements of the *Local Government (Administration) Regulations 1996*.**

MOTION: OCM210511

MOVED: Cr Leenhouders

SECONDED: Cr Bailey

That Council, BY AN ABSOLUTE MAJORITY, resolve to:

- 1. Adopt the Shire of Jerramungup Strategic Community Plan 2021-2031 as contained within Attachment 1.**
- 2. Give local public in accordance with the requirements of the *Local Government (Administration) Regulations 1996*.**

CARRIED BY AN ABSOLUTE MAJORITY: 5/0

9.4.3 POLICY REVIEW – FP5 TRANSACTION CARD POLICY

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	IM.RM.9
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 May 2021
Attachments:	a) Current – FP5 – Credit Card Policy b) Draft – FP5 – Transaction Card Policy
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to review and adopt the updated FP5 – Transaction Card Policy to address changes recommended in the Office of the Auditor General’s report on “Controls over Corporate Credit Cards”.

BACKGROUND:

The policies of the Shire, determined by Council, as required by section 2.7(2)(b) of the *Local Government Act 1995*, guide and inform management and the public about key Council principles. The purpose of the Transaction Card Policy is to monitor expenditure appropriately, reduce financial risk and ensure ongoing compliance with the Act and Regulations in relation to the Councils purchasing utilising transaction cards.

In accordance with section 18 of the *Auditor General Act 2006*, section 7.12AJ of the *Local Government Act 1995* and Australian Auditing and Assurance Standards, effective controls over the use of corporate credit cards by local governments were assessed by the Office of Auditor General (OAG). The assessment was conducted through the review of the policies and practices of eight local governments.

The audit found local governments generally had satisfactory controls to manage the use of credit cards. There were shortcomings noted of varying significance however, did not find any inappropriate use of credit cards. The Office of the Auditor General made five recommendations based on the audit findings and they are listed below.

Local governments should:

- a. Ensure policies specify requirements for all key credit card processes.
- b. Keep adequate records of all card transactions, including information that describes the nature/purpose of the expenditure and evidence of review and approval.
- c. Cancel redundant cards in a timely manner to avoid loss and/or misuse of cards.
- d. Regularly monitor outstanding transactions to identify and follow up on long outstanding unacquitted transactions.
- e. Ensure senior management periodically reviews credit card use, to confirm compliance with policies and to identify any abnormal trends. The results of these reviews should be documented and retained.

Parliament gave the Auditor General the mandate to audit local governments to enhance accountability and transparency across the sector. The auditing of local governments by the Auditor General was advised to the sector through several circulars from the Minister and the OAG over 2016 and 2017, together with a guideline from the Department of Local Government, Sport and Cultural Industries. As part of the audit process, the OAG conducted several performance audits and the first of such performance audits was the ‘Controls over Corporate Credit Cards’.

The audit considered whether:

1. Local governments have appropriate policies and administrative systems in place for corporate credit cards;

2. There are suitable controls in place to monitor the issue and use of corporate credit cards and the timely approval of card transactions; and
3. Management periodically reviews its use of corporate credit cards and acts on any identified shortcomings.

The recommendations have been considered in line with the Shire's current practices and controls and in response a revised Transaction Card Policy for credit cards is presented to Council.

The Transaction Card Policy provides an in-principle framework to guide the Chief Executive Officer when fulfilling his/her statutory duties for establishing and implementing appropriate systems and procedures for incurring expenditure and making payments specific to transaction cards.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

Department of Local Government, Sport and Cultural Industries.

WALGA.

Office of the Auditor General.

COMMENT:

The revised Transaction Card Policy has been prepared having sought input from various state departments and industry members and in particular the recommendations from the Office of the Auditor General's report into the controls over corporate credit cards.

The proposed Transaction Card Policy ensures compliance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulation 1996*, and provides the Chief Executive Officer a framework to establish and implement appropriate systems and procedures for incurring expenditure and making payments specific to transaction cards.

The Department of Local Government, Sport and Cultural Industries' Operational Guideline No. 11 Use of Corporate Credit Cards identifies a series of issues which should be addressed by a Council policy relating to transaction cards. Current policies address the use of corporate credit cards only, however a policy of this nature should be applied to the use of all transaction cards, such as fuel cards or cab charge cards.

STATUTORY ENVIRONMENT:

Local Government Act 1995 s.6.5

Division 4 — General financial provisions

6.5. Accounts and records

The CEO has a duty —

- (a) to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government; and*
- (b) to keep the accounts and records up to date and ready for inspection at any time by persons authorised to do so under this Act or another written law.*

Local Government (Financial Management) Regulations 1996

5. CEO's duties as to financial management

- (1) Efficient systems and procedures are to be established by the CEO of a local government —*
 - (a) for the proper collection of all money owing to the local government; and*
 - (b) for the safe custody and security of all money collected or held by the local government; and*
 - (c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and*

(d) to ensure proper accounting for municipal or trust —

- i. revenue received or receivable; and*
- ii. expenses paid or payable; and*
- iii. assets and liabilities; and*

(e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and

(f) for the maintenance of payroll, stock control and costing records; and

(g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.

(2) The CEO is to —

(a) ensure that the resources of the local government are effectively and efficiently managed;

11. Payments, procedures for making etc.

(1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —

(a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and

(b) petty cash systems.

(2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.

(3) Payments made by a local government —

(a) subject to subregulation (4), are not to be made in cash; and

(b) are to be made in a manner which allows identification of —

- i. the method of payment; and*
- ii. the authority for the payment; and*
- iii. the identity of the person who authorised the payment.*

(4) Nothing in subregulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

Policies provide direction for all Shire of Jerramungup employees.

POLICY IMPLICATIONS:

As detailed in the report.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm the continued application and operation of the following revised Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:
FP5 – Transaction Card Policy.

MOTION: OCM210512

MOVED: Cr Leenhouders

SECONDED: Cr Bailey

That Council:

1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm the continued application and operation of the following revised Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:
FP5 – Transaction Card Policy.

CARRIED: 7/0

Cr Andrew Price returned to the meeting at 2:33pm

Cr Drew Dawson left the meeting at 2:34pm

9.4.4 POLICY REVIEW – AP4 RECORDS MANAGEMENT POLICY

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	IM.RM.9
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 May 2021
Attachments:	a) Current – AP4 – Record Keeping Policy b) Draft – AP4 – Records Management Policy c) Management Practice – Record Keeping
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to review and adopt the updated AP4 – Records Management Policy.

BACKGROUND:

The policies of the Shire, determined by Council, as required by section 2.7(2)(b) of the *Local Government Act 1995*, guide and inform management and the public about key Council principles.

The Shire of Jerramungup Records Management Policy provides guidance and direction on the creation and management of records and clarifies responsibilities for recordkeeping within the Shire of Jerramungup.

The policy is required to be reviewed every two years to ensure it is kept up to date and remains consistent with any legislative and best practice requirements.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

Department of Local Government, Sport and Cultural Industries.

WALGA.

Office of the Auditor General.

COMMENT:

The revised Records Management Card Policy has been prepared having sought input from various state departments and industry members and in particular the recommendations from the Office of the Auditor General’s report “Records Management in Local Government”.

The proposed Records Management Policy ensures compliance with the requirements of the *Local Government Act 1995* and the *State Records Act 2000*, and provides the Chief Executive Officer a framework to establish and implement appropriate systems and procedures for the management of records and clarify responsibilities for recording keeping within the Shire of Jerramungup.

While the intent of the policy remains unchanged, additional information has been included in the policy around the destruction of records and in particular to ensure:

- Staff and Elected Members are aware that they must not personally undertake destruction of records; and
- Information is not compromised through inappropriate destruction or disposal processes.

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.*

5.41. Functions of CEO

The CEO’s functions are to —

- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law;*

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

Policies provide direction for all Shire of Jerramungup employees.

POLICY IMPLICATIONS:

As detailed in the report.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm the continued application and operation of the following revised Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:
AP4 – Records Management Policy.**

MOTION: OCM210513

MOVED: Cr Bailey

SECONDED: Cr Leenhouders

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm the continued application and operation of the following revised Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:**

AP4 – Records Management Policy.

CARRIED: 7/0

9.4.5 POLICY REVIEW - FP1 ACCOUNTING FOR NON-CURRENT ASSETS POLICY

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	IM.RM.9
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 May 2021
Attachments:	a) Current – FP1 – Capitalisation and Depreciation of Non-Current Assets Policy b) Draft – FP1 – Accounting for Non-Current Assets Policy
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to review and adopt the updated FP1 – Accounting for Non-Current Assets Policy to meet prescribed requirements in Australian Accounting Standards Board and *Local Government (Financial Management) Regulations 1996*.

BACKGROUND:

The policies of the Shire, determined by Council, as required by section 2.7(2)(b) of the *Local Government Act 1995*, guide and inform management and the public about key Council principles. The purpose of the Accounting for Non-Current Assets Policy is to provide a consistent standard for accounting for non-current assets.

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.

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.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

COMMENT:

There have been a number of amendments to the *Local Government (Financial Management) Regulations 1996*, a summary of which is provided below:

- To simplify reporting and to reduce the cost burden of valuations, for local government owned assets:
 - Plant and Equipment – the requirement to revalue plant and equipment type assets has been removed from the Financial Management Regulations – this asset category must be carried at depreciated cost.
 - Land, Buildings, Infrastructure and Investment Property must be carried at fair value, now revalued on a 5-year cycle (rather than 3-yearly), unless fair value is materially different from the carrying amount.
- To comply with the new requirements under Accounting Standard AASB 16 Leases, right of use (ROU) assets (controlled but not owned by a local government entity) are:
 - Commercial leases (e.g. offices, vehicles, machinery, ICT equipment) – to be brought onto balance sheet by recognising the ROU asset and corresponding liability. The change to regulation 17A would require these to be at cost rather than to be continuously revalued.
 - Concessionary leases ('peppercorn leases'), such as vested crown land and other land, such as land under roads, which is not owned by the local government entity, but which is under its control or management – concessionary lease ROU asset to be reported at zero cost.
 - Improvements on concessionary land leases such as roads, buildings or other infrastructure are to be reported at fair value, as opposed to the land underneath them, which will be at zero cost. This is a departure from AASB 16 which would have required the entity to measure any vested improvements at zero cost. Sector feedback from local government to the Department of Local Government, Sport and Cultural Industries is that it is important to retain fair value for vested improvements on vested land.

STATUTORY ENVIRONMENT:

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

2.7. Role of council

3. *The council –*
 - (c) *governs the local government's affairs; and*
 - (d) *is responsible for the performance of the local government's functions.*
4. *Without limiting subsection (1), the council is to –*
 - (c) *oversee the allocation of the local government's finances and resources; and*
 - (d) *determine the local government's policies.*

Local Government (Financial Management) Regulations 1996

17A. Valuation of certain assets for financial reports

- (1) *In this regulation –*
 - carrying amount**, *in relation to an asset, means the carrying amount of the asset determined in accordance with the AAS;*
 - fair value**, *in relation to an asset, means the fair value of the asset measured in accordance with the AAS.*
 - right-of-use asset**, *of a local government, includes the local government's right to use –*
 - (a) *Crown land; or*
 - (b) *other land that is not owned by the local government, that is vested in the local government at nil or nominal cost for an indefinite period for the purpose of roads or for any other purpose;*
 - vested improvement**, *in relation to a local government, means a pre-existing improvement on land of which the care, control or management is vested in the local government at nil or nominal cost for an indefinite period.*
- (2) *A local government must show in each financial report for a financial year ending on or after 30 June 2020 –*
 - (a) *the fair value of all of the non-financial assets of the local government that are –*

- i. land and buildings that are classified as property, plant and equipment; or*
- ii. investment properties; or*
- iii. infrastructure; or*
- iv. vested improvements that the local government controls;*

and

- (b) the carrying amount of all of the non-financial assets of the local government that are plant and equipment type assets measured using the cost model in accordance with the AAS; and*
- (c) the carrying amount of all of the right-of-use assets of the local government (other than vested improvements referred to in paragraph (a)(iv)) measured using the cost model in accordance with the AAS.*

[(3) deleted]

- (4) A local government must revalue a non-financial asset of the local government referred to in subregulation (2)(a) –*
 - (a) whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount; and*
 - (b) in any event, within a period of no more than 5 years after the day on which the asset was last valued or revalued.*
- (5) A non-financial asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5,000.*

STRATEGIC IMPLICATIONS:

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

Objectives:

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

Policies provide direction for all Shire of Jerramungup employees.

POLICY IMPLICATIONS:

As detailed in each policy.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATION:

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm the continued application and operation of the following current Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:**

FP1 – Accounting for Non-Current Assets Policy.

MOTION: OCM210514

MOVED: Cr Bailey

SECONDED: Cr Leenhouders

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm the continued application and operation of the following current Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:**

FP1 – Accounting for Non-Current Assets Policy.

CARRIED: 7/0

9.4.6 CLIMATE ALLIANCE

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:	19 May 2021
Attachments:	a) Climate Alliance Agreement
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is to recommend that Council form a Climate Alliance, under the Regional Climate Alliance Program.

BACKGROUND:

The South Coast Alliance Inc. (SCA) Strategic Plan reflects the collaboration of the four member Shires to address greenhouse gas emissions through the adoption of renewable energy and various adaptive strategies such as building and lighting retrofits. It also reflects the desire to collaborate with industry and community through broader communication, collaboration and industry development strategies designed to leverage the work being done by local governments to enable and inspire the whole of our communities.

It is proposed to form a Climate Alliance, within the constructs of the existing Alliance (South Coast Alliance Inc.), under the Regional Climate Alliance Program, an initiative under the State Government's Western Australian Climate Policy. This ratifies and confirms the member Council's commitment to collaboration to achieve regional progress on this very important issue.

WALGA is inviting local governments to submit an Expression of Interest to establish a Climate Alliance under the Regional Climate Alliance Program, an initiative under the State Government's *Western Australian Climate Policy*.

The objectives of the Regional Climate Alliance Program are to:

- (1) Establish Regional Climate Alliances that can successfully develop and implement projects that are currently beyond the reach of individual local governments and that demonstrate a reduction in climate change risks and greenhouse gas emissions from community, business or local government activities;
- (2) Support local governments within the Alliances to build their capacity, beyond the life of the Program, to respond to climate change, and accelerate their adaptation and mitigation responses;
- (3) Provide opportunities for the Alliances to share capacity building resources between Alliances and the local government sector more broadly; and
- (4) Assess the efficacy of the Regional Climate Alliance model in WA and provide recommendations to DWER, DLGSC and WALGA on whether to expand the program and improve climate adaptation and mitigation action planning and implementation at the regional level, and any recommended improvements to the model.

CONSULTATION:

South Coast Alliance Inc.

WALGA.

COMMENT:

A successful application to the Regional Climate Alliance Program provides \$55,000 (exc. GST) per annum for two financial years to fund the employment of a Regional Climate Alliance Coordinator Position. In

addition, up to \$100,000 is also available to the approved Alliances for on ground project implementation activities in each of the two financial years (competitive process).

These funds would allow the South Coast Alliance Inc. and member local governments to progress priority items of the existing Strategy and provide the necessary resources to bring forward community and business engagement that are currently beyond the capacity of the agreed 2021 SCA financial budget.

This is expected to enable earlier implementation of actions to address climate change risks, including bringing forward greenhouse gas emissions reduction strategies from community and business stakeholders.

Although the SCA is already a formed alliance with 4 member local governments and has a strategic plan that goes beyond two years, it does not have a signed agreement, and is currently funded for one year at a time. Application documentation for eligibility to the Climate Alliance Program requires that *“Local Governments must ... have an agreement, signed by the Mayor/Shire President and the CEO, from the interested participating Local Governments to form an Alliance for a minimum of 2 years..”*

The SCA is already progressing a range of activities that are designed to lead to a reduction in climate change risks and greenhouse gas emissions from community, business, or local government activities. In particular the Blue Green Economy review is working to identify industry development that can work to protect our existing industry from the impact of Scope 3 emissions.

The SCA Energy Project is looking to reduce greenhouse emissions across the SCA region by working to facilitate an analysis of solutions such as roof top solar, building retrofits, vehicle fleets with a desire to extend this beyond local government entities to the broader business and industrial community.

The SCA Dashboard Project was designed to share status, progress and outcomes with our communities in order to create buy-in across the community – with work to date indicating that this may commence with a “Roadmap to Zero”, providing clarity to local governments, and community, on what level of collaboration it might take to achieve a zero-carbon emissions community by 2050.

Budget allocations across these project streams up to June 2021 amount to \$133,500 which exceeds the required co-contribution level and so no further contributions will be required by SCA members for the eligibility criteria to be met.

The commitment to the Climate Alliance is for a minimum of two years.

STATUTORY ENVIRONMENT:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

This item relates to the following components from the Shire of Jerramungup Community Plan 2016-2026.

Aspiration 1.1 – Environmental Stewardship: To be an industry leader in implementing new technology and initiatives which deliver environmental benefits to the region.

Aspiration 1.2 – Environmental Planning and Restoration: To facilitate community programs and initiatives that deliver best practice environmental planning, management and mitigate the impacts of climate change.

Aspiration 2.2 – Improved Livability: To develop initiatives and programs, supported by high quality infrastructure that improves lifestyle outcomes and makes the Shire of Jerramungup an attractive place to live.

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications associated with 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 resolves to form a Climate Alliance, within the constructs of the existing Alliance consisting of the Shires of Jerramungup, Plantagenet and Denmark, and the City of Albany, (South Coast Alliance Inc.), under the Regional Climate Alliance Program, an initiative under the State Government's Western Australian Climate Policy for a minimum of two years.

MOTION: OCM210515**MOVED: Cr Leenhouders****SECONDED: Cr Price**

That Council resolves to form a Climate Alliance, within the constructs of the existing Alliance consisting of the Shires of Jerramungup, Plantagenet and Denmark, and the City of Albany, (South Coast Alliance Inc.), under the Regional Climate Alliance Program, an initiative under the State Government's Western Australian Climate Policy for a minimum of two years.

CARRIED: 7/0

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

(CONFIDENTIAL MATTERS)

Nil

11.0 COUNCILLOR REPORTS

Cr Rex Parsons

Attended CEO Review Committee meeting

Attended Audit Committee meeting

Cr Andrew Price

Attended CEO Review Committee meeting

Attended Audit Committee meeting

Cr Joanne Iffla

Attended South Coast Alliance meeting

Attended Infrastructure Asset Management training

Attended CEO Review Committee meeting

Attended Audit Committee meeting

Cr Bill Bailey

Attended CEO Review Committee meeting

Attended Audit Committee meeting

Cr Drew Dawson

Attended South Coast Alliance meeting

Attended Infrastructure Asset Management training

Attended CEO Review Committee meeting

Attended Audit Committee meeting

Cr Julie Leenhouders

Attended South Coast Alliance meeting

Attended Infrastructure Asset Management training

Attended CEO Review Committee meeting

Attended Audit Committee meeting

Cr Robert Lester

Attended GSDC meeting

Attended South Coast Alliance meeting

Attended Infrastructure Asset Management training

Attended CEO Review Committee meeting

Attended Audit Committee meeting

MOTION: OCM210516**MOVED: Cr Leenhouders****SECONDED: Cr Dawson****That Council accept Item 12.1 Western Australian Electoral Commission Upper House Review as a late item to this agenda.****CARRIED: 7/0****12.0 NEW BUSINESS OF AN URGENT NATURE****12.1 WESTERN AUSTRALIAN ELECTORAL COMMISSION UPPER HOUSE REVIEW****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:** 24 May 2021

Attachments:

- a) Letter from Peter Rundle MLA
- b) Letter from Mia Davies MLA – Leader of the Opposition
- c) Media Release from the Nationals
- d) Petition
- e) Ministerial Expert Committee on Electoral Reform ToR
- f) Discussion Paper

Authority/Discretion: Advocacy**SUMMARY:**

Summary Minister for Electoral Affairs Hon John Quigley MLA, has recently announced the formation of a Ministerial Expert Committee to advise the Government on reform of the electoral system for the Legislative Council, or the Upper House as it is commonly referred to.

This report considers a request of the local Member of Parliament Peter Rundle, MLA to:

- Sign a petition on the above subject;
- Circulate the Petition; and
- Make our own Submission should the Shire feel so inclined.

BACKGROUND:

The Ministerial Committee has published a discussion paper, which provides context for their review, and requests submissions to be provided by 5:00pm, Tuesday, 8 June. The Ministerial Expert Committee on Electoral Reform invites the public to make submissions on issues on which it has been asked to make recommendations, and has produced a Discussion Paper for that purpose.

The deadline for submissions has now been extended. It is not known what the original closure date was, but presumably fairly short in notice.

Submissions can be made until 5pm, Tuesday 8 June 2021.

CONSULTATION:

The Western Australia Local Government Association (WALGA) has established a Policy Forum of State Council, comprising State Councillors representing all existing electoral regions.

The Policy Forum will consider a background paper and provide direction for the development of a submission, which will be put to State Council for consideration prior to the submission deadline.

The deadline for this Council seeking to “consult” on behalf of its community is far too short to enable a proper community engagement exercise on a matter so complex.

The Minister’s Committee specifically invites submissions on:

- a. which model (whole-of-state electorate or region-based) is preferable to achieve electoral equality;
- b. the strengths and drawbacks of each model;
- c. whether any other electoral model, not covered in this Discussion Paper, is better suited to achieve electoral equality, with reasons; and
- d. what changes (if any) should be made to the distribution of preferences in the Legislative Council’s proportional representation system, including group voting tickets.

COMMENT:

Any electoral reform that reduces the voice of regional people is a concern for not just Jerramungup and its electors, but also the electors of the wider district.

In a State as diverse, large and indeed in many instances remote, Governments need to consider the voices and issues of the minority, as well as the voters that have the largest voice (or power).

The only way that this has been able to be ‘somewhat’ achieved for many decades in the Western Australian context, is through proportional voting system that have allowed greater participation in parliament, through a long held agreed positive (beneficial) distortion to the one vote one value system.

Whilst an extreme and rare anomaly of the election of a candidate from The Daylight Saving Party, winning a seat in the Mining and Pastoral region (with only primary 98 votes), has highlighted an anomaly that needs to be looked at in terms of votes harvesting, the risk is that the State Government (with Lower and Upper House control) might go further and erode the voting representation of the regions.

A number of points raised by the Leader of the Opposition, Mia Davies MLA, are cause for concern for regional local governments *“this type of reform is centred on the notion of mathematical equality. It is the Opposition’s view that there are inequalities in access to services and infrastructure in regional WA when compared to our metropolitan colleagues. There is a significant lack of parity in relation to health services, access to education, the cost of living and transport, access to core Government services and Departments, to name just a few. Tipping the balance to increase the number of metropolitan representatives and decrease regional representation can only make it harder to elevate these issues in the Parliament and with Government. It will only widen the gap that exists between our regional and metropolitan populations.*

Given our State relies on industry, communities, and people in regional Western Australia for the wealth that underpins our economy, it would seem counterproductive to pursue changes to satisfy a mathematical notion of equality.”

STATUTORY ENVIRONMENT:

The *State Constitution* and *Electoral Act 1907* governs the determination of electoral boundaries and the decision-making process therein.

STRATEGIC IMPLICATIONS:

This item relates to the following components from the Shire of Jerramungup Community Plan 2016-2026.

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

Objective:

2.5.1 – Maintain a high standard of community consultation and engagement p In community satisfaction in consultation and engagement.

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no direct financial implications associated with 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 with respect to the proposed review of the electoral system for the Legislative Council, by the Ministerial Expert Committee on Electoral Reform, Council resolve as follows:

1. That the Chief Executive Officer be requested to make a submission expressing its concern that the deadline for making submissions by the community is extremely short and gives the impression that the Government has made its mind up on a predetermined outcome;
2. That The Shire of Jerramungup is strongly opposed to reforms that would reduce regional representation in Parliament; and
3. That many regional areas already have disproportionately lesser access to services and infrastructure compared to metropolitan localities. Reducing regional representation is considered to unfairly and unfavorably prejudice the ability for regional areas to lobby for better recognition and service delivery.

MOTION: OCM210517

MOVED: Cr Bailey

SECONDED: Cr Parsons

That with respect to the proposed review of the electoral system for the Legislative Council, by the Ministerial Expert Committee on Electoral Reform, Council resolve as follows:

1. That the Chief Executive Officer be requested to make a submission expressing its concern that the deadline for making submissions by the community is extremely short and gives the impression that the Government has made its mind up on a predetermined outcome;
2. That The Shire of Jerramungup is strongly opposed to reforms that would reduce regional representation in Parliament; and
3. That many regional areas already have disproportionately lesser access to services and infrastructure compared to metropolitan localities. Reducing regional representation is considered to unfairly and unfavorably prejudice the ability for regional areas to lobby for better recognition and service delivery.

CARRIED: 7/0

13.0 CLOSURE

13.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 23 June 2021, commencing at 2.00pm, in the Council Chambers, Jerramungup.

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 2:45pm

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: