



# **SHIRE OF JERRAMUNGUP**

## **ORDINARY COUNCIL MEETING**

**Held at the Council Chambers  
Jerramungup  
Wednesday, 28 September 2022**

### **MINUTES**

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**Shire of Jerramungup**  
**Table of Contents**  
**Ordinary Meeting of Council**  
**Wednesday 28 September 2022**

<b>1.0</b>	<b>DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS .....</b>	<b>4</b>
<b>2.0</b>	<b>RECORD OF ATTENDANCE .....</b>	<b>4</b>
2.1	ATTENDANCE .....	4
2.2	APOLOGIES.....	4
2.3	APPROVED LEAVE OF ABSENCE.....	4
2.4	ABSENT .....	4
2.5	DISCLOSURE OF INTERESTS.....	4
2.5.1	DECLARATIONS OF FINANCIAL INTERESTS.....	5
2.5.2	DECLARATIONS OF PROXIMITY INTERESTS.....	5
2.5.3	DECLARATIONS OF IMPARTIALITY INTERESTS .....	5
<b>3.0</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>5</b>
<b>4.0</b>	<b>ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS.....</b>	<b>5</b>
<b>5.0</b>	<b>RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>5</b>
<b>6.0</b>	<b>PUBLIC TIME.....</b>	<b>5</b>
6.1	PUBLIC QUESTION TIME.....	5
6.2	PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS .....	5
<b>7.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....</b>	<b>5</b>
<b>8.0</b>	<b>RECOMMENDATIONS AND REPORTS OF COMMITTEES .....</b>	<b>6</b>
<b>9.0</b>	<b>REPORTS .....</b>	<b>7</b>
9.1	TECHNICAL SERVICES .....	7
9.1.1	WORKS REPORT FOR SEPTEMBER 2022 .....	7
9.2	CORPORATE SERVICES .....	9
9.2.1	ACCOUNTS FOR PAYMENT – AUGUST 2022 .....	9
9.2.2	MONTHLY FINANCIAL REPORT – AUGUST 2022 .....	12
9.3	DEVELOPMENT SERVICES .....	15
9.4	EXECUTIVE SERVICES .....	16
9.4.1	INFORMATION BULLETIN SEPTEMBER 2022 .....	16
9.4.2	LICENCE AGREEMENT FOR THE SHARED USE OF POOL AT JERRAMUNGUP DISTRICT HIGH SCHOOL ...	18
<b>10.0</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>21</b>
<b>11.0</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>21</b>
<b>12.0</b>	<b>COUNCILLOR REPORTS.....</b>	<b>21</b>
<b>13.0</b>	<b>NEW BUSINESS OF AN URGENT NATURE .....</b>	<b>21</b>
<b>14.0</b>	<b>CLOSURE .....</b>	<b>21</b>
14.1	DATE OF NEXT MEETING .....	21
14.2	CLOSURE OF MEETING.....	21

## ORDINARY COUNCIL MEETING MINUTES

### 1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 2:02pm by the Shire President.

### 2.0 RECORD OF ATTENDANCE

#### 2.1 ATTENDANCE

##### ELECTED MEMBERS:

Cr Joanne Iffla	Shire President (Chair)
Cr Julie Leenhouders	Deputy Shire President
Cr Rex Parsons	Councillor
Cr Robert Lester	Councillor
Cr Andrew Price	Councillor
Cr Drew Dawson	Councillor
Cr Neil Foreman	Councillor

##### STAFF:

Martin Cuthbert	Chief Executive Officer
Charmaine Solomon	Deputy Chief Executive Officer
Rachel Smith	Executive Assistant
Gordon Capelli	Works Supervisor

##### VISITORS:

Nil

##### GALLERY:

Mrs Louise Hineuru Solomon-Maere

#### 2.2 APOLOGIES

Noel Myers, Manager of Development

#### 2.3 APPROVED LEAVE OF ABSENCE

Nil

#### 2.4 ABSENT

Nil

#### 2.5 DISCLOSURE OF INTERESTS

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

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision

making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

**2.5.1 DECLARATIONS OF FINANCIAL INTERESTS**

Nil

**2.5.2 DECLARATIONS OF PROXIMITY INTERESTS**

Nil

**2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS**

Nil

**3.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

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

**MOTION: OCM220901**

**MOVED: Cr Leenhouders**

**SECONDED: Cr Foreman**

**That Cr Drew Dawson be granted permission to be present at the Ordinary Council Meeting to be held on 26 October 2022 by audio contact.**

**CARRIED BY ABSOLUTE MAJORITY: 7/0**

**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**

Citizenship Ceremony, Mrs Louise Hineuru Solomon-Maere

Mrs Louise Hineuru Solomon-Maere left the meeting at 2:12pm and did not return.

**7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Ordinary Council Meeting held 24 August 2022.

**That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 24 August 2022 be CONFIRMED**

**MOTION: OCM220902**

**MOVED: Cr Lester**

**SECONDED: Cr Price**

**That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 24 August 2022 be CONFIRMED**

**CARRIED: 7/0**

**8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES**

Nil

## 9.0 REPORTS

### 9.1 TECHNICAL SERVICES

#### 9.1.1 WORKS REPORT FOR SEPTEMBER 2022

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Gordon Capelli, Works Supervisor
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	21 September 2022
<b>Attachments:</b>	Nil
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

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

#### BACKGROUND:

##### Road Construction

This month the construction crew have finished gravel resheet works on Jacup North Road SLK 12.80 to 15.80. The crew have also been cleaning up the Jerramungup works depot when weather has stopped road construction jobs.

The Construction Crew has also started gravel resheet works on Marnigarup East Road.

Contractors have been engaged to undertake the sealing works of Swamp Road SLK 12.96 to SLK 15.96 and the RFDS parking area at the Bremer Bay Airstrip in November.

##### Town Services

Now with the weather starting to warm up and areas drying out the town services crew has begun with the spraying regime around both town sites with the hand sprayers as well as the small boom sprayer to assist with larger areas and town verges were applicable. The town services team has nearly finished the new garden beds in front of the Bremer Bay Brewery with the last of the limestone to lay out and red stone decoratively placed.

The Jerramungup Pool gardens have been touched up and prepared for the grand opening of the pool.

There were a number of footpaths in Bremer Bay that were in heavy disrepair, contractors have been engaged to repair and replace those paths fixing the most urgent problem areas.

##### Road Maintenance

Due to staff shortages when required the maintenance crew have been assisting with the construction program, otherwise they have been grading east of Jerramungup at Mallee Road, Magenta Road, Lake Road and Fitzgerald Road.

#### CONSULTATION:

Internal

#### COMMENT:

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

#### STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

**STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2021 – 2031;  
Advocate for improved road and communication connectivity to support rural and agricultural businesses and environmental tourism.

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

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

**FINANCIAL/BUDGET IMPLICATIONS:**

The works completed are included in the 2022/2023 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 September 2022.

**MOTION: OCM220903****MOVED: Cr Dawson****SECONDED: Cr Parsons****That Council RECEIVE the works report for September 2022.****CARRIED: 7/0**



**9.2 CORPORATE SERVICES****9.2.1 ACCOUNTS FOR PAYMENT – AUGUST 2022**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Sarah Van Elden, Accounts Officer
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	8 September 2022
<b>Attachments:</b>	a) List of Accounts Paid to 31 August 2022 b) Credit Card Statement 27 July 2022 – 29 August 2022
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of August 2022.

**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 2022-23 Annual Budget as adopted by Council at its meeting held 27 July 2022 (Minute No. OCM220707 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of August 2022. Lists detailing the payments made are appended as an attachment.

<b>FUND</b>	<b>VOUCHERS</b>	<b>AMOUNTS</b>
<b>Municipal Account</b>		
Last Cheque Used	28178	
EFT Payments	19890 – 19977	\$424,188.22
Direct Deposits		\$45,414.20
<b>Municipal Account Total</b>		<b>\$469,602.42</b>
<b>Trust Account</b>		
<b>Trust Account Total</b>		<b>\$0.00</b>
<b>Grand Total</b>		<b>\$469,602.42</b>

**CERTIFICATE**

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

**STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996*

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

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

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

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

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

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

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

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

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

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

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

**STRATEGIC IMPLICATIONS:**

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

**FINANCIAL IMPLICATIONS:**

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

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

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

- a) The List of Accounts Paid to 31 August 2022 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 27 July 2022 – 29 August 2022 as detailed in attachment 9.2.1(b).

**MOTION: OCM220904****MOVED: Cr Price****SECONDED: Cr Lester**

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

- a) The List of Accounts Paid to 31 August 2022 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 27 July 2022 – 29 August 2022 as detailed in attachment 9.2.1(b).

**CARRIED: 7/0**

**9.2.2 MONTHLY FINANCIAL REPORT – AUGUST 2022**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Tamara Pike, Senior Finance Officer
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	20 September 2022
<b>Attachments:</b>	a) Monthly Financial Report for the period ending 31 August 2022
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

For Council to note the statement of financial activity for the period ended 31 August 2022 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31 August 2022.

**BACKGROUND:**

At its meeting held 27 July 2022 (Minute No. OCM220707 refers), Council adopted the annual budget for the 2022-23 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 31 August 2022 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 27 July 2022, Council adopted (Minute No. OCM220707 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2022-23 financial year:

*Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2022/2023 financial year for monthly reporting purposes.*

**CONSULTATION:**

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

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

**COMMENT:**

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

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

**STATUTORY ENVIRONMENT:**

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

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

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail—*

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) budget estimates to the end of the month to which the statement relates;*

*and*

- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.*

(2) *Each statement of financial activity is to be accompanied by documents containing—*

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity may be shown—*

- (a) according to nature and type classification; or*
- (b) by program; or*
- (c) by business unit.*

(4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be—*

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

**STRATEGIC IMPLICATIONS:**

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

**FINANCIAL IMPLICATIONS:**

Expenditure for the period ending 31 August 2022 has been incurred in accordance with the 2022-23 budget parameters, which have been structured on financial viability and sustainability principles.

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

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 August 2022 in accordance with section 6.4 of the *Local Government Act 1995*.**

**MOTION: OCM220905****MOVED: Cr Leenhouders****SECONDED: Cr Foreman**

**That Council RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 August 2022 in accordance with section 6.4 of the *Local Government Act 1995*.**

**CARRIED: 7/0**

**9.3 DEVELOPMENT SERVICES**

Nil

## 9.4 EXECUTIVE SERVICES

### 9.4.1 INFORMATION BULLETIN SEPTEMBER 2022

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Rachel Smith, Executive Assistant
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	23 September 2022
<b>Attachments:</b>	a) August/September 2022 Information Bulletin
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

To advise Council on the information items for August/September 2022 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 months of August/September 2022.

#### CONSULTATION:

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

#### COMMENT:

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

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

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

#### STATUTORY ENVIRONMENT:

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

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

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

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



**STRATEGIC IMPLICATIONS:**

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

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

**FINANCIAL IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of August/September 2022.**

**MOTION: OCM220906****MOVED: Cr Leenhouders****SECONDED: Cr Dawson**

**That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of August/September 2022.**

**CARRIED: 7/0**

#### **9.4.2 LICENCE AGREEMENT FOR THE SHARED USE OF POOL AT JERRAMUNGUP DISTRICT HIGH SCHOOL**

<b>Location/Address:</b>	Reserve 24772
<b>Name of Applicant:</b>	Minister of Education
<b>File Reference:</b>	RC.SP.1
<b>Author:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	20 September 2022
<b>Attachments:</b>	a) Draft Licence Agreement
<b>Authority/Discretion:</b>	Executive

##### **SUMMARY:**

This item seeks Council's endorsement of the Licence Agreement between the Minister of Education and the Shire of Jerramungup for the management of the Jerramungup Swimming Pool redevelopment on Lot 500 on Deposited Plan 64935 and being the whole of the land in Qualified Certificate of Crown Land Title Volume LR3157 Folio 187 also known as Reserve 24772.

##### **BACKGROUND:**

The Shire of Jerramungup and Department of Education have been successfully jointly managing and operating the school/community swimming pool since 1992. In 2016 the Jerramungup Swimming Pool reached the end of its useful life. Upon investigation, a complete demolish and renewal of the pool and supporting infrastructure was considered the most viable development option.

The Shire then sought funding for the redevelopment of the Jerramungup Swimming Pool.

##### **CONSULTATION:**

Department of Education.

##### **COMMENT:**

The Shire of Jerramungup constructed the Jerramungup Swimming Pool on Reserve 24772 at a total cost of \$4,461,564 using the following funding:

- (i) \$2,100,000 provided by the Department of Industry, Science, Energy and Resources through the Building Better Regions Fund;
- (ii) \$1,400,000 provided by the Department of Education;
- (iii) \$700,000 provided by the Department of Industry, Science, Energy and Resources through the Drought Communities Programme; and
- (iv) \$261,564 provided by the Shire of Jerramungup.

The Minister has agreed to grant to the Shire of Jerramungup a licence to use the Facilities on the terms and conditions contained within the Licence Agreement as per the attachment.

The Shire of Jerramungup must at its own cost:

- a) manage the Facilities during the Local Government's Authorised Times of Use;
- b) provide adequate and qualified supervision during the Local Government's Authorised Times of Use;
- c) ensure that all plant and equipment in or comprising the Facilities including without limitation the pool pumps and chlorination plant are operating satisfactorily at all times and in the event that

any such plant or equipment fails to operate satisfactorily shall immediately make the necessary arrangements for repairs and replacements to be effected at the earliest opportunity;

- d) implement a winter maintenance and cleaning program including without limitation the servicing of pool pumps filters chlorination equipment and all other equipment in or comprising the Facilities;
- e) shall ensure that the lawns, trees and shrubs planted or growing on the Facilities are kept in a healthy neat and tidy condition and to that end the Local Government shall ensure that the same are properly cut, watered and maintained; and
- f) do all things and perform all acts that are reasonable to ensure the physical safety of all persons situated on or near the Facilities during the Local Government's Authorised Times of Use;

#### **STATUTORY ENVIRONMENT:**

Nil

#### **STRATEGIC IMPLICATIONS:**

This item relates to the following component from the Shire of Jerramungup Community Plan 2021 – 2031;

Maintain facilities that connect people, and promote an active and healthy lifestyle.

#### **FINANCIAL/BUDGET IMPLICATIONS:**

The responsibility for maintaining and operating of the Jerramungup Swimming Pool rests with the Department of Education and the Shire of Jerramungup as per the table below. A provision was made in the 2022/23 Budget for the operating costs.

The Local Government will arrange for any repairs or maintenance to the Facilities that cost less than \$20,000 (inclusive of GST).

The Minister will arrange for any repairs or maintenance to the Facilities that cost \$20,000 (inclusive of GST) or more.

#### **Cost Sharing Arrangement:**

	Minister	Local Government
Pool supervision and management during Local Government's Authorised Times of Use	0%	100%
Minor repairs up to \$20,000 including GST	40%	60%
Major repairs over \$20,000 including GST	40%	60%
Chemicals and water testing	40%	60%
Pool cleaning	40%	60%
Car park cleaning and maintenance	40%	60%
Cleaning other than ablution block	0%	100%
Cleaning Local Government's ablution block	0%	100%
Cleaning Minister's ablution block	100%	0%
Electricity	40%	60%
Water	40%	60%
Sewerage	40%	60%
Rubbish removal at all times other than School Holidays	40%	60%
Rubbish removal during School Holidays	0%	100%
Security call outs caused by a Party	Pay costs when caused by Minister	Pay costs when caused by Local Government
Security call outs not caused by a Party	40%	60%

Public Liability insurance	Pay own costs	Pay own costs
Building insurance	40%	60%
Contents insurance	Pay own costs	Pay own costs
Lighting (if applicable) operation, maintenance, consumption and repairs	0%	100%
Any other costs properly incurred in operating the Facilities that do not fall within the above categories and are accepted by the Minister	40%	60%

The Shire is also responsible for up to 50% of decommissioning costs a provision was made in the 22/23 budget to set aside \$30,000 in the Swimming Pool Reserve, this will be factored into future annual budgets.

#### **WORKFORCE IMPLICATIONS:**

The Shire is responsible for employing staff for the cleaning and pool operations, the employee costs associated with this are factored into the 2022/23 budget.

#### **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. Endorse the Licence Agreement for the Jerramungup District High School Swimming Pool between the Minister of Education and the Shire of Jerramungup; and
2. That Council delegate authority to the CEO and Shire President to execute the Licence Agreement and affix the common seal subject to there being no material variations in the final document.

#### **MOTION: OCM220907**

**MOVED: Cr Dawson**

**SECONDED: Cr Price**

**That COUNCIL;**

1. Endorse the Licence Agreement for the Jerramungup District High School Swimming Pool between the Minister of Education and the Shire of Jerramungup; and
2. That Council delegate authority to the CEO and Shire President to execute the Licence Agreement and affix the common seal subject to there being no material variations in the final document.

**CARRIED: 7/0**

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

### **(CONFIDENTIAL MATTERS)**

Nil

## **11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## **12.0 COUNCILLOR REPORTS**

### **Cr Rex Parsons**

Attended the official opening of the Jerramungup Swimming Pool

### **Cr Robert Lester**

Attended the official opening of the Jerramungup Swimming Pool

### **Cr Andrew Price**

Attended the official opening of the Jerramungup Swimming Pool

### **Cr Neil Foreman**

Attended the official opening of the Jerramungup Swimming Pool

### **Cr Joanne Iffla**

Attended a LEMC meeting

Attended the official opening of the Jerramungup Swimming Pool

## **13.0 NEW BUSINESS OF AN URGENT NATURE**

Nil

## **14.0 CLOSURE**

### **14.1 DATE OF NEXT MEETING**

The next ordinary meeting of Council will be held Wednesday, 26 October 2022, commencing at 2.00pm, in the Council Chambers, Jerramungup.

### **14.2 CLOSURE OF MEETING**

The Presiding Member closed the meeting at 3:06pm

These minutes were confirmed at a meeting held

.....

Signed: .....

Presiding Person at the meeting at which these minutes were confirmed

Date: .....