

SHIRE OF SHARK BAY MINUTES

24 February 2021

ORDINARY COUNCIL MEETING



SHARK BAY AUSTRALIA DAY CITIZENS AWARDS 2021



24 FEBRUARY 2021



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MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

The minutes of the Ordinary meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 24 February 2021 commencing at 3.13 pm.

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1. DECLARATION OF OPENING

The President declared the Ordinary Council meeting open at 3.13 pm.

2. RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED

ATTENDANCES

Cr C Cowell	President
Cr E Fenny	Deputy President
Cr L Bellottie	
Cr G Ridgley	
Cr M Smith	
Cr P Stubberfield	

Mr P Anderson	Chief Executive Officer
Ms A Pears	Executive Manager Finance and Administration
Mr B Galvin	Works Manager
Mrs D Wilkes	Executive Manager Community Development
Mrs R Mettam	Executive Assistant

APOLOGIES

Cr J Burton	Approved Leave of Absence Item 5.1
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VISITORS

2 visitors in the gallery

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

There were no previous public questions on notice.

4. PUBLIC QUESTION TIME

The President opened public question time at 3.14 pm and as no questions were put forward from the gallery the President closed public question time at 3.14 pm.

24 FEBRUARY 2021

5. APPLICATIONS FOR LEAVE OF ABSENCE

5.1 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR BURTON
GV00018

Author
Executive Assistant

Disclosure of Any Interest
Nil

Moved Cr Bellottie
Seconded Cr Fenny

Council Resolution

Councillor Burton is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council scheduled to be held on Wednesday 24 February 2021.

6/0 CARRIED

Background

Councillor Burton has applied for leave of absence from the ordinary meeting of Council scheduled for Wednesday 24 February 2021. The Council in accordance with Section 2.25 of the ***Local Government Act 1995*** as amended may by resolution grant leave of absence to a member.

Comment

Councillor Burton has advised the Chief Executive Officer, she will be unable to attend the Ordinary meeting of Council scheduled to be held on Wednesday 24 February 2021 and has requested leave of absence be granted by Council for this meeting.

I advised it would be prudent to seek Council's approval for the leave to ensure that obligations have been met in accordance with the Local Government Act.

The Council may consider not granting Councillor Burton leave of absence but must include the reasons for the refusal for not granting the leave in the resolution.

Legal Implications

Local Government Act 1995 Section 2.25 Disqualification for Failure to Attend Meetings

- (1) A council may, by resolution grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
- (3) The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for the meeting.

MINUTES OF THE ORDINARY COUNCIL MEETING

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- (4) A member who is absent, without first obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –
 - a) If no meeting of the council at which a quorum is present is actually held on that day; or
 - b) If the non attendance occurs while –
 - i. the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
 - ii. while proceedings in connection with the disqualification of the member have been commenced or are pending; or
 - iii. while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

Policy Implications

There are no policy implications relative to this report.

Financial Implications

There are no financial implications relative to this report.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer *P Anderson*

Date of Report 16 February 2021

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

6. **PETITIONS**

There were no petitions presented to the Ordinary Council meeting.

7. **CONFIRMATION OF MINUTES**

7.1 **CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 DECEMBER 2020**

Moved Cr Ridgley
Seconded Cr Smith

Council Resolution

That the minutes of the Ordinary Council meeting held on 15 December 2020, as circulated to all Councillors, be confirmed as a true and accurate record.

6/0 CARRIED

7.2 **CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 13 JANUARY 2021**

Moved Cr Fenny
Seconded Cr Stubberfield

Council Resolution

That the minutes of the Special Council meeting held on 13 January 2021, as circulated to all Councillors, be confirmed as a true and accurate record.

6/0 CARRIED

8. **ANNOUNCEMENTS BY THE CHAIR**

Western Power will give a 30 minute zoom presentation to Council at 12.30 pm during the workshop on the Code of Conduct scheduled for 12.15 pm and before the Ordinary Council meeting.

24 FEBRUARY 2021

9.0 ADMINISTRATION REPORT

**9.1 DENHAM FORESHORE – COMMERCIAL BUSINESS AREAS
RES39569**

Author

Chief Executive Officer

Disclosure of Any Interest

Disclosure of Interest: Cr Stubberfield

Nature of Interest: Proximity Interest as have shop directly opposite this location

Cr Stubberfield left the Council Chamber at 3.16 pm.

Officer Recommendation

That Council –

Approve the continued use of location D on the Denham Foreshore as indicated on the attached map for business approved by Council;

Or

Discontinue the use of location D on the Denham foreshore as indicted on the attached map for commercial business.

Moved Cr Bellottie

Seconded Cr Ridgley

Councillor Recommendation

Discontinue the use of location D on the Denham foreshore as indicted on the attached map for commercial business.

2/3 LOST

NOTE: The motion to discuss the use of the area was lost and Council's previous approval for the site to remain for commercial use remains in force.

Cr Stubberfield returned to the Council Chamber at 3.27 pm

Background

The operator of the Quad Bike tours has advised that he would like to relinquish the area allocated on the foreshore for the operations of this business.

It is understood that he was recently advised the vehicle license for the quad bikes does not extend to the public roads.

The quad bikes have been operating from the location of the foreshore since 2007 with formal approval being granted in 2015.

The Council also allocated three other areas for appropriate businesses on the foreshore. (refer attached map for locations)

Only one area is currently being utilised by a business for water-based activities.

MINUTES OF THE ORDINARY COUNCIL MEETING

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Comment

The Council when considering the operations of business on the foreshore in 2015 following expression of interest for areas to operate water-based activities allocated three new areas for appropriate business to the south of the Shark Bay/Knight Terrace roundabout.

The Council also approved the historical use by the quad bike operator in a location opposite the service station on the foreshore.

The Council can now with the Quad bike operator relinquishing the site can consider if it would like the site to remain for commercial operations or revert back to a location for vehicle parking.

An expression of interest for the site has been received from a canoe and kayak business operator who already have an approved area near the roundabout who would like to relocate their business.

Legal Implications

There are no policy implications relevant to this report

Policy Implications

There are no policy implications relevant to this report.

Financial Implications

The Council fees and charges for 2020/2021 include a charge to utilise the site under the Local government Property Law as follows:

Low risk impact readily accessible no advertising \$255 per year or pro-rata part thereof.

Medium risk impact moderate assessment no community objections \$765 per year or pro-rata part thereof.

High risk impact difficult assessment community objection \$1,530 per year or pro-rata part thereof.

Strategic Implications

There are no strategic implications relevant to this report.

Voting Requirements

Absolute Majority Required.

Signature

Chief Executive Officer

P Anderson

Date of Report



2 February 2021

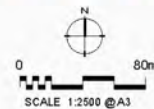
MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021



SHIRE OF SHARK BAY
DENHAM FORESHORE
APPROVED PERMIT AREAS

-  DESIGNATED PERMIT AREA FOR WATER BASED HIRE ACTIVITIES
3 AREAS (20 METRES LONG)
-  DESIGNATED PERMIT AREA FOR QUAD BIKE HIRE




GRAY & LEWIS
LAND USE PLANNERS

Suite 5, 2 Hardy Street
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JOB REFERENCE: 100840 DATE: 18th AUGUST 2015
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24 FEBRUARY 2021

9.2 ORDINARY ELECTIONS OCTOBER 2021
GV00001

Author
Chief Executive Officer

Disclosure of Any Interest
Nil

Officer Recommendation

That Council –

Receive the report presented by the Chief Executive Officer

Or

Declare in accordance with section 4.20 (4) of the *Local Government Act 1995* that the Western Australian Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections for the Shire of Shark Bay together with any other elections or polls which may also be required,

Decide in accordance with section 4.61 (2) of the *Local Government Act 1995* that the method of conducting the election will be as postal election, and

Include in the 2021/2022 budget provision of \$14,610.00 GST inclusive to provide for the Western Australian Electoral Commission to conduct the 2021 election.

ABSOLUTE MAJORITY REQUIRED

Moved Cr Cowell
Seconded Cr Fenny

Council Resolution

That Council declare in accordance with section 4.20 (4) of the *Local Government Act 1995* that the Western Australian Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections for the Shire of Shark Bay together with any other elections or polls which may also be required,

Decide in accordance with section 4.61 (2) of the *Local Government Act 1995* that the method of conducting the election will be as postal election, and

Include in the 2021/2022 budget provision of \$14,610.00 GST inclusive to provide for the Western Australian Electoral Commission to conduct the 2021 election.

6/0 ABSOLUTE MAJORITY REQUIRED

Background

Unless other arrangements are made the Chief Executive Officer is to be the Returning Officer of a Local Government however, if a Local Government wishes to have the Western Australian Electoral Commission conduct a postal voting election then the Local Government must make a declaration to this effect before the eightieth (80) day before an election according the section 4.20(4) of the *Local Government Act 1995* and is to decide that the election is to be held as a postal election in accordance with section 4.61 of the *Local Government Act 1995*.

24 FEBRUARY 2021

Comment

The Shire conducted the 2011 and 2013 elections and extraordinary elections in 2014 and ordinary election in 2015, 2017 and 2019 by postal vote and experienced very encouraging voter participation where there was a contested election.

The voter participation in 2017 was 59.31% and maintained a participation rate of 56.33% in 2019.

In my experience the conduct of the elections by postal vote provides for a greater ability for electors to participate in the election process. While the voting in person is still relevant the ability for absent owners to participate in the election by postal voting ensures a greater representation of the community.

The conduct of the election by the Electoral Commission and by postal vote also provides for increased levels of separation from the process for the administration.

Legal Implications

Local Government (Elections) Regulations 1997.

Local Government Act 1995.

4.61. Choice of methods of conducting the election

- (1) *The election can be conducted as a —*
postal election *which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or*
Voting in person election *which is an election at which the principal method of casting votes is by voting in person on Election Day but at which votes can also be cast in person before Election Day, or posted or delivered, in accordance with regulations.*
- (2) *The local government may decide* to conduct the election as a postal election.*
** Absolute majority required.*
- (3) *A decision under subsection (2) has no effect if it is made after the 80th day before Election Day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (4) *A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.*
- (5) *A decision made under subsection (2) on or before the 80th day before Election Day cannot be rescinded after that 80th day.*
- (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on Election Day even though the election is conducted as a postal election.*
- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

24 FEBRUARY 2021

4.20. CEO to be returning officer unless other arrangements are made

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

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

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

Section 4.62 of the *Local Government Act 1995* prescribes the requirement for Polling Places (booths) in respect to voting as *In Person*. The Postal Voting does not require any Polling Place in each Ward where an election is required.

4.62. Polling places required

- (1) *For every election in a district or a ward the returning officer is to ensure that there will be at least one polling place in the district that is open between 8 a.m. and 6 p.m. on election day.*
- (2) *For a voting in person election in a district that is divided into wards, the returning officer is to ensure that there will be at least one polling place in each ward that is open between 8 a.m. and 6 p.m. on election day unless the returning officer determines that, in respect of a particular ward, it is not necessary or not practicable —*
 - (a) to open a polling place in that ward on election day; or*
 - (b) for there to be a polling place in that ward that is open all the time between 8 a.m. and 6 p.m. on election day.*
- (3) *For a voting in person election in a ward the returning officer is to ensure that there will be at least one polling place in the ward that is open between 8 a.m. and 6 p.m.*

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on election day unless the returning officer determines that it is not necessary or not practicable —

(a) to open a polling place in that ward on election day; or

(b) for there to be a polling place in that ward that is open all the time between 8 a.m. and 6 p.m. on election day.

Policy Implications

There are no policy implications relevant to this report

Financial Implications

The electoral commission has quoted an amount of \$14,610 including GST to conduct the election and \$110 for the Australia Post Priority Service for the lodgement of election packages, for the Shire of Shark Bay in October 2021.

This has been based on the following assumptions:

550 electors

60% response rate

3 councillor vacancies and

The count to be conducted at the Council offices.

It is difficult to estimate the amount of cost to Council of conducting in person elections given that there is limited capacity available to conduct the elections in house and costs would be dependant upon the voter turnout if the elections were held in person.

The amount of \$14,610 can be included in the 2021/2022 budget deliberations.

Strategic Implications

There are no strategic implications relevant to this report

Voting Requirements

Absolute Majority Required.

Signature

Chief Executive Officer

P Anderson

Date of Report

23 December 2020

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

RECEIVED

23 DEC 2020

SHIRE OF SHARK BAY



WESTERN AUSTRALIAN
Electoral Commission

LGE 028

Mr Paul Anderson
Chief Executive Officer
Shire of Shark Bay
PO Box 126
DENHAM WA 6537

Dear Mr Anderson

Local Government Ordinary Election: 2021

The next local government ordinary elections are being held on 16 October 2021. While this is still some distance in the future, I have enclosed an estimate for your next ordinary election to assist in your 2021/2022 budget preparations.

The estimated cost for the 2021 election if conducted as a postal ballot is \$14,500 inc GST, which has been based on the following assumptions:

- 550 electors
- response rate of approximately 60%
- 3 vacancies
- count to be conducted at the offices of the Shire of Shark Bay
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages.

An additional amount of \$110 will be incurred if your Council decides to opt for the Australia Post Priority Service for the lodgement of election packages.

Costs not incorporated in this estimate include:

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day
- any additional postage rate increase by Australia Post
- any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

164466

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MINUTES OF THE ORDINARY COUNCIL MEETING

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The Commission is required by the *Local Government Act* to conduct local government elections on a full cost recovery basis and you should note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election you will be advised as early as possible.

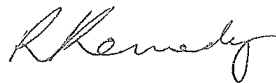
The current procedure required by the Act is that my written agreement has to be obtained before the vote by Council is taken. To facilitate the process, you can take this letter as my agreement to be responsible for the conduct of the ordinary elections in 2021 for the Shire of Shark Bay in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. My agreement is subject to the proviso that the Shire of Shark Bay also wishes to have the election undertaken by the Western Australian Electoral Commission as a postal election.

In order to achieve this, your council would need to pass the following two motions by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required
- Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

I look forward to conducting this election for the Shire of Shark Bay in anticipation of an affirmative vote by Council. If you have any further queries please contact Phil Richards Manager, Election Events on 9214 0400.

Yours sincerely



Robert Kennedy
ELECTORAL COMMISSIONER

16 December 2020

24 FEBRUARY 2021

9.3 ADOPTION OF COUNCIL POLICY - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER CM00037

AUTHOR
CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST
Nil

Moved Cr Ridgley
Seconded Cr Smith

Council Resolution

That Council adopt Council Policy 1.22 Appointment of an Acting Chief Executive Officer.

6/0 CARRIED BY ABSOLUTE MAJORITY

BACKGROUND

Section 5.36 of the Act sets out the requirements for a local government to employ a Chief Executive Officer to enable the functions of the local government and its Council to be performed, and there is a specific requirement for a person to only be employed as a Chief Executive Officer if the Council believes that the person is suitably qualified for the position.

One of the recent amendments to the Act is the addition of Section 5.39C which deals with appointment of a temporary employment or Acting Chief Executive Officer and requires Council to adopt a policy.

COMMENT

Section 5.39C requires that Council adopt a policy by Absolute Majority to provide guidance on the appointment of an Acting Chief Executive Officer.

Council policy 1.14 Designated Senior Staff list the following staff to be Designated Senior Staff in accordance with section 5.37 of the Local Government Act.

Executive Manager, Finance and Administration
Executive Manager, Tourism, Community and Economic Development
Works Manager

New Policy:

1.22 Appointment of an Acting Chief Executive Officer Policy

Policy Objective

To outline the process for the appointment of an Acting Chief Executive Officer to cover periods of leave up to 8 weeks in duration.

24 FEBRUARY 2021

Policy Scope

This policy applies in respect of periods of leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for periods of leave up to 8 weeks in duration.

Policy Statement

The *Local Government Act 1995*, section 5.36 requires that a Local Government is to employ a person to be the Chief Executive Officer of the local government.

Section 5.39C requires that the Local Government must prepare and adopt a policy that sets out the process to be followed in relation to the employment of a person in the position of Chief Executive Officer for a term not exceeding 1 year and the appointment of an employee to act in the position of Chief Executive Officer for a term not exceeding 1 year.

1. Application for Leave by Chief Executive Officer

An application for annual leave, long service leave, personal leave or an extended absence made by the Chief Executive Officer is to be approved by the President.

2. Appointment of an Acting Chief Executive Officer

Where there are periods of annual leave, long service leave or other periods of extended absence of the Chief Executive Officer, it is appropriate for a person to perform the duties of the Chief Executive Officer to enable the efficient functioning of the local government's administration.

Designated Senior Employees will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer, subject to officer performance and dependent on availability and operational requirements.

Appointment to the role of Acting Chief Executive Officer must be made in writing by the Chief Executive Officer.

Appointment to the role of Acting Chief Executive Officer may only be made by the Chief Executive Officer for periods of leave up to 8 weeks.

A Council resolution is required for periods exceeding 8 weeks.

Where the Chief Executive Officer appoints a Designated Senior Staff member to the position of Acting Chief Executive Officer, the Chief Executive Officer is to advise all Elected Members in writing of the appointment and the period to which the appointment covers.

3. Unexpected leave or vacancy

In the event that the Chief Executive Officer is otherwise incapacitated, or the position falls unexpectedly vacant, and no appointment of an Acting Chief Executive Officer has been made, the Council shall appoint an Acting Chief Executive Officer.

MINUTES OF THE ORDINARY COUNCIL MEETING

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LEGAL IMPLICATIONS

Local Government Act 1995 section 5.39C

- (1) A local government must prepare and adopt* a policy that sets out the process to be followed by the local government in relation to the following —
 - (a) the employment of a person in the position of CEO for a term not exceeding 1 year;
 - (b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

** Absolute majority required.*
- (2) A local government may amend* the policy.

** Absolute majority required.*
- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.

POLICY IMPLICATIONS

Adoption of a new policy.

FINANCIAL IMPLICATIONS

There are no financial implications relative to this report.

STRATEGIC IMPLICATIONS

The proposed new Policy address the Shire of Shark Bays Strategic Community Plan 2020-2024:

Leadership: A Transparent, resilient organisation demonstrating leadership and governance

Objective 4.2.2.3 Seek a high level of legislative compliance throughout the organisation.

RISK MANAGEMENT

The Council is required in accordance with the *Local Government Act 1995* to adopt a policy.

There is an organisational risk to ensure the ongoing operations of the organisation while the Chief Executive Officer is on approved leave.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

3 February 2021

24 FEBRUARY 2021

9.4 LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021
GV10000

AUTHOR

Chief Executive Officer

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Fenny
Seconded Cr Cowell

Council Resolution

That Council:

Adopt the Local Government (Model Code of Conduct) Regulations 2021 Schedule 1 - Model Code of Conduct for Council Members, Committee Members and Candidates (attached) in accordance with section 5.104 of the *Local Government Act 1995* and Local Government (model Code of Conduct) Regulations 2021.

Appoint the Chief Executive Officer as the complaints officer in accordance with the Local Government (model Code of Conduct) Regulations 2021.

Adopt the Complaint about Alleged Breach Form (as attached)- Code of Conduct for Council Members, Committee Members and Candidates in accordance with schedule 1 division 3 of the Local Government (model Code of Conduct) Regulations 2021.

6/0 CARRIED

BACKGROUND

The Department of Local Government, Sport and Cultural Industries (the Department) has advised that the Local government (Model code of Conduct) Regulations 2021 took effect as from 2 February 2021.

The Department acknowledges that there will be an implementation phase of up to three months where local governments must undertake a series of actions to operationalise these regulatory amendments.

Local governments are required to take specific initial actions within three weeks of the regulations taking effect (by 24 February 2021).

COMMENT

Model Code Regulations

The Local Government (Model Code of Conduct) Regulations 2021 (Model Code Regulations) bring into effect sections 48-51 of the Amendment Act by introducing a mandatory code of Conduct for Council members, committee members and candidates.

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The Model Code Regulations provide for:

- overarching principles to guide behaviour.
- behaviours which are managed by local governments.
- rules of conduct breaches which are considered by the Standards Panel.

The purpose of the Model Code is to guide decisions, actions and behaviours. It also recognises that there is a need for a separate code for Council members, committee members and candidates to clearly reflect community expectations of behaviour and ensure consistency between local governments.

Each local government was previously required to develop their own code of conduct and manage behaviour in accordance with that code. These regulations replace these individual codes by introducing a Model Code that applies to all members and candidates. It also provides for a high-level process to deal with complaints to ensure a more consistent approach between local governments and across the sector. The intent of the Model Code is to address behaviour through education rather than sanctions.

If a Council member does not comply with any action required by the local government following a breach of the Model Code, the local government may refer the matter to the Standards Panel as an alleged contravention of a rule of conduct.

The Standards Panel has the authority to make binding decisions to resolve minor breaches.

Local governments will be required to prepare and adopt the Model Code within three months of these regulations coming into effect (by 3 May 2021).

In adopting the Model Code, local governments can include additional behaviours under Division 3 provided these are consistent with the Model Code.

Until such time as a local government adopts the Code, the Model Code applies. To begin implementation of the Model Code, as soon as practical (by 24 February 2021), local governments must:

- appoint a person to receive complaints by either affirming the current complaint officers or appoint a new or additional officer(s), and
- approve a form for complaints to be lodged.

LEGAL IMPLICATIONS

The introduction of new Local Government regulations to regulate and manage the conduct of Council members, committee member and candidates.

POLICY IMPLICATIONS

There are no known policy implications relative to this report.

FINANCIAL IMPLICATIONS

There are no known financial implications relative to this report.

STRATEGIC IMPLICATIONS

There are no known strategic implications relative to this report.

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RISK MANAGEMENT

There are no known significant identified risk factors identified in this report.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

4 February 2021

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Schedule 1 — Model code of conduct

Division 1 — Preliminary provisions

1. Citation

This is the *[insert name of Shire of Shark Bay Code of Conduct for Council Members, Committee Members and Candidates]*.

2. Terms used

(1) In this code —

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

(a) act in accordance with the trust placed in council members and committee members; and

(b) participate in decision-making in an honest, fair, impartial and timely manner; and

(c) actively seek out and engage in training and development opportunities to improve the performance of their role; and

(d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

(1) A council member, committee member or candidate should —

(a) treat others with respect, courtesy and fairness; and

(b) respect and value diversity in the community.

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- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

- (1) A council member, committee member or candidate —
- (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

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10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;

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- (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

Notes for this Division:

- 1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
- 2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

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17. Misuse of local government resources

(1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes —

- (a) local government property; and
- (b) services provided, or paid for, by a local government.

(2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

(1) A council member must not make improper use of their office —

- (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
- (b) to cause detriment to the local government or any other person.

(2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

(1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.

(2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

(1) In this clause —

local government employee means a person —

- (a) employed by a local government under section 5.36(1) of the Act; or
- (b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

- (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
- (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
- (c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —

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- (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

- (1) In this clause —
- closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
- confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
- document** includes a part of a document;
- non-confidential document** means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
- (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
- (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause —
- interest** —
- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —

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- (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.

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Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates

February 2021

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Model Code of Conduct

Introduction

Local government is vital for the delivery of key services and infrastructure in the community. Individuals who are, or seek to be, members of local councils and council committees are entrusted by their community to represent local views, make sound decisions, and utilise public funds effectively to deliver services and amenities for their community. As such, a high standard of professional and ethical conduct is expected of council members and committee members in local governments, as well as candidates in local government elections.

A review of the *Local Government Act 1995* (Act), including consultation with community and sector stakeholders, led to the implementation of priority reforms under the *Local Government Amendment Act 2019* (Amendment Act).

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a Code of Conduct for council members, committee members and candidates that clearly reflects community expectations of behaviour and supports consistency between local governments in relation to the overall process for managing alleged breaches of that Code.

As a result, key reforms under the Amendment Act include the introduction of a Model Code of Conduct (Model Code) that must be adopted by local governments and applied to council members, committee members and candidates; as well as a separate Code of Conduct for Employees.

The Model Code replaces the previous statutory requirement for local governments to develop and implement an individual code of conduct for their council members, committee members and employees.

The *Model Code of Conduct Regulations 2021* (Regulations) have been developed to give effect to the Amendment Act, and provide for:

- overarching principles to guide behaviour;
- behaviours and complaints which are managed by local governments; and
- rules of conduct, contraventions of which are considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.

Definitions

The Model Code defines key terms to aid understanding and compliance. Where a term is not defined in either the Regulations or the Act, then the generally accepted meaning of the term applies. Some additional guidance is provided as follows:

Candidate: an individual is considered a candidate when their nomination for election is accepted by a Returning Officer under section 4.49 of the Act. The Model Code applies to the individual from that point. Any alleged breach of the Model Code may only be addressed if and when the individual is elected as a council member.

Council member: references to 'council member' in the Regulations mean an individual who has been elected as a council member under the Act. The requirements of the Regulations also apply to a council member who is a committee member on a council committee.

Committee member: under the Regulations, a 'committee member' includes any council member, local government employee or unelected member of the community who has been engaged by the council to participate in a council committee.

Evidence: references to 'evidence' in the Regulations means the available facts or information indicating whether an allegation is true or valid. Local governments must use evidence provided by the complainant and by the person to whom the complaint relates, as well as other relevant information, to decide whether an alleged breach of the Model Code has occurred.

Local government(s): per the approach in the Act, references to 'local government' in the Regulations mean the body corporate that is the local governing body made up of the council, Chief Executive Officer (CEO) and administrative staff appointed and managed by the CEO.

Where a statutory function entails decision-making on governance matters, the council is responsible for making those decisions. This includes decisions on complaints regarding the conduct of council members, committee members and candidates, as set out in the Regulations.

Further guidance on certain terms in the Model Code is provided in these Guidelines.

Purpose

The purpose of the Model Code is to guide the decisions, actions and behaviours of members, both in council and on council committees, and of candidates running for election as a council member.

Members must comply with the provisions in the Model Code in fulfilling their role and responsibilities in council and on council committees, as set out in the Act.

An individual who has nominated as a candidate for election as a council member is also required to demonstrate professional and ethical behaviour during their election campaign. If elected, the individual must continue to comply with the Model Code in council and on council committees.

It is the individual responsibility of council members, committee members and candidates to become familiar with the Model Code, these Guidelines and any relevant policies of their local government, and to follow the Code at all times.

Where the behaviour of a council member, committee member or candidate does not comply with the Code, it is intended that the local council address the behaviour through education and other remedial actions that the council considers appropriate, rather than formal sanctions.

Where an individual does not comply with any action required by the council, then the council may determine that the matter is to be referred to the Standards Panel as an

alleged contravention of a rule of conduct. The Standards Panel has the authority to make binding decisions regarding allegations of minor misconduct.

Adoption

Section 5.104 of the Act requires that local governments adopt the Model Code as their Code of Conduct within three months of the Regulations coming into operation (by 3 May 2021). Note: The operational requirements of Division 3 require local governments to take certain initial actions within three weeks (by 24 February 2021).

In accordance with section 5.104(4), the Model Code applies until the local government adopts it as their Code. This means that the principles, behaviour requirements and rules of conduct of the Regulations apply to council members, committee members and candidates even if their local government has not yet adopted the Model Code.

While local governments may not amend Division 2 (Principles) or Division 4 (Rules of Conduct), additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government. Any additions must be consistent with the Model Code of Conduct (section 5.104(3) of the Act).

In preparing the Code for adoption, local governments are encouraged to review their existing Code and consider incorporating any additional behaviour requirements that are not represented in the Model Code. This may include specific dress standards or the appropriate use of technology.

To adopt the Code, a resolution passed by an absolute majority of the council is required. Once the Code is adopted, it must be published on the local government's official website (section 5.104(7)).

Division 2 – General Principles

This section of the Regulations set out the fundamental rules that council members, committee members and candidates are expected to adhere to, promote and support. Adhering to these rules will assist individuals to comply with the behaviours outlined in Division 3 and 4.

The principles outline the overarching approach that members and candidates should demonstrate in their role as public representatives, or potential public representatives. Individuals should consider all behaviours in light of these principles, including any behaviour and conduct that is not covered specifically in Division 3 and 4.

The principles are grouped into three key areas: Personal Integrity; Relationships with others and Accountability. Additional guidance on these areas is provided as follows:

Integrity and conflicts of interest

Members and candidates are generally active in their local area which may lead to a conflict between the public interests of the community and the personal interests of the individual, their family members and associates.

It is the individual responsibility of members and candidates to disclose any such conflicts and ensure that they are managed appropriately to comply with the Model Code and serve their community as expected by the local electors.

Individuals should also consider perceived and potential conflicts of interest. While an individual may be confident of the integrity of their actions, it is important to reflect on how their actions may appear to others, and/or how an action taken now could lead to a conflict of interest in future. If an interest is identified, the individual should disclose and manage this to avoid a conflict with the public interest.

Avoidance of reputational damage

Elected members and candidates may hold strong concerns in relation to actions, or a lack of action, by their local government on certain matters.

It is the individual responsibility of members to ensure that they comply with the Model Code by raising concerns in a respectful and constructive manner and working effectively with their colleagues for their community, as expected by the local electors.

During an election campaign, it is the individual responsibility of candidates to ensure that any concerns they raise regarding the current local government is based on accurate information and expressed in a respectful and constructive manner that demonstrates to local electors their suitability as a potential public representative.

Decision-making and accountability

Council and committee members regularly make decisions that impact on their local area. The community expects that members will make council and committee decisions based on information that is relevant and factually correct. This will vary according to the decision to be made and the information available to the council members and committee members at that time.

In general, individuals are responsible for ensuring their decisions are based on information that is accurate and pertinent to the matter at hand; and can be reasonably considered accurate and relevant by others.

As part of being accountable to their community, council members and committee members should accept responsibility for the decisions they make in the performance of their role.

Division 3 – Behaviour

This section of the Regulations sets the standards of behaviour which reflect the general principles outlined in Division 2.

It is the individual responsibility of members and candidates to demonstrate, promote and support professional and ethical behaviour as provided in the Model Code.

Complaints regarding alleged breaches of the Model Code in Division 3 are managed by the local council as the decision-making body of the local governments. The division also provides a process for responding to alleged breaches. The emphasis is on

education and development, rather than punitive sanctions, with the aim of establishing or restoring positive working relationships and avoiding further breaches.

Failure to comply with this Division may give rise to a complaint regarding the conduct of a council member, committee member or candidate, which may lead to the council making a formal finding of a breach and requiring remedial action by the individual.

A local government may wish to develop further guidance on dealing with complaints through the introduction of a complementary policy and/or procedure on complaints management to the extent it is not provided for in the Regulations. There are resources on effective complaints management available on the Ombudsman WA's website at www.ombudsman.wa.gov.au.

Complaints

Process for making a complaint

Clause 11 of the Regulations provides that a person can make a complaint alleging a breach of Division 2 within one month of the alleged breach occurring.

Local governments should ensure that making a complaint is a simple and accessible process so that any member of the local community can raise concerns about the conduct of council members, committee members and candidates.

Local governments should make it clear that it is important a complainant provides details in their complaint, with supporting information where feasible to do so, because the complaint will form part of the evidence considered by the council when deciding whether a breach of the Model Code has occurred.

Action required

Local governments must authorise at least one person to receive complaints regarding members and candidates. While the Regulations do not include specific requirements and a local government may decide that the complaints officer is appropriate, other options could include:

- President or Mayor,
- Deputy President or Mayor (especially for complaints about the President or Mayor),
- Chief Executive Officer, or
- External consultant

To account for any breaches occurring on the first day that the Regulations take effect, local governments must authorise at least one person within three weeks of the Regulations taking effect (by 24 February 2021).

The Regulations also provide that complaints are to be made in writing in a form approved by the local government.

Action required

Local governments must determine whether there will be a specific template for complaints and process for how they are to be lodged.

Local governments may choose to:

- establish a specific email address for conduct complaints
- provide a name/position to whom complaints should be addressed
- prepare a complaint form to allow the complainant.
- engaged an independent person to support the resolution of a complaint. Local governments may consider sharing the services of an independent person.

The Department has prepared a template form for complaints to assist local governments. The template is available on the department's website at www.dgsc.wa.gov.au.

The authorised person(s) should acknowledge the receipt of every written complaint in a timely manner. As part of the acknowledgment process, the complainant should be provided information on how the complaint will be progressed and an expected timeframe for the matter to be finalised. This may include providing the complainant with a copy of the complaint policy where available.

Dealing with a complaint

The Regulations do not specify a timeframe by when complaints should be dealt with, however, a timeframe could be included in a local government's policy.

In the interests of procedural fairness, all complaints should be dealt with in a timely manner and allow all parties the opportunity to provide information regarding the alleged conduct.

Clause 12 of the Regulations outlines the process for dealing with complaints regarding the conduct of elected members and candidates. The Model Code leaves it open to local governments to determine the most appropriate and effective process for how this is undertaken. Options could include:

- The President/Mayor or Deputy consider all complaints
- Delegation of complaints to the CEO to prepare a report for the council
- Appointment of an independent/external consultant to review complaints and provide a report to the council
- Establish a committee to review complaints and report to the council. The committee may include independent members.

Local governments should consider how they are going to respond to complaints, and whether complaints are going to be addressed based on seriousness or impact of the allegation or on the order in which complaints are received.

Action required

Local governments must determine who will be considering complaints received and how complaints will be prioritised and managed.

Clause 12(2) of the Regulations require that the person to whom the complaint relates is given a reasonable opportunity to be heard. This should include providing a copy of the complaint to that person in a timely manner and allowing them an opportunity to respond to the allegations in writing. The information provided by that person will assist the local government in forming a view as to whether a breach has occurred.

Making a finding

Clause 12(1) requires the local council to consider whether the alleged matter which is the subject of a complaint, did occur and make a finding on whether the matter constituted a breach of the Code of Conduct.

The local council should use the same approach as the Standards Panel in their deliberations and decision-making; that is, based on the complaint and other evidence received by the council, the council must be satisfied that, on the balance of probabilities, it is more likely than not that a breach occurred.

Information provided by the complainant and information provided by the person to whom the complaint relates will assist the council to make a finding.

Action Plans

Clause 12(4) provides that if the local council makes a finding that a breach of the Code of Conduct did occur, the council may determine that no further action is required; or that an action plan must be prepared and implemented.

An action plan should be designed to provide the member with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives.

The action plan does not need to be complex. The plan should outline:

- the behaviour(s) of concern;
- the actions to be taken to address the behaviour(s);
- who is responsible for the actions; and
- an agreed timeframe for the actions to be completed.

An action plan should not include measures that are intended to be a punishment, and instead should focus on mechanisms to encourage positive behaviour and prevent negative behaviour from occurring again in future.

The Code requires that in preparing the action plan, consultation must be undertaken with the elected member to whom the plan relates. This is designed to provide the member with the opportunity to be involved in matters such as the timing of meetings or training. Note: some members may not be willing to engage with the opportunity to participate in the process.

The council or a delegated person should monitor the actions and timeframes set out in the action plan. This is important because if the member does not comply with the

action/s within the agreed timeframe, then under the Regulations it is considered a contravention of a rule of conduct.

Dismissal of complaints

While local governments are required to consider all complaints, they can be dismissed if:

- the behaviour occurred at a council or committee meeting and the behaviour was dealt with at that meeting (clause 13), or
- the complaint is withdrawn (clause 14).

Clause 13 allows a complaint to be dismissed if the behaviour occurred at a council or committee meeting, and that behaviour was addressed at the time. This could have been by the presiding member, or remedial action was taken in accordance with the local government's standing orders or local law.

Where agreement cannot be reached

Circumstances may arise when a local council cannot agree on the resolution of a complaint or whether the complaint can be dismissed under clause 13.

In these situations, the local government may decide to engage an independent person to review the complaint and make recommendations on appropriate actions.

Withdrawal of a complaint

Clause 14 provides the option for a complaint to be withdrawn before it is considered by the council.

Local governments may elect to include in their complaints policy the option for mediation between the complainant and the member. Mediation may resolve any specific issues before the council is required to make a finding and may lead to the complainant withdrawing the complaint. Clause 14 requires a withdrawal to be made in writing and provided to the person(s) authorised to receive complaints.

Division 4 – Rules of Conduct

Contraventions of rules of conduct are matters that:

- negatively affect the honest or impartial performance of an elected member;
- involve a breach of trust placed in the elected member; or
- involve the misuse of information or material.

Division 4 sets out rules of conduct for elected members and candidates that relate to the principles in Division 2 and the behaviours in Division 3. This Division also introduces a new rule of conduct to address situations where an elected member does not undertake the actions required by the local council following a breach of the Model Code. A contravention of this rule of conduct is considered a minor breach, as defined in the Act.

The process for complaints under Division 4 is outlined in the Act. Complaints in the first instance are directed to the complaints officer at the local government. The Act provides that the complaints officer is the CEO or another officer with delegated responsibility.

A council may decide to refer an alleged contravention of Division 4 to the independent Standards Panel in accordance with the Act. As the Panel does not have investigative powers, decisions are made based on the information received by the Panel from the local government. The Standards Panel must be satisfied that, on the balance of probabilities, it is more likely than not that a breach has occurred for the Standards Panel to make a finding of breach.

Where the Standards Panel makes a finding against an elected member or candidate, sanctions will be imposed in accordance with the Part 5 Division 9 of the Act.

Nothing in this Division removes the obligations placed upon council members and employees (including the CEO) of the local government under the *Corruption, Crime and Misconduct Act 2003*.

Further information on the Standards Panel process is available on the Department's website.

Further information

The aim of the Model Code of Conduct is to foster a high standard of professional and ethical conduct by council members and candidates, and to support consistency across local governments in relation to their response to complaints regarding conduct.

Local governments are encouraged to seek guidance and advice on specific matters whenever necessary. For queries, please contact: actreview@dlgsc.wa.gov.au

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LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021 – EXPLANATORY NOTES

These regulations bring into effect sections 48 to 51 of the *Local Government Legislation Amendment Act 2019*.

In particular, the following will take effect: sections 5.102A, 5.103, 5.104 and 5.105.

	Regulation	Explanation
3	Model Code of Conduct	These regulations provide for the model code of conduct for council members, committee members and candidates in Schedule 1.
4	<i>Local Government (Rules of Conduct) Regulations 2007</i> repealed	This regulation repeals the <i>Local Government (Rules of Conduct) Regulations 2007</i> (Rules of Conduct Regulations) as they now form part of the Model Code regulations (Schedule 1, Division 4).
5	<i>Local Government (Administration) Regulations 1996</i> amended	This regulation inserts new Part 9A – Minor breaches by council members – into the Model Code regulations. It replaces existing regulation 4 of the Rules of Conduct Regulations (Contravention of certain local laws) and instead inserts it into the Administration Regulations. Part 9A provides that a contravention of a local law that relates to the conduct of people at council or committee meetings is a minor breach for the purposes of section 5.105(1)(b) of the Act. This is not a rule of conduct, which is why it is separate to the provisions in the Model Code.
6	<i>Local Government (Audit) Regulations 1996</i> amended	This regulation amends the statutory requirements for the compliance audit return to capture the adoption of the Model Code and deletes the reference to the Rules of Conduct Regulations.
7	<i>Local Government (Constitution) Regulations 1998</i> amended	This regulation amends Schedule 1 Form 7 (Declaration by elected member of council) of the Constitution Regulations to reference the code of conduct adopted by the relevant local government, rather than the Rules of Conduct Regulations.
	Schedule 1 – Model code of conduct	
1	Citation	New section 5.104 of the Local Government Act requires local governments to adopt the model code of conduct within three months of these Regulations coming into operation. Until the Model Code is adopted, in accordance with section 5.104(5), the model code is taken to be a local government's adopted code of conduct until the local government adopts a code of conduct.

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	Regulation	Explanation
		<p>The Model Code, as drafted, provides a template for local governments to adopt the code as their own by inserting their local government name.</p> <p>In accordance with section 5.104(3), local governments can include additional behaviours under Division 3 that are not inconsistent with the Code, which may not currently be represented.</p> <p>To adopt the code, a resolution needs to be passed by an absolute majority. Once the code is adopted, it must be published on the local government's website.</p>
2	Terms Used	This clause defines "Act", "candidate", "complaint" and "publish". All other terms used have the same meaning as in the Act unless the contrary intention appears.
	Division 2 – General principles	
3	Overview of Division	As per new section 5.103(2)(a), the Model Code is to contain general principles to guide behaviour. These are set out in Division 2.
4	Personal Integrity	<p>This clause outlines specific personal integrity principles, including the need to:</p> <ul style="list-style-type: none"> • act with reasonable care and diligence; • act with honesty and integrity; • act lawfully; • identify and appropriately manage any conflict of interest; • avoid damage to the reputation of the local government.
5	Relationships with others	This clause outlines principles for relationships with others, including the need to treat others with respect, courtesy and fairness, and maintain and contribute to a harmonious, safe and productive work environment.
6	Accountability	This clause outlines principles for accountability, including that decisions should be based on relevant and factually correct information and that a council or committee member should be open and accountable to, and represent, the community in the district.
	Division 3 - Behaviour	
7	Overview of Division	<p>As per new section 5.103(2)(b), the Model Code is to contain requirements relating to behaviour.</p> <p>This division sets the standards of behaviour which enable and empower members to meet the principles outlined in Division 2. Division 3 behaviour breaches are managed by local</p>

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	Regulation	Explanation
		governments, and so the division also includes a mechanism to deal with alleged breaches. The emphasis is on an educative role to establish sound working relationships and avoid repeated breaches.
8	Personal Integrity	This clause provides for behaviours for council members, committee members and candidates, as well as behaviours specific to council and committee members. Behaviours include that a council member, committee member or candidate must ensure their use of social media and other forms of communication comply with the code. Members must also not be impaired by alcohol or drugs in the performance of their official duties.
9	Relationships with others	This clause provides for behaviours related to relationships with others, including the requirement to: <ul style="list-style-type: none"> deal with the media in a positive and appropriate manner; not use offensive or derogatory language when referring to another person; not disparage the character of another council member, committee member, candidate or local government employee in connection with the performance of their official duties; and not impute dishonest or unethical motives to another council member, committee member, candidate or local government employee in connection with the performance of their official duties.
10	Council or committee meetings	This clause provides for behaviours when attending a council or committee meeting. This includes that a council member, committee member or candidate must not: <ul style="list-style-type: none"> act in an abusive or threatening manner towards another person; repeatedly disrupt the meeting; or make a statement that they know, or could reasonably be expected to know, is false or misleading.
11	Complaints about alleged breach	This clause provides that a person may make a complaint alleging a breach of Division 3 by submitting the complaint in writing (in a form approved by the local government) within one month of the alleged breach occurring. The local government is to authorise at least one person to receive complaints and withdrawals of complaints.

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	Regulation	Explanation
12	Dealing with complaint	<p>This clause provides a process for dealing with complaints. Subclause (1) requires local governments to make a finding as to whether the breach occurred, unless the complaint is dismissed (clause 13), or withdrawn (clause 14).</p> <p>Before making a finding, the person to whom the complaint relates must be given a reasonable opportunity to be heard. A finding about whether the breach has occurred should be based on whether it is more likely than not that the breach occurred. This is the same premise used by the Standards Panel in its decision making.</p> <p>If a finding of breach is made, the local government can choose to take no further action or develop a plan to address the person's behaviour. This may include training, mediation, counselling or any other action considered appropriate. Subclause (5) requires that the local government must consult with the person to whom the complaint relates in preparing the plan.</p> <p>After a finding has been made, written notice of the outcome needs to be given to the complainant and the person to whom the complaint relates.</p>
13	Dismissal of complaint	This clause provides that a complaint must be dismissed if the behaviour occurred at a council or committee meeting, and the local government is satisfied that the behaviour has already been dealt with, or the person responsible for the behaviour has taken remedial action in accordance with the meeting procedures local law.
14	Withdrawal of complaint	This clause provides that a complainant may withdraw a complaint at any time before a finding is made.
15	Other provisions about complaints	This clause provides that a complaint about a candidate cannot be dealt with unless the candidate is elected. It also allows local governments to determine the procedure for dealing with complaints to the extent it isn't already provided for.
	Division 4 – Rules of conduct	
16	Overview of Division	<p>As per section 5.103(2)(c) of the Amendment Act, the Model Code contains rules of conduct. The rules of conduct are specific rules for which alleged breaches (minor breaches) are referred to the Standards Panel. A reference to a council member in this division includes a council member acting as a committee member.</p> <p>The Rules of Conduct Regulations are being repealed (see regulation 4 above) and replaced by this Division.</p>

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	Regulation	Explanation
17	Misuse of local government resources	This clause is based on regulation 8 of the Rules of Conduct Regulations. It provides that a council member must not misuse local government resources, which includes local government property or services.
18	Securing personal advantage or disadvantaging others	This is based on regulation 7 of the Rules of Conduct Regulations. It provides that a council member must not make improper use of their office to gain advantage or cause detriment to the local government or any other person.
19	Prohibition against involvement in administration	This is based on regulation 9 of the Rules of Conduct Regulations. It provides that a council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government (council) or CEO.
20	Relationship with local government employees	This is based on regulation 10 of the Rules of Conduct Regulations. It provides that a council member or candidate must not direct, influence, abuse or threaten a local government employee.
21	Disclosure of information	This is based on regulation 6 of the Rules of Conduct Regulations. It provides that a council member must not disclose information that is from a confidential document or was acquired at a closed meeting.
22	Disclosure of interests	This is based on regulation 11 of the Rules of Conduct Regulations. It provides that a council member must disclose impartiality interests, which includes interests arising from kinship, friendship or membership of an association.
23	Compliance with plan requirement	This is a new rule of conduct that provides for a minor breach if a council member does not comply with a plan requirement (see clause 12(4)(b)) imposed by the local government following a breach of a behaviour under Division 3.

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**Complaint About Alleged Breach Form -
Code of conduct for council members, committee members and
candidates**

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

- NOTE:** A complaint about an alleged breach must be made —
- (a) in writing in the form approved by the local government
 - (b) to an authorised person
 - (c) within one month after the occurrence of the alleged breach.

Name of person who is making the complaint:

Name: _____

Given Name(s) Family Name

Contact details of person making the complaint:

Address: _____

Email: _____

Contact number: _____

Name of the local government (city, town, shire) concerned:

Name of council member, committee member, candidate alleged to have committed the breach:

State the full details of the alleged breach. Attach any supporting evidence to your complaint form.

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Date of alleged breach:
_____ / _____ / 20_____

SIGNED:
Complainant's signature:
Date of signing: _____ / _____ / 20_____

Received by Authorised Officer
Authorised Officer's Name:
Authorised Officer's Signature:
Date received: _____ / _____ / 20_____

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

Signed complaint form is to be forwarded to: (insert email/postal address)

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9.5 CHIEF EXECUTIVE OFFICER RECRUITMENT
GV10000

Author
Chief Executive Officer

Disclosure of Any Interest
Nil

Officers Recommendation

That Council in accordance with the Local Government (Administration) Amendment Regulations 2021 Clause 8 Establishment of selection panel for employment of CEO Subclause (3) appoint: as an independent person to the Chief Executive Officer Recruitment and Selection Committee.

That Council Adopt the Local Government (Code of Conduct) Regulations 2021 Schedule 2 - Model Standards for Chief Executive Officer recruitment, performance and termination in accordance with section 5.39 A (1) of the *Local Government Act 1995* and the Local Government (Administration) Amendment Regulations 2021 section 18FA as attached.

NOTE: Cr Stubberfield requested that Item 9.5 be broken down to two parts. In accordance with part 10.5 of the Shire of Shark Bay Standing Orders Local Law, the President dealt with the recommendation in two separate motions.

Moved Cr Stubberfield
Seconded Cr Fenny

Council Resolution

That Council Adopt the Local Government (Code of Conduct) Regulations 2021 Schedule 2 - Model Standards for Chief Executive Officer recruitment, performance and termination in accordance with section 5.39 A (1) of the *Local Government Act 1995* and the Local Government (Administration) Amendment Regulations 2021 section 18FA as attached.

6/0 CARRIED

Moved Cr Cowell
Seconded Cr Bellottie

Council Resolution

That Council in accordance with the Local Government (Administration) Amendment Regulations 2021 Clause 8 Establishment of Selection Panel for Employment of Chief Executive Officer Subclause (3) appoint Cr Smith (President) from the Shire of Carnarvon as an independent person to the Chief Executive Officer Recruitment and Selection Committee.

**The vote was cast and resulted in a tied vote 3/3 TIED
The President exercised a casting vote and the item was recorded as 4/3 CARRIED**

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Background

The Council at the December 2020 ordinary meeting resolved to commence a Chief Executive Officer recruitment process.

The Council commenced the process in line with the relevant legislation that was current at the time and appointed a committee of Council with all Councillors appointed to the committee.

The amendment to the Local Government (Administration) Amendment Regulations 2021 have now come into effect on 3 February 2021 and include amendments to the process involved with the recruitment of Chief Executive Officers.

Key features of these regulations include the requirement:

- to establish a selection panel comprised of council members and at least one independent person to conduct the recruitment and selection process for the position of Chief Executive Officer;
- to establish a performance review process by agreement between the local government and the Chief Executive Officer; and
- to conduct a recruitment and selection process where an incumbent Chief Executive Officer has held the position for a period of ten or more consecutive years on expiry of the Chief Executive Officer's contract.

In addition, requirements for advertising vacant Chief Executive Officer positions have been updated to align with amendments to state-wide public notice provisions.

Local governments will be required to prepare and adopt the Model Standards within three months of these regulations coming into effect (by 3 May 2021).

Until such time as a local government adopts the Model Standards, the regulations apply.

The Council can at this point adopt the model standards as attached and in accordance with section 18FA of the Local Government (Administration) amendment regulations 2021 and review if required.

Comment

The Council should now be cognisant of and ensure the recent amendments to the regulations are adhered to in the process of recruitment of the Chief Executive Officer.

The majority of the amendments to the regulations can be adhered to as the recruitment process progress, however one variation should be made to the Chief Executive Officer Recruitment and Selection Committee.

The amendments require that as part of the process of selection, a panel/committee must be established to conduct the recruitment and selection for appointment to Chief Executive Officer.

The selection panel must be made up of Council members and at least one independent person who is not a current Councillor, human resources consultant or employee of the Local Government.

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The independent person should have experience in the recruitment and selection of Chief Executive Officer's and/or senior executives.

There are no guidelines as to the appointment process of the independent person and it would appear to be at the discretion of the Council.

The Council may also consider an expression of interest process and then appoint a person the Council considers appropriate for appointment to the committee.

Legal Implications

The Local Government (Administration) amendment regulations 2021 came into effect on 3 February 2021 and regulation 18C selection and appointment process for Chief Executive Officer was deleted and replaced by Schedule 2 (clauses 3-14) of the Local Government (Administration) Amendment Regulations 2021.

5.100. Payments for certain committee members

- (1) A person who is a committee member but who is not a council member, or an employee is not to be paid a fee for attending any committee meeting.
- (2) Where —
 - (a) a local government decides that any person who is a committee member but who is not a council member, or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and
 - (b) a maximum amount for reimbursement of expenses has been determined for the purposes of section 5.98(3)(b),

the local government must ensure that the amount reimbursed to that person does not exceed that maximum.

Section 5.98 (3) (b) states

A council member to whom subsection (2) applies is to be reimbursed for the expense —

- (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.

The council has not determined a range for reimbursement of expenses.

A local government may also decide upon further types of expenses to be reimbursed. Reimbursement of the actual amount is to be verified by the Council members providing sufficient information (such as a receipt. Any claim for the reimbursement of expenses would be presented to the Council or consideration prior to payment.

Policy Implications

There are no policy implications relative to this report.

MINUTES OF THE ORDINARY COUNCIL MEETING

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Financial Implications

There may be the consideration of reimbursement of expenses relative to this report which Council will consider at a later date.

It is anticipated that any possible reimbursement would form part of the 2021/2022 budget deliberations.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

3 February 2021

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Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination

***Local Government (Administration) Amendment
Regulations 2021***

February 2021

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Preface

The *Local Government Legislation Amendment Act 2019* includes a requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEOs). These reforms are intended to ensure best practice and greater consistency in these processes between local governments.

The accompanying guidelines outline the recommended practice for local governments in undertaking these processes. These guidelines will assist local governments in meeting the model standards prescribed in the *Local Government (Administration) Amendment Regulations 2021*.

The standards and guidelines have been developed by the Department of Local Government, Sport and Cultural Industries (Department), in consultation with representatives from the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association (WALGA) and Local Government Professionals WA (LGPro). The Department gratefully acknowledges the participation and contribution of these representatives.

The Department notes that the content of these guidelines does not necessarily reflect the views or policies of the organisations or individuals that have been consulted.

Part 1 – Recruitment and Selection

One of the fundamental roles of the council is the employment of the local government's CEO. The CEO is responsible for implementing the council's strategic vision and leading the local government administration.

Principles

A local government must select a CEO in accordance with the principles of merit, equity and transparency. A local government must not exercise nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants. Section 5.40 of the *Local Government Act 1995* (Act) lists a number of general principles of employment that apply to local governments.

Recruitment and Selection Standard

The minimum standard for recruitment and selection will be met if:

- S1.1** The council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.
- S1.2** The council has approved, by absolute majority, the Job Description Form (JDF) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The JDF is made available to all applicants.
- S1.3** The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member, human resources consultant, or staff member of the local government.
- S1.4** The local government attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year). The local government must advertise a vacancy for the position of CEO in the manner prescribed.
- S1.5** The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
- S1.6** The local government has verified the recommended applicant's work history, qualifications, referees and claims made in their job application.
- S1.7** The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria.

Recruitment and Selection Standard cont.

- S1.8** The appointment is made impartially and free from nepotism, bias or unlawful discrimination.
- S1.9** The council has endorsed by absolute majority the final appointment.
- S1.10** The council has approved the employment contract by absolute majority.
- S1.11** The local government re-advertises the CEO position and undertakes a recruitment and selection process after each instance where a person has occupied the position for ten (10) consecutive years.

Guidelines

Recruitment and selection process

The council of the local government should act collectively throughout the recruitment and selection process. To uphold the integrity of the process, the council must resist any attempt to influence the outcome through canvassing or lobbying.

The local government should carefully consider the role of the CEO. This includes the CEO's legislated powers and functions and their role as the head of the administrative arm of the local government. In determining the selection criteria for the position of CEO, it will be important for a local government to consider the needs of the community and the specific skills and experience that will be required of the CEO in that particular local government. The competencies the council looks for in its CEO should reflect the council's strategic community plan.

Once the essential skills and experience which form the selection criteria for the position have been established, the local government must set out the selection criteria (essential and desirable) and the responsibilities of the position in a Job Description Form (JDF). If emphasis is placed on certain selection criteria, this should be highlighted in the JDF so that applicants are aware of this. For example, some level of project management experience will usually be an important criterion, but if the local government is undertaking a major development such as a new recreation centre, added emphasis may need to be given to this criterion.

The JDF must be approved by an absolute majority of the council.

Advertising

The local government should ensure that applicants are clearly informed about the application process, such as the application requirements, the closing date for applications and how applications are to be submitted. It is essential that this process is transparent and that each step in the process is documented. Associated records must be kept in a manner consistent with the *State Records Act 2000* (WA).

It is a requirement that a local government is to give Statewide public notice if the position of CEO becomes vacant. Statewide public notice must contain:

- details of the remuneration and benefits offered;
- details of the place where applications are to be submitted;
- the date and time applications close;
- the duration of the proposed contract;
- a web address where the JDF can be accessed;
- contact details for a person who can provide further information; and
- any other relevant information.

In order to attract the best possible pool of applicants for the position of CEO, it is recommended that local governments use a diverse range of advertising methods, mediums and platforms (in addition to the advertising requirement under section 5.36(4) of the Act). For example:

- advertising on the local government's website;
- posting on online jobs boards (e.g. SEEK);
- sharing the advertisement via professional networks; and
- undertaking an executive search.

A local government must publicly advertise the CEO position if the same person has remained in the job for 10 consecutive years. This requirement does not prevent the incumbent CEO from being employed for another term, provided they are selected in accordance with the standards for recruitment and selection.

Selection panel and independent person

Local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process. The selection panel should be made up of elected members (the number of which is determined by the council) and must include at least one independent person. The independent person cannot be a current elected member, human resources consultant, or staff member of the local government. Examples of who the independent person could be include:

- former elected members or staff members of the local government;
- former or current elected members (such as a Mayor or Shire President) or staff members of *another* local government;
- a prominent or highly regarded member of the community; or
- a person with experience in the recruitment of CEOs and senior executives.

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The panel are responsible for assessing applicants and making a recommendation to council regarding the most suitable applicant or applicants. The essence of the role of an independent panel member is to bring an impartial perspective to the process and reduce any perception of bias or nepotism.

It is essential that prior to a person's appointment to a selection panel they are informed of the duties and responsibilities of their role and that of the panel. It is recommended that local governments develop a policy or terms of reference to facilitate this process that incorporate the standards for recruitment at Division 2 of the *Local Government (Administration) Amendment Regulations (No.2) 2020*. A policy should include important information that outlines:

- The primary functions of the panel;
- Roles and responsibilities panel members;
- Composition of the panel;
- Duration of term;
- Desirable criteria for appointment to the panel;
- A requirement that panel members sign a confidentially agreement and agree to the duties and responsibilities of their role; and
- Any other information the local government deems necessary for the panel to effectively carry out their role.

Independent human resources consultant

A local government should seek independent advice from a human resources consultant where the council lacks the capacity or expertise to facilitate the recruitment and selection process (or any aspect of it). A member of the human resources team within a local government must not be involved in the recruitment of a new CEO.

The consultant should not be associated with the local government or any of its council members. The consultant can be an independent human resources professional, recruitment consultant, or recruitment agency.

An independent human resources consultant can provide advice to the selection panel on how to conduct the recruitment process, or a local government may engage a consultant to support it in undertaking certain aspects of the recruitment process, such as one or more of the following:

- development or review of the JDF;
- development of selection criteria;
- development of assessment methods in relation to the selection criteria;
- drafting of the advertisement;
- executive search;
- preliminary assessment of the applications;
- shortlisting;
- drafting questions for interview;
- coordinating interviews;
- preparing the selection summary assessment and recommendation;

- arranging for an integrity check and/or police clearance; and
- assisting the council in preparing the employment contract.

The consultant is not to be directly involved in determining which applicant should be recommended for the position, their role is not one of decision-maker.

It is recommended that rigorous checks be conducted on any independent consultants before they are engaged to ensure they have the necessary skills and experience to effectively assist the council. Local government recruitment experience may be beneficial but is not a requirement.

The independent human resources consultant must be able to validate their experience in senior executive recruitment and appointments. It is important to note that if the local government uses a consultant or agency to assist in finding applicants, they will require an employment agent licence under the *Employment Agents Act 1976 (WA)*.

A good independent human resources consultant will bring expertise, an objective perspective and additional human resources to what is a complex and time-consuming process. Given the time and effort involved in finding a competent CEO, and the cost of recruiting an unsuitable CEO, there can be a good business case for spending money on a human resources consultant.

If a decision is made to engage an independent human resources consultant, it is imperative that the council maintains a high level of involvement in the process and enters into a formal agreement (contract) with them. In order to manage the contract efficiently, and ensure an effective outcome, regular contact with the consultant is required during the recruitment process. As with any contractor engagement, the local government must ensure their procurement and tender processes comply with the Act and the procurement policy of the local government.

Council's responsibilities

A human resources consultant cannot undertake the tasks for which the council is solely responsible. An independent consultant cannot and should not be asked to:

- Conduct interviews: This should be done by the selection panel. However, council may decide to interview applicants recommended by the selection panel. A consultant can provide support with interviews, providing advice on the recruitment and selection process and writing up recommendations. The consultant may also arrange referee reports and checks of applicants.
- Make the decision about who to appoint to the position of CEO: Only the council can make this decision, drawing upon advice from the selection panel.
- Negotiate the terms and conditions of employment: Noting that the consultant should be able to provide advice on remuneration constraints and other terms and conditions.

Creating Diversity

In order to ensure all applicants are given an equal opportunity for success, selection methods need to be consistent and objective. In a structured interview, each applicant should have the opportunity to answer the same primary questions with follow-up questions used to illicit further detail or clarification. Behavioural-based interview

questions are objective and gauge the applicants' suitability, reducing biases in assessment (see examples below).

Basing a selection decision on the results of a number of selection methods can help to reduce procedural shortcomings and ensure the best applicant is chosen. Psychometric, ability and aptitude testing are considered to be valid, reliable and objective. While applicants with extensive experience and reputable education may appear to be more qualified, an objective assessment of each person's ability and personal traits can help to provide a clearer picture of the applicant.

Where possible, it is recommended that local governments ensure diversity on the selection panel. This may be achieved by ensuring gender, ethnicity, age and experiential diversity is represented on the panel. Diversity is also a consideration when selecting an independent person for the selection panel, particularly where there is a lack of diversity on the council. A diverse selection panel will assist in making quality decisions regarding suitable applicants.

Individuals are often unaware of biases they may have. For this reason, it is helpful for the selection panel to undertake training about unconscious biases. Awareness of unconscious biases assists individuals in preventing those biases from interfering in their decision making. For example, if there are considerable discrepancies in the assessment scores between two panel members, discussion will be required to ensure bias has not influenced these scores. Allowing team members to acknowledge and recognise prejudices is essential to managing those biases. The following biases should be addressed:

- "Similar-to-me" effect - if interviewers share the same characteristics with the applicants or view those characteristics positively, they are more likely to score them highly;
- "Halo" effect – interviewers may let one quality (such as race, gender, looks, accent, experience, etc.) positively or negatively affect the assessment of the applicant's other characteristics.

Due Diligence

It is essential that the local government ensures that the necessary due diligence is undertaken to verify an applicant's qualifications, experience and demonstrated performance. This includes:

- verifying an applicant's qualifications such as university degrees and training certificates;
- verifying the applicant's claims (in relation to the applicant's character, details of work experience, skills and performance) by contacting the applicant's referees. Referee reports should be in writing in the form of a written report, or recorded and verified by the referee;
- requesting that an applicant obtains a national police clearance as part of the application process; and
- ensuring no conflicts of interests arise by looking to outside interests such as board membership and secondary employment.

A council may wish to contact a person who is not listed as an applicant's referee,

such as a previous employer. This may be useful in obtaining further information regarding an applicant's character and work experience, and verifying related claims. The applicant should be advised of this and be able to provide written comments to the council.

A search of social media and whether an applicant has an online presence may also assist in identifying potential issues. For example, an applicant may have expressed views which are in conflict with the local government's values. This should be made clear in the application information. To ensure the integrity of the recruitment process, a council must act collectively when performing due diligence.

Selection

Once the application period closes, the selection panel, or consultant on behalf of the selection panel, must assess applications and identify a shortlist of applicants to be interviewed.

In shortlisting applicants for the interview phase, the selection panel should consider the transferable skills of applicants and how these would be of value in the role of CEO. The selection panel should not overlook applicants who do not have experience working in the local government sector.

It is important that the assessment process is consistent for all applicants. For example, each applicant is asked the same interview questions which are related to the selection criteria and each are provided with the same information and undertake the same assessments.

Elected members should declare any previous association with an applicant or any potential conflict of interest at the time of shortlisting if they are part of the selection panel. Similarly, if the interviews involve the full council, the elected member should make an appropriate declaration before the interviews commence. If the potential conflict of interest is significant or a member's relationship with an applicant may result in claims of nepotism, patronage or bias, the council may need to consider whether to exclude the elected member from the process. The decision should be documented and recorded for future reference.

Selecting an applicant should be based on merit; that is, choosing an applicant that is best suited to the requirements of the position and the needs of the local government. This involves the consideration and assessment of applicants' skills, knowledge, qualifications and experience against the selection criteria required for the role. As part of the selection process, a council may consider it appropriate for each of the preferred candidates to do a presentation to council.

The appointment decision by the council should be based on the assessment of all measures used, including:

- assessment technique(s) used (e.g. interview performance);
- quality of application;
- referee reports;
- verification and sighting of formal qualifications and other claims provided by the applicant; and
- other vetting assessments used (e.g. police checks, integrity checks, etc.).

Employment contract

In preparing the CEO's employment contract, the council must ensure the contract includes the necessary provisions required under section 5.39 of the Act and associated regulations.

Section 5.39 of the Act provides that a CEO's employment contract must not be for a term exceeding five years. The term of a contract for an acting or temporary position cannot exceed one year.

Further, the employment contract is of no effect unless it contains:

- the expiry date of the contract;
- the performance review criteria; and
- as prescribed under regulation 18B of the Administration Regulations, the maximum amount of money (or a method of calculating such an amount) to which the CEO is to be entitled if the contract is terminated before the expiry date. The amount is not to exceed whichever is the lesser of:
 - the value of one year's remuneration under the contract; or
 - the value of the remuneration that the CEO would have been entitled to, had the contract not been terminated.

It is recommended that the council seeks independent legal advice to ensure that the contract is lawful and able to be enforced. In particular, advice should be sought if there is any doubt as to the meaning of the provisions of the contract.

Councils should be aware that CEO remuneration is determined by the Salaries and Allowances Tribunal and the remuneration package may not fall outside the band applicable to the particular local government.

The CEO's employment contract should clearly outline grounds for termination and the termination process in accordance with the standards in regulations.

The council of the local government must approve, by absolute majority, the employment contract and the person they appoint as CEO.

Appointment

A decision to make an offer of employment to a preferred applicant must be made by an absolute majority of council. If the preferred applicant accepts the offer and the proposed terms of the contract without negotiation, there is no further requirement for council to endorse the applicant and the contract. However, if there is a process of negotiation to finalise the terms and conditions of the contract, council is required to endorse the appointment and approve the CEO's employment contract by absolute majority. In both instances, the employment contract must be signed by all parties.

The council should notify both the successful individual and the remaining unsuccessful applicants as soon as possible before publicly announcing the CEO appointment.

The successful applicant should not commence duties with the local government as CEO until the employment contract has been signed.

The unsuccessful applicants (including those not interviewed) should be notified of the outcome of their application. It is recommended that the local government creates a template letter for unsuccessful applicants that can be easily personalised with the applicants' details and sent out quickly.

The council should keep a record of their assessment of the unsuccessful applicant(s) and provide the unsuccessful applicant(s) with the opportunity to receive feedback on their application, or interview performance if they were granted an interview. Should an unsuccessful applicant request feedback, it is recommended that a member of the selection panel provides this. If a recruitment consultant is used, they may undertake this task.

Confidentiality

The local government should ensure that all information produced or obtained during the recruitment and selection process is kept confidential. This includes applicants' personal details, assessment details, the selection report and outcome of the process. This ensures privacy requirements are met and maintains the integrity of the process. It is recommended that selection panel members and councillors sign a confidentiality agreement to ensure that they are aware of their obligations.

CEO induction

Local governments should ensure that they provide the CEO with all of the necessary information on the local government's processes, policies, procedures and systems at the commencement of the CEO's employment.

New CEOs are eligible to participate in the Local Government CEO Support Program which is a joint initiative of the Department and LG Pro to provide mentoring and general support to those appointed to the position of CEO in a local government for the first time. The program runs for six to nine months from the time a CEO is appointed and involves the CEO being matched with a mentor that best meets their needs.

The program provides the CEO with an opportunity (through meetings and on-going correspondence) to discuss a wide range of issues with their appointed mentor in the strictest confidence. The program is aimed at addressing the individual needs of the CEO. Examples of issues that may be covered include the following:

- Role of the CEO
- Governance
- Strategic and long-term planning
- Legislative framework
- Relationships and dealing with council members
- Risk management
- Resource management
- Managing the business of Council
- Family considerations

Part 2 – Performance Review

Principles

The standards regarding CEO performance review are based on the principles of fairness, integrity and impartiality.

Performance Review Standards

The minimum standard for performance review will be met if:

- S2.1** Performance criteria is specific, relevant, measurable, achievable and time-based.
- S2.2** The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.
- S2.3** The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.
- S2.4** The collection of evidence regarding performance outcomes is thorough and comprehensive.
- S2.5** Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.
- S2.6** The council has endorsed the performance review assessment by absolute majority.

Guidelines

Section 5.38 of the Act provides that, for a CEO who is employed for a term of more than one year, the performance of a CEO is to be reviewed formally at least once in every year of their employment.

In addition to this minimum requirement, it is recommended that the council engages in regular discussions with the CEO regarding their performance against the performance criteria, including progress and ways that the CEO can be supported. Any changes to the CEO's performance agreement such as changes to the performance criteria should also be discussed, and agreed to, between the council and the CEO, as the matter arises.

Employment contract and performance agreement

Section 5.39, of the Act requires the employment contract to specify the performance criteria for the purpose of reviewing the CEO's performance. This will include ongoing permanent performance criteria. A local government may wish to have a separate additional document called a "performance agreement" which includes the

performance review criteria in the employment contract, additional criteria (e.g. the performance indicators in relation to specific projects) and how the criteria will be assessed. The performance agreement should be negotiated and agreed upon by the CEO and the council. The performance agreement may also set out the CEO's professional development goals and outline a plan to achieve these goals.

Performance Criteria

Setting the performance criteria is an important step. One of the CEO's key responsibilities is to oversee the implementation of council's strategic direction, and so it is important to align the CEO's performance criteria to the goals contained in the council's Strategic Community Plan and Corporate Business Plan. Accordingly, as these plans are updated, the CEO's performance criteria should be updated to reflect the changes.

In leading the administrative arm of a local government, the CEO is responsible for undertaking core tasks, the achievement of which will contribute to the effectiveness of the council. It is important that the outcomes associated with these tasks are measurable and clearly defined. These could be in relation to:

- service delivery targets from the council's Strategic Community Plan;
- budget compliance;
- organisational capability;
- operational and project management;
- financial performance and asset management;
- timeliness and accuracy of information and advice to councillors;
- implementation of council resolutions;
- management of organisational risks;
- leadership (including conduct and behaviour) and human resource management; and
- stakeholder management and satisfaction.

Performance criteria should focus on the priorities of the council and, if appropriate, can be assigned priority weighting in percentages. The council and CEO should set goals related to target outcomes for future achievement in the performance criteria. Goals should be specific, measurable, achievable, relevant and time-based.

Following the determination of the performance criteria and goals, the council will need to determine how to measure the outcomes of each criteria. It is important to relate performance indicators to the selection criteria used in selecting the CEO. For example, if the CEO has been selected due to their financial experience and ability to improve the local government's finances, indicators regarding improved revenue and reduced expenses are obvious starting points.

Considering the context within which the local government is operating is important. For example, if a significant financial event occurs, such as a downturn in the economy, financial performance indicators will likely need to be adjusted. It is important that such contextual factors are given appropriate weighting and that goals are flexible to allow regular adjustment. Adjustments may be initiated by either the CEO or the council. Councils need to be realistic in terms of their expectations of a CEO's performance and provide appropriate resources and support to facilitate the

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achievement of performance criteria.

Performance review panel

It is recommended that the council delegates the CEO performance review to a panel (e.g. comprising certain council members and an independent observer). The panel has a duty to gather as much evidence as possible upon which to base their assessments. The role of the review panel includes developing the performance agreement in the first instance, conducting the performance review and reporting on the findings and recommendations of the review to council. It is also recommended that council develop a policy to guide the performance review process. A policy might include the composition of the panel, primary functions, the role and appointment of an independent consultant, and the responsibilities of review panel members.

Independent consultant

If a council lacks the resources and expertise to meet the expected standard of performance review, the council should engage an external facilitator to assist with the process of performance appraisal and the development of the performance agreement. The local government should ensure that the consultant has experience in performance review and, if possible, experience in local government or dealing with the performance review of senior executives. The consultant should not have any interest in, or relationship with, the council or the CEO.

With guidance from the performance review panel, a consultant can facilitate the following tasks:

- setting performance criteria;
- preparing the performance agreement;
- collecting performance evidence;
- writing the performance appraisal report;
- facilitating meetings between the performance review panel;
- assisting with the provision of feedback to the CEO;
- formulating plans to support improvement (if necessary); and
- providing an objective view regarding any performance management-related matters between the concerned parties.

Assessing performance

It is a requirement of the regulations that the process by which the CEO's performance will be reviewed is documented and agreed to by both parties. Council and the CEO must also agree on any performance criteria that is in addition to what is specified in the CEO's contract of employment. The option to include additional criteria for performance review purposes by agreement provides a degree of flexibility for both parties in response to changing circumstances and priorities.

It is essential that CEO performance is measured in an objective manner against the performance criteria alone. It is important that reviews are impartial and not skewed by personal relationships between the review panel and the CEO. Close personal relationships between the panel members and the CEO can be just as problematic as extremely poor relationships. Evidence of CEO performance may come from an array of sources, many of which the CEO themselves can and should provide to the

council as part of regular reporting. These sources include:

- achievement of key business outcomes;
- interactions with the council and progress that has been made towards implementing the council's strategic vision;
- audit and risk committee reports;
- workforce metrics (e.g. the average time to fill vacancies, retention rate, information about why people leave the organisation and staff absence rate);
- incident reports (e.g. results of occupational health and safety assessments, the number and nature of occupational health and safety incident reports, and the number and nature of staff grievances);
- organisational survey results;
- relationships (e.g. with relevant organisations, stakeholder groups, and professional networks); and
- insights from key stakeholders (this could be done by way of a survey to obtain stakeholder input).

It is important that, in addition to looking at the achievement of key performance indicators (KPIs), the council considers the following:

- How the CEO has achieved the outcomes. In particular, whether or not their methods are acceptable and sustainable.
- The extent to which current performance is contingent upon current circumstances. Has the CEO demonstrated skills and behaviours to address and manage changes in circumstances which have affected his or her performance? (for example, the impact of COVID-19.)
- What the CEO has done to ensure the wellbeing of staff and to maintain trust in the local government.

The council should consider the attention the CEO has given to ensuring equal employment opportunity, occupational health and safety, privacy, managing potential conflicts of interest, and complying with procurement process requirements.

Addressing performance issues

Once the CEO's performance has been assessed, it is essential that any areas requiring attention or improvement are identified, discussed with the CEO and a plan is agreed and put in place to address these. The plan should outline the actions to be taken, who is responsible for the actions and an agreed timeframe.

The performance review panel must decide on an appropriate course of action that will address the performance issue. This may include professional development courses, training, counselling, mediation, mentoring or developing new work routines to ensure specific areas are not neglected. The performance review panel should then arrange for regular discussion and ongoing feedback on the identified performance issues, ensuring improvements are being made.

It is important to keep in mind that a local government falling short of its goals is not always attributable to the CEO. External factors may have resulted in initial performance expectations becoming unrealistic. Failure to meet performance criteria does not necessarily mean the CEO has performed poorly and, for this reason,

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performance and outcome should be considered separately. Where ongoing issues have been identified, the council will need to take a constructive approach and seek to develop the CEO's competency in that area.

While there are obligations on the council to manage the CEO in regard to their performance, when it extends into potential wrongdoing (misconduct), the council should be referring the matter to the Public Sector Commission or Corruption and Crime Commission. This provides an independent process to follow and ensures probity, natural justice and oversight of allegations.

Confidentiality

The council must ensure that accurate and comprehensive records of the performance management process are created. Any information produced must be kept confidential.

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Schedule 2 — Model standards for CEO recruitment, performance and termination

Division 1 — Preliminary provisions

1. Citation

These are the Shire of Shark Bay *Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Shire of Shark Bay;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

(1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

(2) This Division does not apply —

(a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or

(b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

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5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

independent person means a person other than any of the following —

 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

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9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

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- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the *negotiated contract*) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the *incumbent CEO*) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
 - and
 - (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

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Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

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- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
- (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
- (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the *performance issues*) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

LOCAL GOVERNMENT (ADMINISTRATION) AMENDMENT REGULATIONS 2021 – EXPLANATORY NOTES

CEO Standards Explanatory Notes

Section in Amendment Act	Explanation
<p><i>Local Government Legislation Amendment Act 2019.</i> Section 22 – Sections 5.39A, 5.39B & 5.39C.</p>	<p>The <i>Local Government (Administration) Amendment Regulations 2021</i> brings into effect Section 22 of the <i>Local Government Legislation Amendment Act 2019</i> (the Amendment Act).</p> <p>5.39A - Model standards for CEO recruitment, performance and termination. 5.39B - Adoption of Model Standards 5.39C - Policy for temporary employment or appointment of CEO.</p>

	Regulation	Explanation
1	Citation	This provision sets out the citation title of the instrument.
2	Commencement	<p>These regulations come into effect as follows –</p> <ul style="list-style-type: none"> • Regulations 1 & 2 – on the day on which they are published in the <i>Gazette</i> (2 February 2021); • The rest of the regulations – on the day on which the <i>Local Government Legislation Amendment Act 2019</i> section 22 comes into effect (3 February 2021).
3	Regulations amended	These regulations amend the <i>Local Government (Administration) Regulations 1996</i> (Administration Regulations).

MINUTES OF THE ORDINARY COUNCIL MEETING

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	Regulation	Explanation
4	<p>Regulation 18A amended</p> <p>Regulation 18A – Vacancy in position of CEO or senior employee to be advertised (Act s.5.36(4) and 5.37(3)).</p>	<p>Regulation 18A(1) is being amended to align with the new State-wide public notice provisions. If the position of CEO, or of a senior employee, becomes vacant the local government must give State-wide public notice of the position in accordance with the requirements of the Local Government Act (sections 5.36(4) and 5.37(3)).</p> <p>Regulation 18A(2)(da) provides that the State-wide public notice must include a website address where the job description form (JDF) for the position can be accessed.</p>
5	<p>Regulation 18C and 18D deleted</p> <p>Regulation 18C – Selection and appointment process for CEOs</p> <p>Regulation 18D – Performance review of CEO, local government's duties as to</p>	<p>Regulation 18C is repealed. The prescribed model standards for CEO recruitment and appointment outlined at Schedule 2 (Clauses 3-14) of the <i>Local Government (Administration) Amendment Regulations 2021</i> replace 18C.</p> <p>Local governments are required to determine the selection criteria for the position of CEO prior to a recruitment process being undertaken. The local government must approve by a resolution of an absolute majority of council, a job description form which sets out the duties and responsibilities of the position (5(2)(a)) and details the selection criteria (5(2)(b)).</p> <p>A position vacancy must be advertised in accordance with 5.36(4) of the <i>Local Government Act</i> and 18A of the <i>Local Government (Administration) Regulations 1996</i>. A JDF form must also be made available on the local government's official website.</p> <p>As part of the process of selection, a panel must be established to conduct the recruitment and selection for appointment to CEO. The selection panel must be</p>

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	Regulation	Explanation
		<p>made up of council members and at least one independent person who is not a current councillor, human resources consultant, or employee of the local government. The independent person should have experience in the recruitment and selection of CEO's and / or senior executives. It is the role of the selection panel to recommend one or more suitable applicants to the position of CEO based on the selection criteria outlined in the JDF.</p> <p>A final decision to make an offer of appointment to the position of CEO must be made by an absolute majority of council. The resolution must also approve the proposed terms of the contract.</p> <p>Regulation 18D is repealed. The prescribed model standards for performance review outlined at Division 3 of the of the <i>Local Government (Administration) Amendment Regulations 2021</i> (clauses 15-19) replace 18D.</p> <p>Local governments are required to review the performance of a CEO annually in accordance with section 5.38 of the Act. Division 3 sets out the process for performance review, including establishing the performance criteria upon which to base the review and the requirement to endorse the performance review assessment by absolute majority on its completion.</p> <p>The CEO must be notified of the results of the performance review, including any issues identified in relation to the performance of the CEO, and how the local government proposes to address and manage those issues.</p>
6	Regulations 18FA to 18FC inserted	Regulation 18FA sets out the model standards for local governments in relation to the recruitment, performance review and termination of employment of a local government CEO.

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	Regulation	Explanation
	<p>Regulation 18FA – Prescribed model standards for CEO recruitment, performance and termination (Act s.5.39A(1)).</p> <p>Regulation 18FB – Certification of compliance with adopted standards for CEO recruitment (Act s.5.39B(7))</p> <p>Regulation 18FC – Certification of compliance with adopted standards for CEO termination (Act s.5.39B(7)).</p>	<p>Regulation 18FB requires local governments to certify that they have complied with the adopted standards under section 5.39B(7)(a) of the Act. 18FB applies in relation to the recruitment and appointment of a local government CEO. As soon as practicable after a person is employed as CEO, the local government (council), must by resolution of an absolute majority, certify the appointment was made in accordance with the adopted standards.</p> <p>A copy of the resolution to appoint the CEO must be provided to the Department of Local Government, Sport and Cultural Industries (DLGSC) within 14 days of the resolution being passed.</p> <p>Regulation 18FC requires a local government to certify that they have complied with the adopted the standards under section 5.39B(7)(a) of the Act. 18FC applies in relation to the termination of a CEO's employment contract.</p> <p>If a local government makes the decision to terminate the employment of the CEO, they must certify that the termination was carried out in accordance with the adopted standards for termination by a resolution of an absolute majority. A copy of the resolution must be provided to DLGSC within 14 days of the resolution being passed.</p>
7	Schedule 2 inserted – Model Standards for CEO recruitment, performance and termination	Schedule 2 inserts the model standards for CEO recruitment, performance and termination of employment.
	Division 1 – Preliminary provisions	

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	Regulation	Explanation
1.	Citation	<p>New section 5.39B of the Amendment Act requires local governments to adopt the Model Standards within three months of these Regulations coming into operation. The Model Standards, as drafted, provide a template for local governments to adopt the Standards as their own by inserting their local government name.</p> <p>In accordance with section 5.39B, local governments can include additional provisions provided they are consistent with the model standards.</p> <p>To adopt the standards, a resolution needs to be passed by an absolute majority. Once the standards are adopted, it must be published on the local government's website.</p>
2.	Terms used	<p>This clause defines <i>Act</i>, <i>additional performance criteria</i>, <i>applicant</i>, <i>contract of employment</i>, <i>contractual performance criteria</i>, <i>job description form</i>, <i>local government</i>, <i>selection criteria</i> and <i>selection panel</i>. All other terms used have the same meaning as in the Act unless the contrary intention appears.</p>
	Division 2 – Standards for recruitment of CEO's	
3.	Overview of Division	<p>Clause 3 sets out the standards to be observed by the local government in relation to the recruitment of CEOs.</p>
4.	Application of Division	<p>Regulation 18C of the <i>Local Government (Administration) Regulations 1996</i> is repealed. Instead, clause 4 applies in relation to Division 2 - the recruitment and selection process for a local government CEO.</p>

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	Regulation	Explanation
		<p>Division 2 does not apply in the event that the position of CEO is to be filled by a person in a prescribed class or in relation to the renewal of the CEO's contract, unless the CEO has been employed for a period of 10 or more consecutive years and a period of 10 or more years has elapsed since a selection and recruitment process was carried out.</p> <p>For the purposes of 5.36(5)(a), a person in a prescribed class includes a person who is and will continue to be employed by another local government and is contracted for a period of less than five years, or the person will be acting in the position of CEO for a period of less than one year.</p>
5.	<p>Determination of selection criteria and approval of job description form</p>	<p>Clause 5 deals with determining the selection criteria for the position of CEO. It is a requirement that the local government base the selection criteria on the necessary skills, knowledge, experience and qualifications necessary to effectively perform the role and responsibilities associated with the position.</p> <p>The local government must approve (by absolute majority) a job description form (JDF) that sets out the duties and responsibilities of the position and the selection criteria.</p>
6.	<p>Advertising requirements</p>	<p>Clause 6 deals with advertising the position of CEO where the position becomes vacant or the incumbent has held the position for 10 or more consecutive years. It is a requirement of the Local Government Act (s 5.36(4)) that upon the position of CEO becoming vacant, it must be advertised in a manner prescribed. Regulation 18A of the <i>Local Government (Administration) Regulations 1996</i> sets out the requirements for State-wide advertising.</p>

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	Regulation	Explanation
7.	Job description form to be made available by local government	Clause 7 requires a local government to provide a copy of the JDF to a person upon request. The local government must either provide the web address where the JDF can be downloaded, or alternatively if the person is unable to access the website, email a copy, or send a hard copy in the post.
8.	Establishment of selection panel for employment of CEO	<p>Clause 8 requires a local government to establish a selection panel to conduct the selection and recruitment process for appointment of a person to the position of CEO.</p> <p>The selection panel must be comprised of council members and at least one independent person. The independent person (or persons) must not be:</p> <ul style="list-style-type: none"> • a councillor; • a human resources consultant; or • an employee of the local government; <p>It is recommended that an independent person have relevant experience in the recruitment and selection of CEO's and / or senior executives. It is the role of the selection panel to recommend one or more suitable applicants to the position of CEO based on the selection criteria outlined in the JDF.</p> <p>It is at the discretion of the local government to determine the number of people on the selection panel.</p>
9.	Recommendation by selection panel	It is the role of the selection panel to recommend a preferred applicant, or applicants, for appointment to the position of CEO. Clause 9 requires an assessment to be made of each applicant's ability to perform the role of CEO

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	Regulation	Explanation
		<p>based on their knowledge, experience, qualifications and skills as measured against the selection criteria outlined in the JDF.</p> <p>The selection panel is required to provide a summary of assessment of each applicant, along with the panel's recommendation as to which applicant, or applicants, are suitable to be employed in the position of CEO.</p> <p>If the selection panel considers none of the applicants suitable for appointment, they must recommend to the local government that a new recruitment and selection process be carried out. The selection panel may also recommend changes be made to the duties and responsibilities of the position, or the selection criteria.</p> <p>The selection panel must act in an impartial and transparent manner and in accordance with the principles set out in section 5.40 of the Act.</p> <p>The selection panel is responsible for ensuring that any applicant, or applicants, they recommend for appointment have demonstrated they meet the selection criteria and have had their qualifications verified. The selection panel must exercise due diligence in verifying referees, work history, skills and any other claims made by the applicant.</p> <p>The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel.</p>
10.	Application of clause 5 where new process carried out	If the selection panel finds that none of the applicants are suitable to be appointed to the position of CEO, they must advise the local government in accordance with 9(3)(a).

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	Regulation	Explanation
		<p>Clause 10 requires the recruitment and selection process to be undertaken again if the selection panel advises the local government it considers none of the applicants to be suitable for appointment to the position of CEO.</p> <p>Unless the selection panel recommends changes be made to the duties and responsibilities of the position, or the selection criteria, clause 5 does not apply. In this instance, the original JDF previously approved by the local government (under clause 5) is the JDF form for the purposes of the new recruitment and selection process.</p>
11.	Offer of employment in position of CEO	<p>Clause 11 requires the decision to make an offer of employment to an applicant to the position of CEO is made by an absolute majority of council.</p> <p>The council must approve making the offer of employment to the preferred applicant and the proposed terms of the contract to be entered into.</p>
12.	Variations to proposed terms of contract of employment	<p>Clause 12 applies where the contract terms of the CEO's employment are amended from the original contract offer as a result of negotiations between the successful applicant and the local government.</p> <p>It is a requirement that council approve the terms of the negotiated contract by an absolute majority decision.</p>
13.	Recruitment to be undertaken on expiry of certain CEO contracts	<p>Clause 13 applies if a local government CEO has held the position for a period of 10 or more consecutive years upon expiry of the CEO's contract. Regulation</p>

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	Regulation	Explanation
		<p>13 also applies if a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position has occurred and the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.</p> <p>Subclause 13(2)(a)(ii) is drafted to allow for the possibility that a CEO who has, for example, held office for 10 years and has their contract renewed for another 5-year term following the recruitment and selection process. In this instance, clause 13(2)(a)(ii) will operate to ensure that another 10 years can pass before another recruitment process is required. In the absence of clause 13(2)(a)(ii), when the renewed term came to an end, the CEO would have held the position for 15 consecutive years and clause 13(2)(a)(i) would operate to require a new process be undertaken.</p> <p>The local government must carry out the recruitment and selection process before expiry of the incumbent CEO's contract.</p> <p>The incumbent CEO may have their contract of employment renewed upon expiry if they are selected in accordance with the recruitment and selection process at subclause (3).</p>
14.	Confidentiality of information	<p>Clause 14 requires confidentiality to be observed by the local government as part of the process of recruitment and selection. Information obtained as part of this process must only be used for, or in connection with, recruitment and selection.</p>

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	Regulation	Explanation
	Division 3 – Standards for review of performance of CEOs	
15.	Overview of Division	<p>Regulation 18D is repealed. Division 3 effectively deals with the requirement to consider the performance review of the CEO in accordance with section 5.38 of the Act.</p> <p>Division 3 sets out the standards to be observed by the local government in relation to the review of the performance of the CEO.</p>
16.	Performance review process to be agreed between local government and CEO	<p>Clause 16 requires the local government and the CEO to agree on the process for performance review and any performance criteria that are additional to those specified in the contract. For example, the local government and the CEO may wish to include additional performance criteria after 1 or 2 years into a contract term as circumstances and priorities change.</p> <p>The process for performance review must be consistent with clauses 17 (Carrying out a performance review), 18 (Endorsement of the performance review) and 19 (CEO to be notified of the results of the performance review).</p> <p>The process for performance review and the selection criteria upon which the review will be based must be set out in a written document.</p>
17.	Carrying out a performance review	<p>Clause 17 deals with how a review of a CEO's performance must be carried out.</p>

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	Regulation	Explanation
		A performance review must be carried out in an impartial and transparent manner. It must also be comprehensive, and evidence based. The CEO's performance must be measured against the performance criteria as specified in the CEO's contract and any other performance criteria as agreed to and set out in the documented process for performance review.
18.	Endorsement of performance review by local government	Clause 18 requires that a performance review is endorsed by an absolute majority of council upon completion.
19.	CEO to be notified of results of performance review	<p>Clause 19(a) requires a local government to notify the CEO of the results of the performance review in writing. If the review identifies any performance issues, the local government must outline how it proposes to address and manage those issues.</p> <p>The local government must notify the CEO of the results of the performance review after it has been endorsed by an absolute majority of council.</p>
	Division 4 – Standards for termination of employment of CEO's	
20.	Overview of Division	Clause 20 sets out the standards to be observed by the local government in relation to the termination of employment of a CEO.
21.	General principles applying to any termination	Clause 21 outlines the general principles that must apply to any termination of a CEO's employment contract. Decisions relating to termination of employment must be made in an impartial and transparent manner.

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	Regulation	Explanation
		<p>A CEO must be afforded procedural fairness in relation to the process for termination of employment, this includes:</p> <ul style="list-style-type: none"> a) being informed of their rights, entitlements and responsibilities; b) notification of any allegations against the CEO; c) being given a reasonable opportunity to respond to the allegations; d) and genuinely considering any response provided by the CEO to the allegations.
22.	<p>Additional principles applying to termination for performance-related reasons</p>	<p>Clause 22(1) applies if the local government proposes to terminate the employment of a CEO based on the CEO's work-related performance.</p> <p>Subclauses 22(2)(a)-(d) and 22(3) require that a CEO's employment must not be terminated unless the local government has:</p> <ul style="list-style-type: none"> • previously identified any issues with the CEO's performance as part of the performance review process; • informed the CEO of the performance issues; • given the CEO reasonable opportunity to address and implement a plan to remedy the performance issues; • determined that the CEO has not remedied the performance issues to the satisfaction of the local government; and • 22(3) reviewed the performance of the CEO within the preceding 12 months in accordance with 5.38(1) of the Local Government Act.
23.	<p>Decision to terminate</p>	<p>Clause 23 requires that a decision to terminate the employment of a CEO must be made by an absolute majority of council.</p>

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	Regulation	Explanation
24.	Notice of termination of employment	Clause 24 requires that a local government must provide notice in writing of the decision to terminate the employment of a CEO. Written notice must include the local government's reasons for termination.

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10. AUDIT COMMITTEE REPORTS

**10.1 AUDIT COMMITTEE - LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN
CM00013**

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr Ridgely
Seconded Cr Smith

Council Resolution

That Council adopt the Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as completed and return it to the Department of Local Government as a true and correct record of the information contained therein.

6/0 CARRIED

Comments

The Audit Compliance Return now focuses on areas of compliance that are considered high risk, such as financial interest disclosures, procurement and tendering, delegation and use of delegated power and the recruitment and appointment of the Chief Executive Officer.

The Compliance Audit Return has been completed and checked. It has been presented to the Audit Committee at the committee meeting held on the 24 February 2021. The Audit Committee now recommends that it be adopted by Council. A certified copy of the Return is to be submitted to the Department of Local Government by 31 March 2021.

The Audit Committee recommendation from the committee meeting held on the 24 February 2021 as follows:

That the Audit Committee recommend that Council adopt the Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as completed and return it to the Department of Local Government as a true and correct record of the information contained therein.

The Compliance Return is an excellent internal control to assess the Shire of Shark Bay's statutory compliance.

Background

The Statutory Compliance Audit Return for the period 1 January 2020 to 31 December 2021 is due. Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* require all local governments to complete the Statutory Compliance Audit Return.

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The Compliance Audit Return is to be -

- 1 Presented to the Audit Committee
- 2 Presented to Council at a meeting of the Council.
- 3 Adopted by the Council.
- 4 The adoption recorded in the minutes of the meeting at which it is adopted.

After the Compliance Audit Return has been presented to the Council, a certified copy of the Return along with the relevant section of the minutes and any additional information explaining or qualifying the Compliance Audit Return is to be submitted to the Director General, Department of Local Government by 31 March 2021.

Legal Implications

Section 7.13 (1)(i) of the *Local Government Act 1995*.

Regulation 14 – Compliance audit return to be prepared – *Local Government (Audit) Regulations 1996*

Regulation 15 – Completion of compliance audit return – *Local Government (Audit) Regulations 1996*

Policy Implications

There are no policy implications relative to this report

Financial Implications

There are no financial implications relative to this report

Strategic Implications

There are no strategic implications relative to this report

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

9 February 2021

MINUTES OF THE ORDINARY COUNCIL MEETING

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

Shark Bay - Compliance Audit Return 2020

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A		Rhonda Mettam
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Rhonda Mettam
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Rhonda Mettam
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Rhonda Mettam
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Rhonda Mettam

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	No delegations to any committee	Rhonda Mettam
2	s5.16	Were all delegations to committees in writing?	N/A		Rhonda Mettam
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Rhonda Mettam
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Rhonda Mettam
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	N/A		Rhonda Mettam
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes	Item 11.1 Ordinary Council meeting held on the 26 August 2020	Rhonda Mettam
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	Item 11.1 Ordinary Council meeting held on the 26 August 2020	Rhonda Mettam
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	Ref: O-CR-17939 CM00039 PE00007	Rhonda Mettam
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Rhonda Mettam
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	N/A		Rhonda Mettam
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Rhonda Mettam
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Rhonda Mettam
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Rhonda Mettam
Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Rhonda Mettam

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Department of
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No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	N/A		Rhonda Mettam
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Rhonda Mettam
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Rhonda Mettam
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Rhonda Mettam
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Rhonda Mettam
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Rhonda Mettam
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Rhonda Mettam
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Rhonda Mettam
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Rhonda Mettam
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Rhonda Mettam
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Rhonda Mettam
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Rhonda Mettam

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
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No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Rhonda Mettam
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Rhonda Mettam
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Rhonda Mettam
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Rhonda Mettam
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Rhonda Mettam
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Rhonda Mettam
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes	Ordinary Council meeting 16 December 2015	Rhonda Mettam
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Rhonda Mettam

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	N/A		Rhonda Mettam
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A		Rhonda Mettam

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MINUTES OF THE ORDINARY COUNCIL MEETING

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
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Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	N/A	No Gifts received by candidates	Rhonda Mettam
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A		Rhonda Mettam
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	N/A		Rhonda Mettam

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes	Item 7.1 Special Council meeting held on the 30 October 2019	Rhonda Mettam
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	No Delegation of powers	Rhonda Mettam
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	No	Office of the Auditor General Ref: 7576/09 advising that under the Local Government Amendment (Auditing) Act 2017 giving the Office of the Auditor General mandate to audit all WA Local governments and regional councils - for the Shire of Shark Bay beginning 2019/2020	Rhonda Mettam
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	Yes	Office of the Auditor General	Rhonda Mettam
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	No	Have not yet received the Auditors report.	Rhonda Mettam

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MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
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No	Reference	Question	Response	Comments	Respondent
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	Have not yet received auditors report	Rhonda Mettam
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	N/A	Have not yet received auditors report	Rhonda Mettam
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	Have not yet received auditors report	Rhonda Mettam
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A	Have not yet received auditors report	Rhonda Mettam
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes	Office of the Auditor General	Rhonda Mettam
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	N/A	Have not yet finalised audit and have not received audit report	Rhonda Mettam

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Ordinary Council meeting 25 March 2020 Item 11.3	Rhonda Mettam
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Ordinary Council meeting 25 March 2020 Item 11.3	Rhonda Mettam
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Rhonda Mettam

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Department of
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Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Rhonda Mettam
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes	Executive Manager Community Development	Rhonda Mettam
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Rhonda Mettam
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Rhonda Mettam
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes	Executive Manager Community Development Ordinary Council Meeting 28 August 2019 Item 17.1	Rhonda Mettam
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Rhonda Mettam
Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes	Chief Executive Officer	Rhonda Mettam
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	N/A	No complaints received	Rhonda Mettam
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	N/A		Rhonda Mettam
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Rhonda Mettam
Optional Questions					

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No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	Ordinary Council meeting 31 July 2019 Item 12.4	Rhonda Mettam
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	No	Last Review Ordinary Council meeting 22 February 2017 Item 11.6 Will be finalised in the 2020/2021 financial year	Rhonda Mettam
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	Yes		Rhonda Mettam
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	Yes		Rhonda Mettam
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes	Ordinary Council meeting 25 March 2020 Item 11.2	Rhonda Mettam
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes		Rhonda Mettam
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Rhonda Mettam
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Ordinary Council meeting 29 November 2017 Item 11.4	Rhonda Mettam
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes		Rhonda Mettam
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Rhonda Mettam

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Rhonda Mettam
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Rhonda Mettam
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Rhonda Mettam
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Rhonda Mettam
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Rhonda Mettam
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	N/A		Rhonda Mettam
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Rhonda Mettam
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Rhonda Mettam
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A		Rhonda Mettam

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No	Reference	Question	Response	Comments	Respondent
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Rhonda Mettam
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Rhonda Mettam
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes		Rhonda Mettam
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Rhonda Mettam
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	Yes		Rhonda Mettam
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	Yes		Rhonda Mettam
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	Yes		Rhonda Mettam
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A		Rhonda Mettam
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Rhonda Mettam
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Rhonda Mettam
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Rhonda Mettam

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Rhonda Mettam
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes		Rhonda Mettam
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes		Rhonda Mettam
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Rhonda Mettam

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Shark Bay

Signed CEO, Shark Bay

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

10.2 BUDGET REVIEW 2020/2021
FM00005

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Fenny
Seconded Cr Ridgley

Council Resolution

That the Audit Committee recommend that Council -

- 1. Accepts the budget review as presented;**
- 2. Adopts the revised budget figures as budget amendments for the year ending 30 June 2021; and**
- 3. Adopts the amended transfers to and from reserves for the year ended 30 June 2021.**

6/0 CARRIED BY ABSOLUTE MAJORITY

Background

At the most recent Audit Committee meeting held on the 24 February 2021, the committee **resolved to recommend that the Council adopt the budget review as attached.**

Local Governments are required to conduct a budget review between 1 January and 31 March each financial year. This is a requirement covered by Regulation 33A of the *Local Government (Financial Management) Regulations 1996*. The intention of the legislation is to ensure Local Governments conduct at least one budget review between six and nine months into a financial year.

A budget review is a detailed comparison of the year to date actual results with the adopted budget. It determines whether the budget figures adopted by Council in July are still relevant and amends these figures to reflect the change in circumstances over the last 6 months.

Regulation 33A (2) and (3) of the Financial Management Regulations requires the results of the budget review to be submitted to Council within 30 days of the review. Council is then to consider the review and determine whether or not to adopt the review.

Regulation 33A(4) states that within 30 days after Council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government.

Comment

The budget has been reviewed to continue to deliver on strategies adopted by the Council and the maintenance of a high level of service across all programs. Attached is a report on the budget changes for Council's information.

The actual opening surplus on the statement of financial activity as at 1 July 2020 was \$1,601,685 which is \$180,157 less than the estimated opening surplus of \$1,781,842.

Operating Revenue

Amendments to the original operating revenue budget resulted in an overall increase in revenue of \$231,973. This is mainly due to the increase from Interim and Back Rates (\$25,236), Main Roads Western Australia Road Useless Loop Road Grants (\$327,058), Community Event Grants (\$12,250), Refuse Site Fees (\$27,000), Shark Bay Discovery Centre Merchandise Sales, Commission and Entry Fees (\$73,500) and RAC Caravan Park Leases \$(60,000). However this has been offset by \$(300,000) due to reallocation of Grant Funding for the Child Care Centre operating income to capital income.

Operating Expenditure

Overall the amendments have decreased the operating expenditure budget by \$82,700. The variance consists of savings in Depreciation (\$127,720) and the transfer of the Child Care Centre and Men Shed Site Works from Operating expenditure to Capital expenditure (\$320,000). This has been offset by increases in Useless Loop Road Maintenance (\$327,058), Shark Bay Discovery Centre Purchases \$(15,000), Community Events (\$12,250), and Council Chambers Furniture and Equipment (\$7,000).

Capital Revenue

Capital Revenue has increased by \$648,289. This is due to the transfer of the Child Care Centre Building Grant to capital revenue (\$300,000), Mens Shed Grant \$(110,287) and Local Road and Community Infrastructure Program Grant Round 2 (\$247,391). This has been offset by a reduction in RRG Useless Loop Road Grant (\$9,389).

Capital Expenditure

Capital expenditure has increased by \$676,386. This is mainly due to transfer of the Child Care Building from Operating expenditure to Capital expenditure (\$300,000), Mens Shed and Site Works (\$130,287), Morgue Building and Relocation Revision (\$45,000), Shark Bay Discovery Centre Door Upgrade (\$12,500), Little Lagoon upgrades, Gazebo, Bollards and Signage (\$35,000), Multi-Purpose Court Resurface (\$70,000), Skate Park Upgrades (\$55,000), Adventure Park Lighting Upgrade (\$15,000), Gymnasium Equipment (\$15,000) and Recreation Centre Entry System (\$12,500). This has been offset by RRG Useless Loop Road Expenditure (\$13,901).

Note 8 of the attached report shows the detail of the capital expenditure.

Financing

The area focuses mainly on transfer to and from reserves and debenture repayments and shows a net result of \$21,301.

This transfer from reserves has increased by \$12,609 due to the Skate Park and Adventure Park Lighting Upgrades

The transfer to reserves has decreased by \$8,629 which is transferred to the infrastructure reserve for future projects. There has been no change to debenture repayments.

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Note 3 in the attached report shows the amended budget for reserve action for 2020/2021.

Overall Result

Overall the closing funds will remain balanced with a nil surplus/deficit as a result of this budget review.

Legal Implications

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires a Local Government to conduct a budget review between 1 January and 31 March each financial year.

Policy Implications

There are no policy implications associated with this report.

Financial Implications

The amendments result in a nil surplus and more accurately reflect the predicted revenue and expenditure on projects.

Strategic Implications

The budget review has been developed, taking into account the objectives of the Shire of Shark Bay's Strategic Community Plan 2020 and Corporate Business Plan. There are no new initiatives in this budget review which require an amendment to the Corporate Business Plan.

Risk Management

There is a requirement under the *Local Government (Financial Management) Regulations 1996* that a budget review be undertaken and therefore Council needs comply with the legislation. Therefore to not adopt a recommendation would present a high risk to Council.

Voting Requirements

Absolute Majority Required

Signatures

Author	<i>A Pears</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	17 February 2021

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Shire of Shark Bay					

BUDGET REVIEW FINANCIAL REPORT

JANUARY 2021					

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF SHARK BAY						
STATEMENT OF FINANCIAL ACTIVITY						
(Statutory Reporting Program)						
January 2021						
	Note	Original Budget	Actual to 31 January 2021	Amended Annual Budget	Variance	Comments
Operating Revenues		\$	\$	\$		
Governance		2,502	0	2,502	0	No Change
General Purpose Funding - Rates	5	1,416,289	1,441,656	1,441,525	25,236	Increase due to Interim and Back Rates included into budget
General Purpose Funding - Other		948,046	496,709	951,415	3,369	Increase due to variation in Grants Commission General and Road Grants
Law, Order and Public Safety		67,340	53,023	69,900	2,560	Increase due to Reallocation of Reimbursements for Emergency Services Buildings
Health		1,800	1,316	1,800	0	No change
Housing		126,780	75,317	128,580	1,800	Increase due to increase in Rental Income for 12 Mead Street
Community Amenities		308,876	309,345	335,876	27,000	Increase in Refuse Site Fees
Recreation and Culture		552,130	416,546	325,630	(226,500)	Increase in SBDC sales, Commission and Entrance Fees which has been offset by the transfer of the Child Care Building Reimbursement to Capital Grants (\$300,000).
Transport		522,620	412,448	849,678	327,058	Increase in Useless Loop Maintenance Grant due to additional works requested by Main Roads (\$327,058)
Economic Services		798,900	354,568	870,350	71,450	Increase in RAC Caravan Park Leases to match YTD Actual
Other Property and Services		40,000	33,615	40,000	0	No change
Total Operating Revenue		4,785,283	3,594,542	5,017,256	231,973	
Operating Expense						
Governance		(240,462)	(70,589)	(266,462)	(26,000)	Increase due to Regulation 17 review, Fair Valuation for Public Facilities Infrastructure, Central Records Upgrade, Council Chambers Furniture. This has been offset by reduction in Conference Expenses as cancelled due to COVID-19 and Election Expenses which are due in November 2021.
General Purpose Funding		(123,220)	(61,220)	(106,220)	17,000	Removal of Landgate Valuation Fees as deferred to 2021-22
Law, Order and Public Safety		(259,359)	(168,682)	(272,004)	(12,645)	Increase in Ranger Patrol expense which has been offset by a reduction in Building Depreciation.
Health		(87,889)	(29,060)	(87,889)	0	No change
Housing		(224,065)	(122,005)	(212,910)	11,155	Increase in Staff Housing incorporating 12 Mead Street offset by reduction in Building Depreciation.
Community Amenities		(698,626)	(360,799)	(693,071)	5,555	Reduction in Building Depreciation.

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Recreation and Culture						Decrease in Building and Heritage Asset Depreciation and Recreation Centre Management Fees offset by increases in SBDC Merchandise purchases and Staff Housing Costs. In addition the Child Care Building Refunds Expenditure Budget of \$300,000 has been reallocated to Capital Expenditure as it will be a Shire Asset.
		(2,564,061)	(1,330,046)	(2,142,316)	421,745	
Transport						Increase in Useless Loop Road Maintenance due to additional works requested by Main Roads (\$327,058) plus increases in Depreciation on Roads and Footpath Infrastructure.
		(1,780,612)	(1,106,936)	(2,131,515)	(350,903)	
Economic Services						Increase due to Mens Shed Site Works transferred from Operating to Capital as the building will be owned by the Shire. In addition reduction in Building Depreciation has been offset by increases in Community Events and Festivals.
		(1,047,114)	(473,736)	(1,030,321)	16,793	
Other Property and Services						No change
		(39,500)	(15,393)	(39,500)	0	
Total Operating Expenditure		(7,064,908)	(3,738,466)	(6,982,208)	82,700	
Funding Balance Adjustments						
Add back Depreciation		1,886,365	1,035,859	1,758,645	(127,720)	Reduction in Building and Heritage Asset Depreciation
Adjust (Profit)/Loss on Asset Disposal	4	139,130	34,174	139,130	0	No change
Adjust Provisions and Accruals		0	0	0	0	No change
Net Cash from Operations		(254,130)	926,109	(67,177)	186,953	
Capital Revenues						
						Increase in Grant Funding due to transfer of Grant - Ngala Bright Stars from Operating to Capital (\$300,000), Grant - Mens Shed (\$110,287) and Local Road and Community Program Round 2 Grant \$(247,391) offset by a reduction in RRG Grant Funding of \$(9,389).
Grants, Subsidies and Contributions	7	887,763	33,498	1,536,052	648,289	
Proceeds from Disposal of Assets	4	257,182	56,237	257,182	0	No change
Total Capital Revenues		1,144,945	89,735	1,793,234	648,289	
Capital Expenses						
						Increase in Morgue Building (\$45,000), Child Care Building transferred from Operating (\$300,000), Mens Shed Building and Siteworks (\$130,287) and SBDC Door Upgrade (\$12,500).
Land and Buildings	8	(462,721)	(28,838)	(950,508)	(487,787)	
Infrastructure - Roads	8	(815,936)	(11,021)	(802,035)	13,901	Decrease due to RRG Funding for Useless Loop Road
						Increase due to Little Lagoon Upgrades, Gazebo, Bollards and Signage (\$35,000), Multi Purpose Court Resurface (\$70,000), Skate Park Upgrade (\$55,000) and Adventure Park Lighting Upgrade (\$15,000).
Infrastructure - Public Facilities	8	(180,000)	(30,251)	(355,000)	(175,000)	
Infrastructure - Footpaths	8	(260,000)	(586)	(260,000)	0	No change
Plant and Equipment	8	(519,000)	(4,474)	(519,000)	0	No change
						Increase for Gymnasium Equipment (\$15,000) and Recreation Centre Entry System (\$12,500).
Furniture and Equipment	8	0	0	(27,500)	(27,500)	
Total Capital Expenditure		(2,237,657)	(75,170)	(2,914,043)	(676,386)	
Net Cash from Capital Activities		(1,092,712)	14,565	(1,120,809)	(28,097)	

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Financing						
Proceeds from Loans		0	0	0	0	No change
Transfer from Reserves	3	1,028,914	0	1,041,523	12,609	
Repayment of Debentures	6	(74,957)	(42,174)	(74,957)	(0)	No change
Transfer to Reserves	3	(1,388,957)	(6,946)	(1,380,265)	8,692	
		0	0	0	0	No change
Net Cash from Financing Activities		(435,000)	(49,120)	(413,699)	21,301	
Net Operations, Capital and Financing		(1,781,842)	891,553	(1,601,685)	180,157	
Opening Funding Surplus(Deficit)	1	1,781,842	1,601,685	1,601,685	(180,157)	
Closing Funding Surplus(Deficit)	1	0	2,493,238	(0)	(0)	
NOTE: Note 3 shows the detail of changes to budgets.						

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
STATEMENT OF BUDGET AMENDMENTS					
January 2021					
	Note	Annual Budget	Actual to 31 January 2021	Amended Annual Budget	Variance
Operating Revenues		\$		\$	\$
Rates	5	1,416,289	1,441,656	1,441,525	25,236
Operating Grants, Subsidies and Contributions	7	1,434,024	894,753	1,776,701	342,677
Fees and Charges		1,512,891	984,654	1,644,391	131,500
Interest Earnings		9,650	16,628	9,650	0
Other Revenue		411,927	256,850	144,487	(267,440)
Profit on Disposal of Assets	4	502	0	502	0
Total Operating Revenue		4,785,283	3,594,542	5,017,256	231,973
Operating Expense					
Employee Costs		(2,257,076)	(1,335,873)	(2,232,927)	24,149
Materials and Contracts		(1,910,483)	(818,578)	(2,294,030)	(383,547)
Utility Charges		(194,240)	(82,293)	(194,865)	(625)
Depreciation on Non-Current Assets		(1,886,365)	(1,035,859)	(1,758,645)	127,720
Interest Expenses		(31,159)	(9,665)	(31,159)	0
Insurance Expenses		(168,073)	(167,063)	(168,073)	0
Other Expenditure		(477,880)	(254,962)	(162,877)	315,003
Loss on Disposal of Assets	4	(139,632)	(34,174)	(139,632)	0
Total Operating Expenditure		(7,064,908)	(3,738,466)	(6,982,208)	82,700
Funding Balance Adjustments					
Add back Depreciation		1,886,365	1,035,859	1,758,645	(127,720)
Adjust (Profit)/Loss on Asset Disposal	4	139,130	34,174	139,130	0
Adjust Provisions and Accruals		0	0	0	0
Net Cash from Operations		(254,130)	926,109	(67,177)	186,953
Capital Revenues					
Grants, Subsidies and Contributions	7	887,763	33,498	1,536,052	648,289
Proceeds from Disposal of Assets	4	257,182	56,237	257,182	0
Total Capital Revenues		1,144,945	89,735	1,793,234	648,289
Capital Expenses					
Land and Buildings	8	(462,721)	(28,838)	(950,508)	(487,787)
Infrastructure - Roads	8	(815,936)	(11,021)	(802,035)	13,901
Infrastructure - Public Facilities	8	(180,000)	(30,251)	(355,000)	(175,000)
Infrastructure - Footpaths	8	(260,000)	(586)	(260,000)	0
Infrastructure - Drainage	8	0	0	0	0
Plant and Equipment	8	(519,000)	(4,474)	(519,000)	0
Furniture and Equipment	8	0	0	(27,500)	(27,500)
Total Capital Expenditure		(2,237,657)	(75,170)	(2,914,043)	(676,386)
Net Cash from Capital Activities		(1,092,712)	14,565	(1,120,809)	(28,097)
Financing					
Proceeds from Loans		0	0	0	0
Transfer from Reserves	3	1,028,914	0	1,041,523	12,609
Repayment of Debentures	6	(74,957)	(42,174)	(74,957)	(0)
Transfer to Reserves	3	(1,388,957)	(6,946)	(1,380,265)	8,692
		0	0	0	0
Net Cash from Financing Activities		(435,000)	(49,120)	(413,699)	21,301
Net Operations, Capital and Financing		(1,781,842)	891,553	(1,601,685)	180,157
Opening Funding Surplus(Deficit)		1,781,842	1,601,685	1,601,685	(180,157)
Closing Funding Surplus(Deficit)		(0)	2,493,238	(0)	(0)

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY				
STATEMENT OF BUDGET AMENDMENTS				
January 2021				
Capital Acquisitions	Note	Amended Budget	Original Budget	
		\$	\$	
Land and Buildings	13	(950,508)	(462,721)	
Infrastructure Assets - Roads	13	(802,035)	(815,936)	
Infrastructure Assets - Public Facilities	13	(355,000)	(180,000)	
Infrastructure Assets - Footpaths	13	(260,000)	(260,000)	
Infrastructure Assets - Drainage	13	0	0	
Plant and Equipment	13	(519,000)	(519,000)	
Furniture and Equipment	13	(27,500)	0	
Capital Expenditure Totals		(2,914,043)	(2,237,657)	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
January 2021					
Note 1: NET CURRENT FUNDING POSITION					
		Positive=Surplus (Negative=Deficit)			
		Note	YTD 31 January 2021	30 June 2020	31 January 2020
			\$	\$	\$
Current Assets					
	Cash Unrestricted		2,964,989	1,990,043	2,125,938
	Cash Restricted		2,929,299	2,922,352	1,303,256
	Receivables - Rates		131,937	32,544	361,361
	Receivables -Other		35,526	61,815	272,169
	Interest / ATO Receivable/Trust		25,269	8,315	24,944
	Inventories		127,279	129,990	131,104
			6,214,299	5,145,059	4,218,772
Less: Current Liabilities					
	Payables		(212,566)	(296,226)	(71,571)
	Provisions		(263,385)	(263,385)	(208,068)
	Grants/Income Received in Advance		(301,391)	(43,805)	0
	Bond Liability (Formally Trust Account)		(14,420)	(17,607)	(12,408)
			(791,761)	(621,023)	(292,047)
	Less: Cash Reserves		(2,929,299)	(2,922,352)	(1,303,256)
	Net Current Funding Position		2,493,238	1,601,685	2,623,469

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
January 2021							
Note 2: BUDGET AMENDMENTS							
Program	Ledger No.	Description	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance	
			\$	\$	\$	\$	
		Opening Surplus			(180,157)	(180,157)	
OPERATING						(180,157)	
General Purpose Funding	Rates	00102900 Valuation Expenses - Rates		17,000		(163,157)	
		00103010 Rates GRV Residential		2,251		(160,906)	
		00103012 Rates GRV Commercial		2,748		(158,158)	
		00103020 Rates UV - General		6,534		(151,624)	
		00103030 Rates UV - Pastoral		3,549		(148,075)	
		00103031 Rates UV Exploration		12,186		(135,889)	
		00103039 Minimum Rates GRV Vacant Residential			(1,752)	(137,641)	
		00103040 Minimum Rates GRV Residential		876		(136,765)	
		00103080 Interim Rates GRV - Residential		5,576		(131,189)	
		00103110 Back Rates GRV - Residential		153		(131,036)	
		00103160 Rates Concession UV - Pastoral			(2,319)	(133,355)	
		00103161 Rates Concession UV - Exploration			(4,566)	(137,921)	
	General Purpose Funding	00203245 Grants Commission - General		21,969		(115,952)	
		00203246 Grants Commission - Roads			(18,600)	(134,552)	
Governance	Members of Council	05100732 Council Chambers Items < \$5k			(7,000)	(141,552)	
		05101010 Conference Expenses - Members		9,500		(132,052)	
		05101300 Fair Value Valuations			(14,000)	(146,052)	
		05101404 Reg 17 Review			(15,000)	(161,052)	
		05102480 Election Expenses		14,000		(147,052)	
	Administration Other	05200001 Staff Housing Costs		2,160		(144,892)	
		05200611 Central Records Upgrade			(13,500)	(158,392)	
		05200975 Printing & Stationery - Governance			(1,185)	(159,577)	
		05201301 Depreciation - Plant & Equipment	1,670			(159,577)	
		05201302 Depreciation - Furniture & Equipment	(2,645)			(159,577)	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Law, Order And Public Safety	Other Law, Order & Public Safety	10301303	Depreciation - Buildings	4,055			(159,577)	
		10302751	Ranger Patrols			(16,700)	(176,277)	
		10302790	Insurance - Emergency Services Building		2,560			(173,717)
		10303402	Reimbursements - SES		1,600			(172,117)
		10303403	SES Charges to be recovered			(1,600)		(173,717)
		10303405	St Johns Ambulance - Charges to be recovered			(960)		(174,677)
		10303406	Reimbursements - St Johns Ambulance		960			(173,717)
Housing	Staff Housing	09100001	House 5 Spaven Way (CEO)	755			(173,717)	
		09100020	House 65 Brockman Street	800			(173,717)	
		09100040	House 80 Durlacher St	310			(173,717)	
		09100050	House 51 Durlacher St	1,405			(173,717)	
		09100060	House 16A Sunter Place	1,410			(173,717)	
		09100070	House 16B Sunter Place	1,410			(173,717)	
		09100080	House 12 Mead Street			(11,200)		(184,917)
		09100100	Staff Housing Costs Allocated to Services		3,310			(181,607)
		09110550	Rental Income 12 Mead Street		1,800			(179,807)
		Community Amenities	Pensioner Units	25101303	Depreciation - Buildings	12,955		
Sanitation - Household Refuse	30101304		Depreciation - Public Facility	5			(179,807)	
Sanitation Other	30201304		Depreciation - Public Facility	1,000			(179,807)	
	30203720		Refuse Site Fees		27,000			(152,807)
Other Community Amenities	30401303		Depreciation - Buildings	4,585			(152,807)	
	30401304	Depreciation - Public Facility	(35)			(152,807)		
Recreation and Culture	Public Hall & Civic Centres	35101302	Depreciation - Furniture & Equipment	(505)			(152,807)	
		35101303	Depreciation - Buildings	72,795			(152,807)	
		35101310	Depreciation - Heritage Assets	3,305			(152,807)	
		35103907	Grant - Mens Shed Gaming Community Trust		110,287			(42,520)
		35100732	Child Care Buildings - Refunds Expenditure		300,000			257,480
	Foreshore	35201303	Depreciation - Buildings	(12,290)				257,480
		35201304	Depreciation - Public Facility	15,680				257,480
		Other Recreation & Sport	35301301	Depreciation - Plant & Equip.	(645)			
	35301302		Depreciation - Furn & Equip	1,245				257,480
	35301304		Depreciation - Public Facility	(18,235)				257,480
	35303000		Shark Bay Recreation Centre Operating		10,000			267,480
	Other Culture	35601304	Depreciation - Public facilities	(20)				267,480
		35601310	Depreciation - Heritage Assets	27,290				267,480
	World Heritage	36000683	Staff Housing Costs			(9,400)		258,080
	Administration Other	36001301	Depreciation - Plant & Equipment	10				258,080
36001302		Depreciation - Furniture and Equipment (SBDC)	1,690				258,080	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

	Streets,Roads,Bridges,Depots	36001303	Depreciation - Buildings	45,825			258,080
		36002699	Purchase - Merchandise			(15,000)	243,080
		36003722	Entrance Fees - SBDC		14,000		257,080
		36003770	Sale - Merchandise		34,000		291,080
		36003772	Sale - Dept of Parks & Wildlife Park Passes			(4,500)	286,580
		36003791	Visitor Centre Booking Commission		30,000		316,580
Transport	Streets,Roads,Bridges,Depots	45101301	Depreciation - Plant & Equip.	5			316,580
		45101303	Depreciation - Land & Building	(3,050)			316,580
		45101305	Depreciation - Roads (Non Town	(11,295)			316,580
		45101306	Depreciation - Town Streets	(4,455)			316,580
		45101307	Depreciation - Footpaths	(3,650)			316,580
		45101308	Depreciation - Drain & Culvert	(1,760)			316,580
		45101309	Depreciation - Streetscapes	415			316,580
		45103280	Useless Loop Road - Mtce		327,058		643,638
		45103365	RRG Grants - Capital Projects			(9,389)	634,249
		45103366	Local Road and Community Infrastructure Program Grant		247,391		881,640
		45121946	Useless Loop Road Maintenance			(327,058)	554,582
Economic Services	Monkey Mia Boating Facilities	45401304	Depreciation - Pub. Facilities	(55)			554,582
	Community Development	50100770	Staff Housing		1,110		555,692
		50102750	Community Events and Festivals			(10,750)	544,942
		50102753	Keep Australia Beautiful - Community Litter Grant Expense			(1,500)	543,442
		50103674	Grant - Keep Australia Beautiful for Community Litter		1,500		544,942
		50103675	Grant - Horizon Power Christmas Festival		7,500		552,442
		50103676	Sponsorship - NAIDOC Week Flag Raising Ceremony		250		552,692
		50103677	Grant - Club Capacity Building Workshop		3,000		555,692
		50102663	Men Shed Site Works		20,000		575,692
	Tourism & Area Promotion	50203850	Camping fees			(797)	574,895
		50203903	Caravan Park Leases		60,000		634,895
	Other Economic Services	50401303	Depreciation -Buildings	6,520			634,895
	Private Works	50501900	Private Works - Other		1,410		636,305
Other Property and Services	Public Works Overheads	55101562	Staff Housing Costs		1,410		637,715
		55101580	Less Public Works Overheads Allocated Works/Services			(1,410)	636,305
	Plant Operation Costs	55201585	Less Plant Operating Costs Allocated Works/Services		18,780		655,085
		55201623	Plant Operating Costs - Deprec	(18,780)			655,085

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CAPITAL							655,085
Community Amenities	Other Community Amenities	30404756	Morgue Building			(45,000)	610,085
Recreation and Culture	Public Hall & Civic Centres	35104732	Child Care Building			(300,000)	310,085
		35104733	Mens Shed Building			(110,287)	199,798
		35104734	Mens Shed Site Works			(20,000)	179,798
		35205537	Adventure Park Lighting Upgrade			(15,000)	164,798
	Foreshore	35302284	Little Lagoon Upgrades, Gazebo, Bollards and Signage			(35,000)	129,798
	Other Recreation & Sport	35305506	Gymnasium Equipment			(15,000)	114,798
		35305507	Recreation Centre Entry System			(12,500)	102,298
		``	Skate Park Upgrade			(55,000)	47,298
		35305509	Multi Purpose Courts Resurface			(70,000)	(22,702)
	World Heritage	36004993	SBDC Door Upgrade			(12,500)	(35,202)
Transport	Streets,Roads,Bridges,Depots	45150038	Rrg Useless Loop Road 20-21		13,901		(21,301)
			Transfer to Reserves		8,692		(12,609)
			Transfer from Reserves		12,609		0
					1,358,630	(1,358,630)	0

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
January 2021									
Note 3: CASH BACKED RESERVE									
Name	Opening Balance	Original Budget Interest Earned	Amended Budget Interest Earned	Original Budget Transfers In (+)	Amended Budget Transfers In (+)	Original Budget Transfers Out (-)	Amended Budget Transfers Out (-)	Original Budget Closing Balance	Amended Budget Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Reserve	1,847,921	1,500	1,500	710,457	677,765	(480,476)	(564,023)	2,079,402	1,963,163
Pensioner Unit Maintenance Reserve	127,114	30	30	45,000	45,000	(35,000)	(35,000)	137,144	137,144
Recreation Facility Replacement/Upgrade Res.	322,812	850	850	180,000	180,000	(193,438)	(122,500)	310,224	381,162
Plant Replacement Reserve	401,851	300	300	450,000	450,000	(320,000)	(320,000)	532,151	532,151
Leave Reserve	171,006	680	680	0	24,000	0	0	171,686	195,686
Monkey Mia Jetty Reserve	22,087	60	60	0	0	0	0	22,147	22,147
Shared Fire Fighting System Reserve	29,560	80	80	0	0	0	0	29,640	29,640
	2,922,351	3,500	3,500	1,385,457	1,376,765	(1,028,914)	(1,041,523)	3,282,394	3,261,093
					(8,692)		(12,609)		

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
January 2021								
Note 4: CAPITAL DISPOSALS								
Actual YTD Profit/(Loss) of Asset Disposal					Amended Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		Amended Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance	
\$	\$	\$	\$		\$	\$	\$	
				Plant and Equipment				
				Governance				
0	0	0	0	CEO Vehicle	502	0	(502)	CEO Vehicle due to be traded in May 2021
				Transport				
			0	Dual Cab Ute - Works Manager	(5,229)	0	5,229	Vehicle due to be traded in May 2021
			0	Dual Cab Ute - Town	(9,310)	0	9,310	Vehicle due to be traded in May 2021
			0	Dual Cab Ute - Country	(9,310)	0	9,310	Vehicle due to be traded in May 2021
			0	Country Loader	(84,389)	0		
95,000	(4,589)	56,237	(34,174)	Vibration Roller - Sale Proceeds	(31,394)	(34,174)	(2,780)	Vibration Roller Sold in November 2020
95,000	(4,589)	56,237	(34,174)		(139,130)	(34,174)	20,567	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
January 2021											
Note 5: RATING INFORMATION	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Amended Budget Rate Revenue \$	Amended Budget Interim Rate \$	Amended Budget Back Rate \$	Amended Budget Total Revenue \$
RATE TYPE											
Differential General Rate											
GRV Residential	0.102840	321	3,839,243	394,828	5,576	153	400,557	394,828	5,576	153	400,557
GRV Commercial	0.105690	41	2,130,457	225,168	0	0	225,168	225,168	0	0	225,168
GRV Vacant	0.102840	18	360,104	37,033	0	0	37,033	37,033	0	0	37,033
GRV Rural Commercial	0.106880	5	315,380	33,709	0	0	33,709	33,709	0	0	33,709
GRV Industrial/Residential	0.113800	46	640,229	72,860	0	0	72,860	72,860	0	0	72,860
GRV Industrial/Residential Vacant	0.102840	2	0	0	0	0	0	0	0	0	0
GRV Rural Resort	0.112820	1	1,346,800	151,949	0	0	151,949	151,949	0	0	151,949
UV General	0.207090	7	859,222	177,936	0	0	177,936	177,936	0	0	177,936
UV Pastoral	0.141820	11	642,378	91,105	0	0	91,105	91,105	0	0	91,105
UV Mining	0.282450	1	8,415	2,377	0	0	2,377	2,245	0	0	2,245
UV Exploration	0.271580	10	806,582	219,052	0	0	219,052	219,052	0	0	219,052
Sub-Totals		463	10,948,810	1,406,016	5,576	153	1,411,745	1,405,885	5,576	153	1,411,614
Minimum Payment											
GRV Residential	876.00	51	364,359	44,676	0	0	44,676	44,676			44,676
GRV Commercial	876.00	17	93,933	14,892	0	0	14,892	14,892			14,892
GRV Vacant	876.00	80	262,806	70,080	0	0	70,080	70,080			70,080
GRV Rural Commercial	876.00	0	0	0	0	0	0	0			0
GRV Industrial/Residential	876.00	3	19,439	2,628	0	0	2,628	2,628			2,628
GRV Industrial/Residential Vacant	546.00	0	0	0	0	0	0	0			0
GRV Rural Resort	876.00	0	0	0	0	0	0	0			0
UV General	735.00	6	9,395	4,410	0	0	4,410	4,410			4,410
UV Pastoral	920.00	0	0	0	0	0	0	0			0
UV Mining	920.00	1	693	920	0	0	920	920			920
UV Exploration	920.00	1	2,073	920	0	0	920	920			920
Sub-Totals		159	752,698	138,526	0	0	138,526	138,526	0	0	138,526
Concessions							(145,719)				(145,719)
Amount from General Rates							1,404,552				1,404,421
Specified Area Rates							37,104				37,104
Totals							1,441,656				1,441,525

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
January 2021											
6. INFORMATION ON BORROWINGS											
(a) Debenture Repayments											
Particulars	Principal 1-Jul-20	New Loans	Principal Repayments			Principal Outstanding			Interest Repayments		
			Actual \$	Original Budget \$	Amended Budget \$	Actual \$	Original Budget \$	Amended Budget \$	Actual \$	Original Budget \$	Amended Budget \$
Loan 56 - Staff Housing	102,963	0	16,310	32,951	32,951	86,653	70,012	70,012	1,289	4,154	4,154
Loan 57 - Monkey Mia Bore	9,901	0	9,901	9,901	9,901	0	0	0	288	289	289
Loan 58 - Town Oval Bore	800,000	0	15,963	32,105	32,105	784,037	767,895	767,895	8,088	26,716	26,716
	912,864	0	42,174	74,957	74,957	870,690	837,907	837,907	9,665	31,159	31,159

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
January 2021					
Note 7: GRANTS AND CONTRIBUTIONS					
Program/Details	Grant Provider	Original Budget	Amended Budget	Operating	Capital
		\$	\$	\$	\$
GENERAL PURPOSE FUNDING					
Grants Commission - General	WALGGC	692,158	714,127	714,127	0
Grants Commission - Roads	WALGGC	226,736	208,136	208,136	0
LAW, ORDER, PUBLIC SAFETY					
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	8,970	8,970	8,970	0
Grant FESA - SES	Dept. of Fire & Emergency Serv.	45,240	45,240	45,240	0
RECREATION AND CULTURE					
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	200	200	200	0
Little Lagoon Rehabilitation Project	Department of Industry, Science, Energy and Resources	12,500	12,500	0	12,500
Child Care Building	Ngala Bright Stars	0	300,000	0	300,000
Mens Shed	Department of Local Government, Sport and Cultural Industries	0	110,287	0	110,287
TRANSPORT					
Road Preservation Grant	State Initiative - Main Roads WA	117,315	117,315	117,315	0
Useless Loop Road - Mtce	Main Roads WA	330,000	657,058	657,058	0
Contributions - Road Projects	Pipeline	12,705	12,705	12,705	0
Roads To Recovery Grant - Cap	Roads to Recovery	297,245	297,245	0	297,245
RRG Grants - Capital Projects	Regional Road Group	243,956	234,567	0	234,567
Local Road and Community Infrastructre	Department of Infrastructure, Transport, Regional Development and Communications	334,062	581,453	0	581,453
ECONOMIC SERVICES					
Thank a Volunteer	Dept of Communities	700	700	700	0
Keep Australia Beautiful for Community Litter	Keep Australia Beautiful Council	0	1,500	1,500	0
Club Capacity Building Workshop	Gaming and Wagering Commission	0	3,000	3,000	0
Horizon Power Christmas Festival	Horizon Power	0	7,500	7,500	0
NAIDOC Week Flag Raising Ceremony	NAIDOC	0	250	250	0
TOTALS		2,321,787	3,312,753	1,776,701	1,536,052
		Original Budget		Amended Budget	
		Operating	1,434,024	Operating	1,776,701
		Non-operating	887,763	Non - Operating	1,536,052
			2,321,787		3,312,753

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Note 8: CAPITAL WORKS PROGRAM 2020/21					
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Original Annual Budget	Actual to 31 January	Amended Annual Budget
Land and Buildings					
Buildings					
Governance					
Asbestos Removal - Shire Office	3.1, 4.1	WKSM	(75,000)	0	(75,000)
Community Amenities Total			(75,000)	0	(75,000)
Housing					
Staff Housing - 5 Spaven Way	2.2.1	CEO	(10,000)	0	(10,000)
Staff Housing - 65 Brockman St	2.2.1	EMCD	(10,000)	0	(10,000)
Staff Housing - 51 Durlacher St	2.2.1	EMFA	(10,000)	0	(10,000)
Staff Housing - 80 Durlacher St	2.2.1	EMCD	(10,000)	0	(10,000)
Pensioner Units Capital	2.2.1	EMCD	(25,000)	0	(25,000)
Pensioner Units Door/Water Pipe Replacement	2.2.1	EMCD	(10,000)	0	(10,000)
Housing Total	2.2.1		(75,000)	0	(75,000)
Community Amenities					
Morgue	2.2.1	CEO	(40,000)	0	(85,000)
Community Amenities Total			(40,000)	0	(85,000)
Recreation and Culture					
Asbestos Removal - Denham Town Hall/Stables	3.1, 4.1	WKSM	(75,000)	0	(75,000)
Town Hall Access	4.1, 5.1, 5.2	EMCD	(40,000)	0	(40,000)
Stables Refurbishment	4.1	EMCD	(50,000)	(1,949)	(50,000)
Recreation Centre Panel and Paint Renewal	2.2.1	WKSM	(50,000)	0	(50,000)
Child Care Building	5.1	EMCD	0	0	(300,000)
Child Care Building Site Works	5.1	EMCD	(40,000)	(21,725)	(40,000)
Mens Shed Building	5.1	EMCD	0	0	(110,287)
Mens Shed Building Site Works	5.1	EMCD	0	0	(20,000)
Shark Bay Discovery Centre Door Upgrade	4.1, 5.1 5.2	EMCD	0	0	(12,500)
Recreation and Culture Total			(255,000)	(23,674)	(697,787)
Transport					
Depot - Office Awning	4.1	WKSM	(10,000)	0	(10,000)
Depot - Boundary Fencing	4.1	WKSM	(7,721)	(5,164)	(7,721)
Transport Total			(17,721)	(5,164)	(17,721)
Land and Buildings Total					
			(462,721)	(28,838)	(950,508)
Footpaths					
Transport					
Francis Street Lighting on Dual Purpose Pathway	1.1, 4.1, 5.1	WSKM	(80,000)	(586)	(80,000)
Stella Rowley Drive Lighting on Dual Purpose Pathway	1.1, 4.1, 5.1	WSKM	(80,000)	0	(80,000)
Footpath Construction-Denham Footpath Plan	1.1, 4.1, 5.1	WKSM	(100,000)	0	(100,000)
Footpaths Total			(260,000)	(586)	(260,000)
Furniture & Office Equip.					
Recreation and Culture					
Gymnasium Equipment	4.1, 5.1, 5.2	EMCD	0	0	(15,000)
Recreation Centre Entry System	4.1, 5.1, 5.2	EMCD	0	0	(12,500)
Recreation and Culture Total			0	0	(27,500)
Furniture & Office Equip. Total			0	0	(27,500)

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Original Annual Budget	Actual to 31 December	Amended Annual Budget
Plant and Equipment					
Governance					
CEO Vehicle	4.1	CEO	(70,000)	0	(70,000)
Governance Total			(70,000)	0	(70,000)
Transport					
Major Plant Items	4.1	WKSM	(20,000)	(4,474)	(20,000)
Dual Cab Ute - Works Manager	4.1	WKSM	(57,000)	0	(57,000)
Dual Cab Ute - Country	4.1	WKSM	(46,000)	0	(46,000)
Dual Cab Ute - Town	4.1	WKSM	(46,000)	0	(46,000)
Country Loader	4.1	WKSM	(280,000)	0	(280,000)
Transport Total			(449,000)	(4,474)	(449,000)
Plant and Equipment Total					
			(519,000)	(4,474)	(519,000)
Public Facilities					
Community Amenities					
Cemetery Shade	4.1	WKSM	(5,000)	0	(5,000)
Hamelin Pool Carpark	4.1	WKSM	(10,000)	0	(10,000)
Community Amenities Total			(15,000)	0	(15,000)

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Original Annual Budget	Actual to 31 December	Amended Annual Budget
Recreation And Culture					
West End Toilet Roof Replacement	4.1	WKSM	(15,000)	0	(15,000)
Playground Softfall Replacement - Town Oval	4.1, 5.1, 5.2	WKSM	(20,000)	(15,461)	(20,000)
Foreshore Limestone Wall	4.1	WKSM	(45,000)	0	(45,000)
Playground Fence Replacement	4.1, 5.1, 5.2	WKSM	(15,000)	(3,362)	(15,000)
Charlie Sappie Park Bed Removal and Replacement	4.1	WKSM	(20,000)	0	(20,000)
Multi Purpose Courts Light Upgrade	4.1	WKSM	(25,000)	0	(25,000)
Little Lagoon Signs and Barriers	3.1, 4.1	EMCD	(25,000)	(7,566)	(25,000)
Town Oval Bore Capital	4.1, 5.1, 5.2	WKSM	0	(1,860)	0
Town Oval Fence Extensions	4.1, 5.1, 5.2	WKSM	0	(2,002)	0
Little Lagoon Upgrades, Gazebo, Bollards and Signage	3.1, 4.1	EMCD	0	0	(35,000)
Multi Purpose Court Resurface	4.1	EMCD	0	0	(70,000)
Skate Park Upgrades	4.1, 5.1, 5.2	EMCD	0	0	(55,000)
Adventure Park Lighting Upgrades	4.1, 5.1, 5.2	EMCD	0	0	(15,000)
Recreation And Culture Total			(165,000)	(30,251)	(340,000)
Public Facilities Total					
			(180,000)	(30,251)	(355,000)
Roads					
Transport					
R2R Projects 20-21 Brockman Street	1.1	WKM	(450,000)	0	(450,000)
Useless Loop Road - RRG 20-21	1.1	WKM	(229,958)	(274)	(216,057)
Eagle Bluff - RRG 19-20 CF	1.1	WKM	(8,203)	(8,672)	(8,203)
Eagle Bluff - RRG 20-21	1.1	WKM	(127,775)	(2,075)	(127,775)
Transport Total			(815,936)	(11,021)	(802,035)
Roads Total					
			(815,936)	(11,021)	(802,035)
Capital Expenditure Total					
			(2,237,657)	(75,170)	(2,914,043)

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

10.3 ANNUAL REPORT 2019/2020
FM00009

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Ridgely

Seconded Cr Smith

Council Resolution

That Council –

- 1. Receive and Accept the Annual Report for the 2019/2020 financial year.**
- 2. Receive and Accept the Annual Financial and Auditors reports for the 2019/2020 financial year and note the comment on ratios.**
- 3. Set the date for the Annual General Meeting of electors for Wednesday 17 March 2021 commencing at 6.30pm at the Shark Bay Recreation Centre in accordance with section 5.27(2) of the *Local Government Act 1995*.**

6/0 CARRIED BY ABSOLUTE MAJORITY

Background

The 2019/2020 Annual Report, which includes the annual financial statements and auditor's report, has been prepared in accordance with section 5.53 of the *Local Government Act 1995* and is attached under separate cover. The Audit Committee recommended that the Annual Report, the Annual Financial and Auditors report for 2019/2020 be adopted by Council.

The Annual Report highlights the Shire's achievements in 2019/2020 under the outcomes in the Strategic Community Plan.

Following the acceptance of the Annual Report the Council must have a meeting of electors not more than 56 days after the acceptance of the Annual Report for the previous financial year. This means that the last day that the Council can hold an electors' meeting is 21 April 2021.

Comment

The annual financial statements are included in the Annual Report and reflect an unqualified audit report.

The management letter mentions one area which is recommended to improve is the review of depreciation rates for assets on an annual basis due to variances between fair value assessments and book value of assets. A full copy of the Management Letter is attached to this agenda item for your information.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

The auditor's comments follow:

We noted that management has not reviewed the estimated useful lives of assets on an annual basis. The last time these were reviewed were during the fair value process for each class of assets.

Legal Implications

Sections 5.53, 5.54 and 5.55 of the *Local Government Act 1995* refer to the acceptance of the annual report.

Policy Implications

There are no policy implications associated with this report.

Financial Implications

The annual report includes the Shire's audited annual financial statements, which present the Shire's financial position as at 30 June 2020 and is a useful tool for evaluating the Shire's operations.

Strategic Implications

Strategy 4.1 / 4.2 The Shire is a strategically focused, unified Council and organisation, functioning efficiently and effectively

Risk Management

There is a low risk associated with this item. Council needs to adopt the annual report to maintain compliance with the *Local Government Act 1995*.

Voting Requirements

Absolute Majority Required

Signatures

Author	<i>A Pears</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	17 February 2021

24 FEBRUARY 2021

11. FINANCE REPORT

11.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any Interest

Nil

Moved Cr Fenny
Seconded Cr Cowell

Council Resolution

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$796,055.38 be accepted.

6/0 CARRIED

Comment

The schedules of accounts for payment covering -

Municipal fund credit card direct debits for the month of December 2020 and January 2021 totalling \$4,716.48

Municipal fund account cheque numbers 26934 to 26937 totalling \$6,613.33

Municipal fund direct debits to Council for the month of December 2020 and January 2021 totalling \$51,562.13

Municipal fund account electronic payment numbers MUNI 27481 to 27533, 27541 to 27593, 27534 to 27540 and 27594 to 27694 totalling \$419,371.44

Municipal fund account for December 2020 and January 2021 payroll totalling \$286,110.00

No Trust fund account cheque numbers were issued for December 2020 and January 2021

Trust fund Police Licensing for December 2020 and January 2021 transaction numbers 202106 and 202107 totalling \$27,682.00 and

There were no Trust fund account electronic payments for December 2020 and January 2021

The schedule of accounts submitted to each member of Council on 19 February 2021 has been checked and are fully supported by vouchers and invoices. All vouchers and invoices have been duly certified as to the receipt of goods and services and the cost of goods and services received.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

LEGAL IMPLICATIONS

Section 13.3 of the Local Government (Financial Management) Regulations 1996, requires that a list of payments be presented to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The payments listed have been disbursed throughout the month.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

These payments have been paid and are subject to internal checks and appraisals and therefore are considered a low risk to council.

Voting Requirements

Simple Majority Required

Signature

Author

A Pears

Chief Executive Officer

P Anderson

Date of Report

9 February 2021

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY – CREDIT CARD

PERIOD – DECEMBER 2020

CREDIT CARD TOTAL \$1,686.01

EMFA

DATE	NAME	DESCRIPTION	AMOUNT
23/11/2020	EZI DIGITAL	MOBILE PHONE SHOCKPROOF COVER - COUNTRY CREW	\$6.99
23/11/2020	JB HIFI	MOBILE PHONE REPLACEMENT – COUNTRY CREW	\$353.99
25/11/2020	CHEMISTRY CENTRE BENTLEY	FORESHORE SAND AND SOIL SAMPLE ANALYSIS	\$220.00
30/11/2020	REGIONAL EXPRESS MASCOT	RETURN AIRFARE – J. IRONSIDE – DOT TRAINING	\$578.98
1/12/2020	BELONG MOBILE	1GB MONTHLY TELEVISION CONNECTION WITH N-COM	\$10.00
11/12/2020	SHIRE OF SHARK BAY	BUILDING PERMIT #3365 DAYCARE CENTRE FENCING	\$61.65
			\$1,231.61

EMCD

DATE	NAME	DESCRIPTION	AMOUNT
18/11/2020	KUBE CREATIVE	HAND SANTIZER FOR SBDC	\$305.45
18/11/2020	SP PHOTO-LIGHT MELBOURNE	LIGHTBOX PHOTOGRAPHY KIT FOR SBDC	\$93.95
23/11/2020	INSCOPE TRAINING	WHITE CARD TRAINING FOR CANDICE USZKO	\$55.00
			\$454.40

SHIRE OF SHARK BAY – CREDIT CARD

PERIOD – JANUARY 2021

CREDIT CARD TOTAL \$3,030.47

CEO

DATE	NAME	DESCRIPTION	AMOUNT
15/12/2020	SHARK BAY BOWLING CLUB	STAFF AND COUNCILLORS CHRISTMAS PARTY REFRESHMENTS – PO9575	\$1670.50
11/01/2021	ROCKINGHAM TOYOTA	SPARE WHEEL CAMERA COVER – CEO VEHICLE P188	\$25.56
			\$1,696.06

EMFA

DATE	NAME	DESCRIPTION	AMOUNT
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MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

21/12/2020	AMAZON	ERGONOMIC KEYBOARDS FOR SHIRE OFFICE STAFF – PO9661	453.08
30/12/2020	BELONG MOBILE	1GB MONTHLY TELEVISION CONNECTION WITH N-COM	\$10.00

\$463.08

EMCD

DATE	NAME	DESCRIPTION	AMOUNT
22/12/2020	CANVA	12 MONTH SUBSCRIPTION FOR CANVA PRO – PO9699	\$167.88
8/01/2021	OZ 3D ZEN PROMOTIONAL	POLARISED 3D GLASSES FOR SBDC – PO9677	\$698.50

\$866.38

**SHIRE OF SHARK BAY – MUNI CHQ
DECEMBER 2020
CHEQUE # 26934-26935**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
26934	07/12/2020	WATER CORPORATION - OSBORNE PARK	WATER AND SERVICE CHARGES FOR PENSIONER UNITS	-6296.73
26935	18/12/2020	WATER CORPORATION - OSBORNE PARK	SERVICE CHARGE FOR COMMUNITY STANDPIPE	-22.92
			TOTAL	\$6,319.65

**SHIRE OF SHARK BAY – MUNI CHQ
JANUARY 2021
CHEQUE # 26936-26937**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
26936	12/01/2021	WATER CORPORATION - OSBORNE PARK	SERVICE CHARGES FOR COMMUNITY STANDPIPE	-23.68
26937	21/01/2021	AUSTRALIAN COMMUNICATIONS AUTHORITY	SHIRE RADIO CHANNELS - BROADCASTING LICENCE RENEWAL	-270.00
			TOTAL	\$293.68

**SHIRE OF SHARK BAY – MUNI DIRECT DEBITS
DECEMBER 2020**

MINUTES OF THE ORDINARY COUNCIL MEETING

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DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15833.1	06/12/2020	URL NETWORKS PTY LTD	NOVEMBER 2020 SHIRE VOIP PHONE CHARGES	-212.35
DD15834.1	21/12/2020	VIVA ENERGY AUSTRALIA	FUEL FOR EMCD VEHICLE NOVEMBER 2020	-142.58
DD15839.1	06/12/2020	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-3748.58
DD15839.2	06/12/2020	THE TRUSTEE FOR SUPER TRAWLER SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-390.03
DD15839.3	06/12/2020	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-441.46
DD15839.4	06/12/2020	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-223.86
DD15839.5	06/12/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-411.88
DD15839.6	06/12/2020	REST	SUPERANNUATION CONTRIBUTIONS	-205.85
DD15839.7	06/12/2020	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-672.67
DD15839.8	06/12/2020	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1074.18
DD15839.9	06/12/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1622.57
DD15851.1	30/12/2020	EXETEL PTY LTD	INTERNET CHARGES FOR SHIRE OFFICE AND HOUSES - JANUARY 2020	-375.22
DD15857.1	20/12/2020	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-3849.84
DD15857.2	20/12/2020	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-217.37
DD15857.3	20/12/2020	THE TRUSTEE FOR SUPER TRAWLER SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-390.03
DD15857.4	20/12/2020	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-441.47
DD15857.5	20/12/2020	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-85.46
DD15857.6	20/12/2020	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-223.86
DD15857.7	20/12/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-463.74
DD15857.8	20/12/2020	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-680.11
DD15857.9	20/12/2020	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1066.24
DD15839.10	06/12/2020	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-126.05
DD15839.11	06/12/2020	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-205.85
DD15839.12	06/12/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-167.93
DD15839.13	06/12/2020	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-194.82
DD15839.14	06/12/2020	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-217.38
DD15857.10	20/12/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1638.04

MINUTES OF THE ORDINARY COUNCIL MEETING

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DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15857.11	20/12/2020	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-121.93
DD15857.12	20/12/2020	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-205.85
DD15857.13	20/12/2020	REST	SUPERANNUATION CONTRIBUTIONS	-351.43
DD15857.14	20/12/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-211.18
DD15857.15	20/12/2020	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-194.82
			TOTAL	\$20,574.63

**SHIRE OF SHARK BAY – MUNI DIRECT DEBITS
JANUARY 2021**

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15866.1	03/01/2021	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-3767.91
DD15866.2	03/01/2021	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-217.38
DD15866.3	03/01/2021	THE TRUSTEE FOR SUPER TRAWLER SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-351.04
DD15866.4	03/01/2021	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-482.32
DD15866.5	03/01/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-223.86
DD15866.6	03/01/2021	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-411.87
DD15866.7	03/01/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-612.36
DD15866.8	03/01/2021	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1003.65
DD15866.9	03/01/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1687.40
DD15875.1	08/01/2021	URL NETWORKS PTY LTD	DECEMBER 2020 SHIRE VOIP PHONE CALL CHARGES	-208.69
DD15876.1	21/01/2021	VIVA ENERGY AUSTRALIA	DECEMBER 2020 EMFA AND WORKS MANAGER VEHICLE FUEL	-174.26
DD15885.1	17/01/2021	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-3803.78
DD15885.2	17/01/2021	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-264.88
DD15885.3	17/01/2021	THE TRUSTEE FOR SUPER TRAWLER SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-390.03
DD15885.4	17/01/2021	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-441.46

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15885.5	17/01/2021	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-43.45
DD15885.6	17/01/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-228.18
DD15885.7	17/01/2021	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-411.86
DD15885.8	17/01/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-578.42
DD15885.9	17/01/2021	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1066.12
DD15890.1	29/01/2021	EXETEL PTY LTD	SHIRE OFFICE AND PREMISES INTERNET CHARGES FEBRUARY 2021	-375.07
DD15903.1	31/01/2021	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-3836.91
DD15903.2	31/01/2021	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-217.37
DD15903.3	31/01/2021	THE TRUSTEE FOR SUPER TRAWLER SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-390.03
DD15903.4	31/01/2021	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-43.45
DD15903.5	31/01/2021	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-223.86
DD15903.6	31/01/2021	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-411.86
DD15903.7	31/01/2021	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-404.60
DD15903.8	31/01/2021	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-1049.26
DD15903.9	31/01/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-2077.66
DD15866.10	03/01/2021	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-97.30
DD15866.11	03/01/2021	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-205.85
DD15866.12	03/01/2021	REST	SUPERANNUATION CONTRIBUTIONS	-376.66
DD15866.13	03/01/2021	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-136.78
DD15866.14	03/01/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-194.82
DD15885.10	17/01/2021	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-2105.47
DD15885.11	17/01/2021	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-116.71
DD15885.12	17/01/2021	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-212.68
DD15885.13	17/01/2021	REST	SUPERANNUATION CONTRIBUTIONS	-384.12
DD15885.14	17/01/2021	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-159.81
DD15885.15	17/01/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-194.82
DD15903.10	31/01/2021	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-489.27
DD15903.11	31/01/2021	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-205.85
DD15903.12	31/01/2021	REST	SUPERANNUATION CONTRIBUTIONS	-418.75
DD15903.13	31/01/2021	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-94.80

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15903.14	31/01/2021	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-194.82
			TOTAL	\$30,987.50

**SHIRE OF SHARK BAY – MUNI EFT
DECEMBER 2020
EFT 27481 – 27533, 27541 - 27593**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27481	03/12/2020	JAMES SNR POLAND	BOOKEASY NOVEMBER 2020	-51.96
EFT27482	03/12/2020	SHARK BAY AVIATION	BOOKEASY NOVEMBER 2020	-2340.80
EFT27483	03/12/2020	BAY LODGE MIDWEST OASIS	BOOKEASY NOVEMBER 2020	-1505.60
EFT27484	03/12/2020	BLUE LAGOON PEARLS	BOOKEASY NOVEMBER 2020	-272.00
EFT27485	03/12/2020	DENHAM SEASIDE CARAVAN PARK	BOOKEASY NOVEMBER 2020	-1310.80
EFT27486	03/12/2020	HARTOG COTTAGES	BOOKEASY NOVEMBER 2020	-759.50
EFT27487	03/12/2020	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY NOVEMBER 2020	-168.30
EFT27488	03/12/2020	LOIS JANE COPE	BOOKEASY NOVEMBER 2020	-64.00
EFT27489	03/12/2020	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	FAREHARBOUR NOVEMBER 2020	-2384.04
EFT27490	03/12/2020	MONKEYMIA WILDSIGHTS	BOOKEASY NOVEMBER 2020	-2816.64
EFT27491	03/12/2020	WA OCEAN PARK PTY LTD	BOOKEASY NOVEMBER 2020	-167.90
EFT27492	03/12/2020	OCEANSIDE VILLAGE	BOOKEASY NOVEMBER 2020	-771.40
EFT27493	03/12/2020	SHARK BAY SCENIC QUAD BIKE TOURS	BOOKEASY NOVEMBER 2020	-3116.00
EFT27494	03/12/2020	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY NOVEMBER 2020	-1592.80
EFT27495	03/12/2020	SHARK BAY DIVE AND MARINE SAFARIS	FAREHARBOR NOVEMBER 2020	-941.14
EFT27496	03/12/2020	SHARK BAY HOTEL MOTEL	BOOKEASY NOVEMBER 2020	-302.50
EFT27497	03/12/2020	SHARK BAY CARAVAN PARK	BOOKEASY NOVEMBER 2020	-971.96
EFT27498	03/12/2020	SHARK BAY 4WD TOURS	FAREHARBOR NOVEMBER 2020	-1162.80
EFT27499	03/12/2020	SHARK BAY HOLIDAY COTTAGES	BOOKEASY NOVEMBER 2020	-427.80

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27500	03/12/2020	SHIRE OF SHARK BAY	BOOKEASY COMMISSION NOVEMBER 2020	-4445.65
EFT27501	03/12/2020	SHARK BAY SEAFRONT APARTMENTS	BOOKEASY NOVEMBER 2020	-1924.56
EFT27502	03/12/2020	WULA GURA NYINDA ECO ADVENTURES	BOOKEASY NOVEMBER 2020	-3113.60
EFT27503	04/12/2020	STATE LIBRARY OF WA	DDS FREIGHT RECOUP 2016-2017 SHARK BAY LIBRARY – NOT PREVIOUSLY INVOICED	-291.40
EFT27504	04/12/2020	AUSTRALIA POST	NOVEMBER 2020 SHIRE POSTAGE FEES	-511.82
EFT27505	04/12/2020	SHARK BAY AVIATION	WALGA ZONE MEETING AIRCRAFT CHARTER TO CARNARVON AND RETURN - P. ANDERSON, B. GALVIN, C. COWELL, E. FENNY	-700.00
EFT27506	04/12/2020	CONSTRUCTION TRAINING FUND	CTF LEVY COLLECTION NOVEMBER 2020	-527.25
EFT27507	04/12/2020	BOC LIMITED	MONTHLY CONTAINER RENTAL - GAS NOVEMBER 2020	-46.46
EFT27508	04/12/2020	BRIDGESTONE SERVICE CENTRE	WHEEL ALIGNMENT FOR DMAX (P197), TUBE STRIP & FIT FOR SKIDD (P161)	-137.00
EFT27509	04/12/2020	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER FEES	-1221.00
EFT27510	04/12/2020	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL LEVY COLLECTION NOVEMBER 2020	-772.00
EFT27511	04/12/2020	REFUEL AUSTRALIA (formerly GERALDTON FUEL COMPANY)	MONTHLY FUEL ACCOUNT - NOVEMBER 2020	-10724.95
EFT27512	04/12/2020	GREGORY ALLAN HEWITT	REIMBURSEMENT FOR FUEL - HINO (P178) TO GERALDTON FOR A WHEEL ALIGNMENT	-47.00
EFT27513	04/12/2020	HORIZON POWER	NOVEMBER 2020 SHIRE STREET LIGHTING	-3943.00
EFT27514	04/12/2020	KIM LEE	GYM CARD REFUND X 2	-40.00
EFT27515	04/12/2020	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	NOVEMBER 2020 REFUND ON COMMISSION DUE TO FAREHARBOR ISSUE	-122.76
EFT27516	04/12/2020	RHONDA JOY METTAM	REIMBURSEMENT FOR CHRISTMAS DECORATIONS	-46.00
EFT27517	04/12/2020	MIDWEST WINDSCREENS	SUPPLY AND FIT NEW WINDSCREEN TO DMAX (P197)	-345.00
EFT27518	04/12/2020	NATURALISTE PLUMBING PTY LTD	REPLACE FIRE VALVE ON JETTY	-600.00
EFT27519	04/12/2020	NICHOLAS ROBERT THAKE	SBDC MERCHANDISE	-1735.80
EFT27520	04/12/2020	PAPER PLUS OFFICE NATIONAL	SHIRE OFFICE STATIONERY AND COMPUTER EQUIPMENT	-1460.02
EFT27521	04/12/2020	LYONS ENTERPRISES-SHARK BAY CAR HIRE	NOVEMBER 2020 CAR HIRE FOR VISITING MEDICAL STAFF	-803.68
EFT27522	04/12/2020	WINC AUSTRALIA PTY LIMITED	STATIONERY FOR SBDC AND SHIRE OFFICE	-292.23

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27523	04/12/2020	SHARK BAY NEWSAGENCY	A4 REAMS OF PRINTING PAPER FOR SHIRE OFFICE	-601.71
EFT27524	04/12/2020	SHARK BAY COMMUNITY RESOURCE CENTRE	NOVEMBER 2020 RECREATION CENTRE MANAGEMENT	-4740.60
EFT27525	04/12/2020	MCKELL FAMILY TRUST	MONTHLY RUBBISH COLLECTION AND STREET SWEEPING - NOVEMBER 2020	-11014.38
EFT27526	04/12/2020	SHIRE OF SHARK BAY	CTF LEVY COMMISSION NOVEMBER 2020	-74.75
EFT27527	04/12/2020	TELSTRA CORPORATION LTD	TELEPHONE SERVICE FOR SMS TO PUBLIC WITH COMMUNITY MESSAGES	-183.83
EFT27528	04/12/2020	TOURISM COUNCIL	SBDC MEMBERSHIP RENEWAL TO WA TOURISM COUNCIL	-1328.00
EFT27529	04/12/2020	TOWN PLANNING INNOVATIONS	NOVEMBER 2020 GENERAL PLANNING SERVICES	-5280.00
EFT27530	04/12/2020	TEGAN REINA TOMSHIN	REFUND BOND FROM HIRE OF SOUND SYSTEM	-200.00
EFT27531	04/12/2020	UNIMEC PTY LTD	PARTS FOR PEDESTRIAN ROLLER (PP113)	-1173.48
EFT27532	04/12/2020	YADGALAH ABORIGINAL CORPORATION	DRY HIRE OF DIGGER INCLUDING DELIVERY	-171.00
EFT27533	21/12/2020	AUSTRALIAN TAXATION OFFICE	NOVEMBER 2020 BAS	-45267.00
EFT27541	18/12/2020	BUNNINGS BUILDING SUPPLIES PTY LTD	SAFETY GLASSES & DRINK COOLERS FOR DEPOT	-259.12
EFT27542	18/12/2020	BRIAN CHILD	CONNECT DRAINS AND WATER TO NEW DAYCARE CENTRE AND SUPPLY BUILDING VENTS AND TAPS	-6730.00
EFT27543	18/12/2020	BRANDCONNECT AUSTRALIA	SBDC MERCHANDISE	-4458.30
EFT27544	18/12/2020	BRIAN JOHN GALVIN	SALARY SACRIFICE - COMMUNICATIONS, WATER, POWER AND RATES	-2929.96
EFT27545	18/12/2020	BRIDGESTONE SERVICE CENTRE	NEW GRADER TYRE FOR GRADER (P156)	-1480.00
EFT27546	18/12/2020	SHARK BAY SCHOOL	DONATION TOWARDS THE END OF YEAR SCHOOL AWARDS	-54.59
EFT27547	18/12/2020	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER FEES	-759.00
EFT27548	18/12/2020	BLACKWOODS ATKINS	WORKSHOP CONSUMABLES - RAGS, ELECTRODE PLASMA STARTER & SHIELD	-647.57
EFT27549	18/12/2020	CHAIR SOLUTIONS WA PTY LTD	CHAIRS FOR SHIRE OFFICE STAFF	-3575.00
EFT27550	18/12/2020	DIRK HARTOG ISLAND DISTILLERIES PTY LTD	SBDC MERCHANDISE – DIRK HARTOG BOOKS	-500.00
EFT27551	18/12/2020	DENHAM MEATS	VOUCHER FOR SHARK BAY CHRISTMAS DECORATIONS COMPETITION 2020 J. FITZPATRICK AND SUPPLIES FOR COUNTRY CREW	-219.00

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27552	18/12/2020	DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS	REFUND OF TOWN HALL CLEANING DEPOSIT	-275.00
EFT27553	18/12/2020	DENHAM IGA X-PRESS	MONTHLY SUPERMARKET ACCOUNT - NOVEMBER 2020	-751.45
EFT27554	18/12/2020	FIONA DOUGLAS	CROSS OVER REIMBURSEMENT 4 SELLENGER HEIGHTS - FIONA DOUGLAS	-798.00
EFT27555	18/12/2020	FUTURE GLASS	SBDC MERCHANDISE	-192.50
EFT27556	18/12/2020	FACEPAINTING MAGIC	SHARK BAY CHRISTMAS FESTIVAL - FACE PAINTING / TATTOOS AND BALLOONS	-1083.80
EFT27557	18/12/2020	SHARK BAY SUPERMARKET	MONTHLY SUPERMARKET ACCOUNT - NOVEMBER 2020	-69.07
EFT27558	18/12/2020	GERALDTON HYDRAULICS	REPAIR CYLINDER ROD ASSEMBLY FOR JINKER (P175)	-3515.31
EFT27559	18/12/2020	HERITAGE RESORT	SENIORS CHRISTMAS LUNCH CATERING	-130.00
EFT27560	18/12/2020	IMPART MEDIA PTY LTD	ANNUAL WEBSITE HOSTING FOR SBDC	-1320.00
EFT27561	18/12/2020	JURIDA DESIGNS	SBDC MERCHANDISE	-1280.00
EFT27562	18/12/2020	JASON SIGNMAKERS	YANDANI GUTHARRAGUDA SIGN - ENTRY SIGN	-800.00
EFT27563	18/12/2020	KOMATSU AUSTRALIA	SERVICE PARTS FOR LOADER (P163)	-313.17
EFT27564	18/12/2020	LANDGATE (WA LAND INFORMATION AUTHORITY)	SLIP SUBSCRIPTION SERVICES ANNUAL CHARGE	-2575.10
EFT27565	18/12/2020	MIDWEST BOUNCE AND FUN	CHRISTMAS FESTIVAL HIRE OF INFLATABLE ACTIVITIES	-3624.40
EFT27566	18/12/2020	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES FOR EMERGENCY SERVICES BUILDING LEASE	-3241.55
EFT27567	18/12/2020	MIDWEST FIRE PROTECTION SERVICE	SERVICE FIRE AND JACKING PUMPSET SBDC	-165.00
EFT27568	18/12/2020	SHARK BAY MARINE AND HARDWARE	MONTHLY HARDWARE ACCOUNT - NOVEMBER 2020	-1310.39
EFT27569	18/12/2020	MICROCOM PTY LTD t/a METROCOUNT	ROAD TUBE FOR TRAFFIC COUNTER	-605.00
EFT27570	18/12/2020	PATRICIA ANDREW	SBDC MERCHANDISE	-216.00
EFT27571	18/12/2020	PEST-A-KILL	ANNUAL PEST MANAGEMENT TO SHIRE BUILDINGS AND RODENT MONITORING AND BAITING	-4678.30
EFT27572	18/12/2020	PROFESSIONAL PC SUPPORT	JANUARY 2020 MONTHLY PPS AGREEMENT AGENT AND ANTIVIRUS, ANNUAL 3CX LICENCE AND SOFTWARE LICENCES AND ASSISTANCE	-2391.58
EFT27573	18/12/2020	PAIGE WHITELAW	GYM CARD REFUND	-20.00
EFT27574	18/12/2020	RTA LEISURE PTY LTD	TOWN HALL CLEANING BOND REFUND	-275.00

MINUTES OF THE ORDINARY COUNCIL MEETING

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27575	18/12/2020	RAY WHITE REAL ESTATE SHARK BAY	4 WEEKS BOND AND 2 WEEKS RENT IN ADVANCE FROM 29/12/20 TO 11/01/21 - 12 MEAD STREET	-1650.00
EFT27576	18/12/2020	SHARK BAY BOWLING, SPORT AND RECREATION CLUB INC.	CHRISTMAS STAFF FUNCTION	-3680.00
EFT27577	18/12/2020	SHARK BAY COMMUNITY RESOURCE CENTRE	SENIORS CHRISTMAS LUNCH EQUIPMENT	-78.00
EFT27578	18/12/2020	SHARK BAY CLEANING SERVICE	MONTHLY CLEANING ACCOUNT OF SHIRE PREMISES NOVEMBER 2020	-21146.53
EFT27579	18/12/2020	SHARK BAY FISHING CLUB INC	2020/2021 COMMUNITY ASSISTANCE GRANT - 26TH SHARK BAY FISHING FIESTA	-6000.00
EFT27580	18/12/2020	SHARK BAY BUSINESS AND TOURISM ASSOCIATION	BUSINESS AND TOURSIM ASSOCIATION MEMBERSHIP JANUARY 2021 TO JUNE 2022	-275.00
EFT27581	18/12/2020	SHARK BAY SKIPS	MONTHLY SKIP BIN ACCOUNT - NOVEMBER 2020 DOT AND MAIN ROADS USELESS LOOP	-3531.00
EFT27582	18/12/2020	SHARK BAY SKIPPER SERVICES	PRESSURE CLEANING OF BOAT RAMPS - DOT	-400.00
EFT27583	18/12/2020	TELSTRA CORPORATION LTD	SHIRE TELSTRA MOBILE PHONE CHARGES	-418.40
EFT27584	18/12/2020	TRUCKLINE PARTS CENTRE	GREASE GUN EXTENSION AND CLAMPS	-369.71
EFT27585	18/12/2020	TAJ MECHANICAL	WHEEL ALIGNMENT AND BALANCING FOR HINO (P178)	-376.64
EFT27586	18/12/2020	UNIMEC PTY LTD	BELT FOR PEDESTRIAN ROLLER (PP113)	-66.00
EFT27587	18/12/2020	VEND LTD	SHARK BAY WORLD HERITAGE ANNUAL SUBSCRIPTION COMPUTER POINT OF SALE SOFTWARE LICENCE 7 DEC 2020 TO 7 DEC 2021	-1788.00
EFT27588	18/12/2020	VALENTINES PAINTING SERVICE	PAINT FOR JINKER (P175)	-311.11
EFT27589	18/12/2020	WEST COAST FASTENERS PTY LTD	NUTS AND WASHERS FOR TANDEM SIDE TIPPER (PP097)	-44.45
EFT27590	18/12/2020	WIN WESTERN AUSTRALIA	OCTOBER TO DECEMBER 2020 SCREENTIME FOR THE SHIRE OF SHARK BAY SUMMER TELEVISION ADVERTISING	-990.00
EFT27591	18/12/2020	WA HOLIDAY GUIDE PTY LTD	BOOKINGS MARKETING FEE - BOOKEASY - NOVEMBER	-69.25
EFT27592	18/12/2020	WESTMORE SEAFOODS T/AS SHARK BAY FISH FACTORY	RATES INCENTIVE PRIZE - 2ND PLACE – A.W. ALLEN	-200.00
EFT27593	18/12/2020	SHARK BAY YOUTH GROUP	BUBBLE SOCCER HIRE FOR COMMUNITY CHRISTMAS FESTIVAL	-600.00

MINUTES OF THE ORDINARY COUNCIL MEETING

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
			TOTAL	\$218,251.12

**SHIRE OF SHARK BAY – MUNI EFT
JANUARY 2021
EFT 27534-27540, 27594-27694**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27534	01/01/2021	LAURENCE JAMES MICHAEL BELLOTTIE	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT27535	01/01/2021	CHERYL LORRAINE COWELL	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-6446.00
EFT27536	01/01/2021	EDMUND GEORGE FENNY	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-2702.75
EFT27537	01/01/2021	JAMIE BURTON	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT27538	01/01/2021	MARK CORBETT SMITH	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT27539	01/01/2021	PIETR JON STUBBERFIELD	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT27540	01/01/2021	GREGORY LEON RIDGLEY	JAN - MAR 2021 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT27594	05/01/2021	JAMES SNR POLAND	BOOKEASY DECEMBER 2020	-20.00
EFT27595	05/01/2021	MAC ATTACK FISHING CHARTERS	BOOKEASY DECEMBER 2020	-400.00
EFT27596	05/01/2021	SHARK BAY AVIATION	BOOKEASY DECEMBER 2020	-1881.00
EFT27597	05/01/2021	BLUE LAGOON PEARLS	BOOKEASY DECEMBER 2020	-1000.50
EFT27598	05/01/2021	DENHAM SEASIDE CARAVAN PARK	BOOKEASY DECEMBER 2020	-832.88
EFT27599	05/01/2021	HARTOG COTTAGES	BOOKEASY DECEMBER 2020	-682.00
EFT27600	05/01/2021	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY DECEMBER 2020	-280.50
EFT27601	05/01/2021	HERITAGE RESORT	BOOKEASY DECEMBER 2020	-419.76
EFT27602	05/01/2021	DENHAM NATURETIME - 4WD TOURS/PHOTOGRAPHY TOURS	BOOKEASY DECEMBER 2020	-550.00
EFT27603	05/01/2021	WA OCEAN PARK PTY LTD	BOOKEASY DECEMBER 2020	-92.40
EFT27604	05/01/2021	SHARK BAY SCENIC QUAD BIKE TOURS	BOOKEASY DECEMBER 2020	-3895.00
EFT27605	05/01/2021	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY DECEMBER 2020	-1801.08
EFT27606	05/01/2021	SHARK BAY DIVE AND MARINE SAFARIS	BOOKEASY DECEMBER 2020	-4140.42

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27607	05/01/2021	SHARK BAY HOTEL MOTEL	BOOKEASY DECEMBER 2020	-793.00
EFT27608	05/01/2021	SHARK BAY CARAVAN PARK	BOOKEASY DECEMBER 2020	-111.12
EFT27609	05/01/2021	SHARK BAY 4WD TOURS	BOOKEASY DECEMBER 2020	-668.80
EFT27610	05/01/2021	SHARK BAY HOLIDAY COTTAGES	BOOKEASY DECEMBER 2020	-1202.40
EFT27611	05/01/2021	SHIRE OF SHARK BAY	BOOKEASY DECEMBER 2020 COMMISSION	-2444.54
EFT27612	05/01/2021	SHARK BAY SEAFRONT APARTMENTS	BOOKEASY DECEMBER 2020	-521.00
EFT27613	05/01/2021	WULA GURA NYINDA ECO ADVENTURES	BOOKEASY DECEMBER 2020	-697.60
EFT27614	12/01/2021	GERALDTON TOYOTA	P188 - CEO VEHICLE SERVICE - 50,000KM	-401.68
EFT27615	12/01/2021	ARENA CLAUSON ENGINEERING GROUP PTY LTD	STRUCTURAL ENGINEERING DRAWINGS FOR NEW DAYCARE FENCE	-429.00
EFT27616	12/01/2021	AUSTRALIA POST	DECEMBER 2020 SHIRE POSTAGE	-181.85
EFT27617	12/01/2021	BUNNINGS BUILDING SUPPLIES PTY LTD	STORAGE CRATES, WIRE BRUSHES, BATTERIES & PADLOCKS FOR DEPOT STOCK REPLENISHMENT	-499.66
EFT27618	12/01/2021	CONSTRUCTION TRAINING FUND	CTF LEVY COLLECTION DECEMBER 2020	-51.75
EFT27619	12/01/2021	BOC LIMITED	MONTHLY GAS CONTAINER RENTALS - DECEMBER 2020	-48.02
EFT27620	12/01/2021	BROGAN MCMANUS	GYM CARD BOND REFUND	-20.00
EFT27621	12/01/2021	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER FEES	-1848.00
EFT27622	12/01/2021	CELLARBRATIONS DENHAM	THANK A VOLUNTEER DAY REFRESHMENTS	-244.96
EFT27623	12/01/2021	CHUBB FIRE & SECURITY LTD	SBDC PREVENTATIVE MAINTENANCE AND SECURITY MONITORING - JANUARY TO MARCH 2021	-257.40
EFT27624	12/01/2021	CENTRAL REGIONAL TAFE	TRAFFIC MANAGEMENT COURSE - C.USZKO	-196.12
EFT27625	12/01/2021	CORSIGN	8 X LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROJECT INVESTMENT SIGN MANUFACTURE WITH SHIRE LOGO	-616.00
EFT27626	12/01/2021	CANDICE USZKO	SALARY SACRIFICE COMMUNICATION	-79.00
EFT27627	12/01/2021	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL LEVY COLLECTION DECEMBER 2020	-113.30
EFT27628	12/01/2021	DENHAM IGA X-PRESS	SHIRE MONTHLY ACCOUNT - DECEMBER 2020	-1194.43
EFT27629	12/01/2021	SHARK BAY SUPERMARKET	SHIRE MONTHLY ACCOUNT - DECEMBER 2020	-135.10
EFT27630	12/01/2021	FAR WEST ELECTRICAL	DISCONNECT POWER TO STOVE, INSTALL GPO AND REPLACE MCB WITH RCD - PENSIONER UNIT 11	-346.50

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27631	12/01/2021	REFUEL AUSTRALIA (formerly GERALDTON FUEL COMPANY)	MONTHLY FUEL ACCOUNT - DECEMBER 2020 BULK FUEL AND MANAGER VEHICLES FUEL	-8657.32
EFT27632	12/01/2021	GG PUMPS & ELECTRICAL PTY LTD	PRESSURE SWITCHES FOR SBDC FIRE FIGHTING SYSTEM	-231.00
EFT27633	12/01/2021	HORIZON POWER	DECEMBER 2020 STREET LIGHTING	-3872.43
EFT27634	12/01/2021	HORIZON POWER	SHIRE PROPERTIES ELECTRICITY - DECEMBER 2020	-5927.26
EFT27635	12/01/2021	TOLL IPEC PTY LTD	FREIGHT ACCOUNT DECEMBER 2020	-577.04
EFT27636	12/01/2021	ITVISION	RESTORE 2020 TOWNSITE AND WHOLE OF SHIRE MAPPING UPDATES TO SYNERGYSOFT	-275.00
EFT27637	12/01/2021	KIDSAFE WESTERN AUSTRALIA INC	PLAYGROUND INSPECTIONS - TOWN OVAL AND FORESHORE	-583.00
EFT27638	12/01/2021	LANDGATE (WA LAND INFORMATION AUTHORITY)	GROSS RENTAL VALUATIONS CHARGEABLE NOVEMBER 2020 COUNTRY AND FESA	-118.95
EFT27639	12/01/2021	MITCHELL & BROWN, GERALDTON TECHNOLOGY C	SUPPLY NEW GAS COOK TOP FOR 51 DURLACHER STREET – SHIRE HOUSE	-1048.00
EFT27640	12/01/2021	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES - BIKE ENFORCEMENT ON BEACH	-404.56
EFT27641	12/01/2021	MIDWEST FIRE PROTECTION SERVICE	SBDC SERVICE ALARM DECEMBER QUARTER	-1502.60
EFT27642	12/01/2021	NICOLA MOON	GYM CARD BOND REFUND	-20.00
EFT27643	12/01/2021	PURCHER INTERNATIONAL PTY LTD	HYDRAULIC MOTORS FOR SEMI TRAILERS (P151 & P155)	-4345.00
EFT27644	12/01/2021	PROFESSIONAL PC SUPPORT	DIGITAL SECURITY CERTIFICATE SHARKBAY.WA.GOV.AU	-900.90
EFT27645	12/01/2021	PAPER PLUS OFFICE NATIONAL	SHIRE OFFICE STATIONERY DECEMBER 2020	-463.81
EFT27646	12/01/2021	R & L COURIERS	FREIGHT – NOVEMBER AND DECEMBER 2020	-1299.43
EFT27647	12/01/2021	LYONS ENTERPRISES-SHARK BAY CAR HIRE	DECEMBER 2020 CAR HIRE FOR VISITING MEDICAL STAFF	-799.10
EFT27648	12/01/2021	RAY WHITE REAL ESTATE SHARK BAY	4 WEEKS RENT 12 MEAD STREET (12 JANUARY TO 8 FEBRUARY 2021) FOR SBDC COORDINATOR	-1100.00
EFT27649	12/01/2021	SHARK BAY BAKERY	STAFF FUNCTION MORNING TEA	-260.00
EFT27650	12/01/2021	STATEWIDE BEARINGS	COUPLINGS FOR SEMI TRAILERS (P151 AND P155)	-313.57
EFT27651	12/01/2021	SHARK BAY CAFE	CATERING THANK A VOLUNTEER AND SENIORS LUNCH	-680.00
EFT27652	12/01/2021	MCKELL FAMILY TRUST	MONTHLY ACCOUNT RUBBISH COLLECTION AND STREET SWEEPING DECEMBER 2020	-11719.05
EFT27653	12/01/2021	SUMMER GYPSEA	SBDC MERCHANDISE	-430.00

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27654	12/01/2021	SHIRE OF SHARK BAY	CTF LEVY COMMISSION DECEMBER 2020	-18.25
EFT27655	12/01/2021	TELSTRA CORPORATION LTD	SMS TO PUBLIC WITH COMMUNITY MESSAGES	-146.77
EFT27656	12/01/2021	TRUCKLINE PARTS CENTRE	BRAKE SHOE KIT FOR SEMI TRAILER (P151)	-506.19
EFT27657	12/01/2021	TOWN PLANNING INNOVATIONS	DECEMBER 2020 GENERAL PLANNING SERVICES	-3547.50
EFT27658	12/01/2021	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	2021 DESK PADS FOR SHIRE STAFF	-97.50
EFT27659	12/01/2021	WIN WESTERN AUSTRALIA	SCREEN TIME FOR SHIRE OF SHARK BAY TV ADVERT - DECEMBER 2020	-990.00
EFT27660	12/01/2021	WURTH AUSTRALIA PTY LTD	VOLT TESTER, SABRE SAW BLADE - WORKSHOP CONSUMABLES	-316.36
EFT27661	13/01/2021	CDH ELECTRICAL	INSTALLATION OF POWER TO NEW DAY CARE CENTRE BUILDING	-4145.13
EFT27662	13/01/2021	SHARK BAY CLEANING SERVICE	DECEMBER 2020 CLEANING - SHIRE BUILDINGS AND PREMISES	-21146.53
EFT27663	13/01/2021	TEGAN KAY	REFUND ON OVERCHARGED FOOD APPLICATION H24/2020	-78.00
EFT27664	21/01/2021	AUSTRALIAN TAXATION OFFICE	DECEMBER 2020 BAS	-30337.00
EFT27665	21/01/2021	ARTHUR EYRE ELECTRICAL PTY LTD	REPLACEMENT OVEN TO PENSIONER UNIT 1	-944.90
EFT27666	21/01/2021	AMELIA POLINELLI	GYM CARD BOND REFUNDS	-40.00
EFT27667	21/01/2021	BUNNINGS BUILDING SUPPLIES PTY LTD	WIRE BRUSH - DEPOT TOOLS	-3.04
EFT27668	21/01/2021	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER FEES	-924.00
EFT27669	21/01/2021	CROSS COUNTRY CIVIL	DELIVERY OF 50T OF COLDMIX - SHARK BAY ROAD EDGES AND POTHOLES	-2365.00
EFT27670	21/01/2021	C J D EQUIPMENT PTY LTD	WASHER FLUID RESERVIOR FOR LOADER (P191)	-277.16
EFT27671	21/01/2021	CARNARVON RANGELAND BI-SECURITY ASSOCIATION	CONTRIBUTION TO CARNARVON RANGELANDS BIOSECURITY AS PER COUNCIL MINUTES NOVEMBER 2020	-5500.00
EFT27672	21/01/2021	CANDICE USZKO	SALARY SACRIFICE COMMUNICATIONS	-79.00
EFT27673	21/01/2021	DAN BARNETT	GYM CARD BOND REFUND	-20.00
EFT27674	21/01/2021	DEPARTMENT OF TRANSPORT	COMMERCIAL JETTY RENEWAL FEE - MONKEY MIA	-735.00
EFT27675	21/01/2021	FLEET HYDRAULICS	STOP SOLENOID FOR SBDC FIRE FIGHTING SYSTEM	-198.00
EFT27676	21/01/2021	FAR WEST ELECTRICAL	AIRCONDITIONING UNIT TESTED - PENSIONER UNIT 10	-110.00

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT27677	21/01/2021	HORIZON POWER	ELECTRICITY CHARGES FOR SES & ST JOHN BUILDINGS	-622.53
EFT27678	21/01/2021	TOLL IPEC PTY LTD	FREIGHT ACCOUNT JANUARY 2021	-216.44
EFT27679	21/01/2021	INDEPENDENCE STUDIOS PTY LTD	SBDC MERCHANDISE	-831.27
EFT27680	21/01/2021	LUKE LUGLIO	LIBRARY CARD BOND REFUND STEPHANIE MICALE	-50.00
EFT27681	21/01/2021	LAVIDA TRADING	SBDC MERCHANDISE	-2012.45
EFT27682	21/01/2021	SHARK BAY MARINE AND HARDWARE	MONTHLY HARDWARE ACCOUNT DECEMBER 2020	-748.06
EFT27683	21/01/2021	NATURALISTE PLUMBING PTY LTD	INSTALL NEW GAS COOKTOP BURNER TO STAFF HOUSING 51 DURLACHER ST	-630.00
EFT27684	21/01/2021	PATRICA POPE	SBDC MERCHANDISE	-250.00
EFT27685	21/01/2021	PROFESSIONAL PC SUPPORT	AGREEMENT PPS AGENT, ANTIVIRUS, BACKUP SERVICES AND COMPUTER SOFTWARE LICENCES - FEBRUARY 2021	-1927.38
EFT27686	21/01/2021	R & L COURIERS	FREIGHT ACCOUNT – OCTOBER / NOVEMBER 2020	-1767.15
EFT27687	21/01/2021	SHARK BAY STATE EMERGENCY SERVICE UNIT INC	THIRD QUARTER LGGS PAYMENT	-12441.00
EFT27688	21/01/2021	SHARK BAY COMMUNITY RESOURCE CENTRE	DECEMBER 2020 REC CENTRE MANAGEMENT - SUPPLY OF INSCRIPTION POSTS TO MANAGERS	-2076.50
EFT27689	21/01/2021	SHARK BAY SKIPS	MONTHLY SKIP BIN ACCOUNT USELESS LOOP RD – AND DENHAM JETTY - DECEMBER 2020	-2849.00
EFT27690	21/01/2021	STEWART & HEATON CLOTHING CO PTY LTD	BUSHFIRE BRIGADE T-SHIRTS	-690.10
EFT27691	21/01/2021	TELSTRA CORPORATION LTD	REFUSE SITE MOBILE PHONE CHARGES	-34.47
EFT27692	21/01/2021	WA JACOBS TOYMAKER	SBDC MERCHANDISE	-430.10
EFT27693	29/01/2021	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	FAREHARBOUR DECEMBER 2020	-6389.00
EFT27694	29/01/2021	SHIRE OF SHARK BAY	FAREHARBOR DECEMBER 2020 COMMISSION	-1086.00
			TOTAL	\$201,120.32

**SHIRE OF SHARK BAY – MUNI
ELECTRONIC PAYROLL TRANSACTIONS
DECEMBER 2020**

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

DATE	NAME	DESCRIPTION	AMOUNT
08/12/2020	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 6 DECEMBER 2020	\$55,986.00
22/12/2020	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 20 DECEMBER 2020	\$57,796.00
		TOTAL	\$113,782.00

**SHIRE OF SHARK BAY – MUNI
ELECTRONIC PAYROLL TRANSACTIONS
JANUARY 2021**

DATE	NAME	DESCRIPTION	AMOUNT
5/01/2021	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 3 JANUARY 2021	\$57,413.00
19/01/2021	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 17 JANUARY 2021	\$58,940.00
2/02/2021	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 31 JANUARY 2021	\$55,975.00
		TOTAL	\$172,328.00

**SHIRE OF SHARK BAY
DECEMBER 2020
POLICE LICENSING TRANSACTION # 202106**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
202106	31/12/2020	COMMISSIONER OF POLICE	POLICE LICENSING DECEMBER 2020	\$13,333.00
			TOTAL	\$13,333.00

**SHIRE OF SHARK BAY
JANUARY 2021
POLICE LICENSING TRANSACTION # 202107**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
202107	31/1/2021	COMMISSIONER OF POLICE	POLICE LICENSING JANUARY 2021	\$14,349.00
			TOTAL	\$14,349.00

24 FEBRUARY 2021

11.2 FINANCIAL REPORTS TO 31 DECEMBER 2020
CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Fenny
Seconded Cr Smith

Council Resolution

**That the monthly financial report to 31 December 2020 as attached be received.
6/0 CARRIED**

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to **31 December 2020** are attached.

VARIANCE ANALYSIS

Operating Revenue was in excess of the year to date budget by \$41,155 as a result of Shark Bay World Heritage Discovery and Visitor Centre Entrance Fees (\$20,747), Sales and Booking commissions (\$54,508), Refuse Site Fees (\$26,771), offset by Caravan Park Leases (\$60,000 Unexpired Portion for January to June 2021) which has been transferred to Grants In Advance.

Operating Expenditure is under the year to date budget by \$1,363,911 and is largely due to depreciation (\$950,924) which cannot be run until completion of the year end audit by the Office of Auditor General which has been delayed due to retrospective changes to financial regulations effective from 1 July 2019. The remaining variance of \$412,987 has been contributed to in Conference Expenses – Members (\$9,500), Strategic Planning (\$9,292), Elected Members Training (\$12,600), Utility costs (\$28,281), Housing (\$38,262), Recycling Service Review (\$14,310), Council Assistance Program (\$9,174), Maintenance Shark Bay World Heritage Discovery and Visitor Centre (\$11,047), Department of Transport Marina Facility Expenditure (\$7,638), Useless Loop Road Maintenance (\$91,400), Men's Shed Sites Works (\$20,000), Shark Bay Business Association Contribution (\$5,000), Shark Bay Recreation Centre Operating (\$15,749), Maintenance on Sports and Recreation Grounds (\$5,340) and Private Works Main Road Western Australia Shark Bay Road (\$128,956).

Capital Revenue year to date actual was under the year to date budget by \$2,202 and is not a reportable variance.

Capital Expenditure is over the year to date budget by \$2,752 and is not a reportable variance.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

LEGAL IMPLICATIONS

Section 34 of the Local Government (Financial Management) Regulations 1996, requires a financial report to be submitted to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows the financial position of the Shire has exceeded the year to date budget as a result of strategies put in place to address the significant adverse trend in the financial position of the Shire, as the Operating Surplus Ratio has been below the Department of Local Government, Sports and Cultural Industries standard for the past three years. In addition, due to the COVID-19 pandemic further strategies were implemented in the budget to further reduce expenditure in anticipation of an adverse impact on cashflow forecast for the 2020/2021 financial year.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

The financial report reports on the current financial status and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Author

A Pears

Chief Executive Officer

P Anderson

Date of Report

17 February 2021

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
MONTHLY FINANCIAL REPORT	
For the Period Ended 31 December 2020	
LOCAL GOVERNMENT ACT 1995	
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996	
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Note 10	Information on Borrowings
Note 11	Grants and Contributions
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MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 31 December 2020							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Operating Revenues							
Governance		2,502	1,504	0	(1,504)	(100.00%)	▼
General Purpose Funding - Rates	9	1,416,289	1,416,289	1,439,910	23,621	1.67%	▲
General Purpose Funding - Other		948,046	477,933	495,036	17,103	3.6%	▲
Law, Order and Public Safety		67,340	31,758	37,754	5,996	19%	▲
Health		1,800	1,373	1,316	(57)	(4.15%)	▼
Housing		126,780	63,418	64,539	1,121	1.8%	▲
Community Amenities		308,876	271,100	301,333	30,233	11.15%	▲
Recreation and Culture		552,130	276,800	392,681	115,881	41.9%	▲
Transport		522,620	414,913	408,099	(6,814)	(1.6%)	▼
Economic Services		798,900	489,491	334,039	(155,452)	(31.8%)	▼
Other Property and Services		40,000	19,998	31,026	11,028	55.1%	▲
Total Operating Revenue		4,785,283	3,464,577	3,505,732	41,155	1.19%	
Operating Expense							
Governance		(240,462)	(176,740)	(46,525)	130,215	(73.7%)	▲
General Purpose Funding		(123,220)	(53,112)	(50,999)	2,113	(4.0%)	▲
Law, Order and Public Safety		(259,359)	(133,824)	(115,710)	18,114	(13.5%)	▲
Health		(87,889)	(31,144)	(23,748)	7,396	(23.7%)	▲
Housing		(224,065)	(121,287)	(83,025)	38,262	(31.5%)	▲
Community Amenities		(698,626)	(357,694)	(287,963)	69,731	(19.5%)	▲
Recreation and Culture		(2,564,061)	(1,323,488)	(872,970)	450,518	(34.0%)	▲
Transport		(1,780,612)	(818,446)	(616,461)	201,985	(24.7%)	▲
Economic Services		(1,047,114)	(581,892)	(359,429)	222,463	(38.2%)	▲
Other Property and Services		(39,500)	(105,351)	117,765	223,116	(211.8%)	▲
Total Operating Expenditure		(7,064,908)	(3,702,978)	(2,339,067)	1,363,911	(36.8%)	
Funding Balance Adjustments							
Add back Depreciation		1,886,365	950,924	0	(950,924)		
Adjust (Profit)/Loss on Asset Disposal	8	139,130	34,174	34,174	0		
Adjust in Pensioner Rates Non Current		0	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
Net Cash from Operations		(254,130)	746,697	1,200,839	454,142		
Capital Revenues							
Grants, Subsidies and Contributions	11	887,763	10,000	9,743	(257)	(2.6%)	▲
Proceeds from Disposal of Assets	8	257,182	58,182	56,237	(1,945)	3.3%	▼
Total Capital Revenues		1,144,945	68,182	65,980	(2,202)	(3.2%)	
Capital Expenses							
Land and Buildings	13	(462,721)	(32,721)	(28,399)	4,322	(13.2%)	▲
Infrastructure - Roads	13	(815,936)	(8,203)	(11,021)	(2,818)	34.3%	▼
Infrastructure - Public Facilities	13	(180,000)	0	(4,196)	(4,196)		▼
Infrastructure - Footpaths	13	(260,000)	0	(586)	(586)		▼
Plant and Equipment	13	(519,000)	(5,000)	(4,474)	526	(10.5%)	▲
Total Capital Expenditure		(2,237,657)	(45,924)	(48,676)	(2,752)	(6.0%)	
Net Cash from Capital Activities		(1,092,712)	22,258	17,303	(4,955)	22.26%	
Financing							
Proceeds from Loans		0	0	0	0		
Transfer from Reserves	7	1,028,914	0	0	0		
Repayment of Debentures	10	(74,957)	(42,174)	(42,174)	0	0.0%	
Transfer to Reserves	7	(1,388,957)	(5,513)	(6,386)	(873)	15.8%	
Net Cash from Financing Activities		(435,000)	(47,687)	(48,560)	(873)	(1.8%)	
Net Operations, Capital and Financing		(1,781,842)	721,268	1,169,583	448,315	(62.16%)	▲
Opening Funding Surplus(Deficit)	3	1,781,842	1,781,842	1,601,684	(180,158)		
Closing Funding Surplus(Deficit)	3	(0)	2,503,110	2,771,267	268,157		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.
Depreciation has not been run for July until Fair Valuation for Land and Buildings and end of year accounts have been finalised.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 31 December 2020				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
Operating Revenues		\$	\$	\$
Rates	9	1,416,289	1,416,289	1,439,910
Operating Grants, Subsidies and Contributions	11	1,434,024	868,667	880,223
Fees and Charges		1,512,891	965,784	922,501
Interest Earnings		9,650	4,902	15,284
Other Revenue		411,927	208,433	247,815
Profit on Disposal of Assets	8	502	502	0
Total Operating Revenue		4,785,283	3,464,577	3,505,733
Operating Expense				
Employee Costs		(2,257,076)	(1,143,672)	(1,101,525)
Materials and Contracts		(1,910,483)	(952,450)	(743,944)
Utility Charges		(194,240)	(96,907)	(68,626)
Depreciation on Non-Current Assets		(1,886,365)	(950,924)	0
Interest Expenses		(31,159)	(13,349)	(6,429)
Insurance Expenses		(168,073)	(167,270)	(167,063)
Other Expenditure		(477,880)	(238,774)	(217,306)
Loss on Disposal of Assets	8	(139,632)	(139,632)	(34,174)
Total Operating Expenditure		(7,064,908)	(3,702,978)	(2,339,067)
Funding Balance Adjustments				
Add back Depreciation		1,886,365	950,924	0
Adjust (Profit)/Loss on Asset Disposal	8	139,130	34,174	34,174
Adjust in Pensioner Rates Non Current		0	0	0
Adjust Provisions and Accruals		0	0	0
Net Cash from Operations		(254,130)	746,697	1,200,840
Capital Revenues				
Grants, Subsidies and Contributions	11	887,763	10,000	9,743
Proceeds from Disposal of Assets	8	257,182	58,182	56,237
Total Capital Revenues		1,144,945	68,182	65,980
Capital Expenses				
Land and Buildings	13	(462,721)	(32,721)	(28,399)
Infrastructure - Roads	13	(815,936)	(8,203)	(11,021)
Infrastructure - Public Facilities	13	(180,000)	0	(4,196)
Infrastructure - Footpaths	13	(260,000)	0	(586)
Plant and Equipment	13	(519,000)	(5,000)	(4,474)
Total Capital Expenditure		(2,237,657)	(45,924)	(48,676)
Net Cash from Capital Activities		(1,092,712)	22,258	17,303
Financing				
Proceeds from Loans		0	0	0
Transfer from Reserves	7	1,028,914	0	0
Repayment of Debentures	10	(74,957)	(42,174)	(42,174)
Transfer to Reserves	7	(1,388,957)	(5,513)	(6,386)
Net Cash from Financing Activities		(435,000)	(47,687)	(48,560)
Net Operations, Capital and Financing		(1,781,842)	721,268	1,169,583
Opening Funding Surplus(Deficit)	3	1,781,842	1,781,842	1,601,684
Closing Funding Surplus(Deficit)	3	(0)	2,503,110	2,771,267

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY							
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING							
For the Period Ended 31 December 2020							
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	28,399	0	28,399	32,721	462,721	4,322
Infrastructure Assets - Roads	13	0	11,021	11,021	8,203	815,936	(2,818)
Infrastructure Assets - Public Facilities	13	3,934	262	4,196	0	180,000	(4,196)
Infrastructure Assets - Footpaths	13	586	0	586	0	260,000	(586)
Infrastructure Assets - Streetscapes	13	0	0	0	0	0	0
Plant and Equipment	13	0	4,474	4,474	5,000	519,000	526
Furniture and Equipment	13	586	0	586	0	260,000	(586)
Capital Expenditure Totals		33,506	15,757	49,263	45,924	2,497,657	(3,339)

Month	Budget 2020-21	Actual 2020-21
Jul	65.0	63.0
Aug	66.0	63.0
Sep	66.0	63.0
Oct	66.0	63.0
Nov	66.0	63.0
Dec	68.0	66.0
Jan		
Feb		
Mar		
Apr		
May		
Jun		

Month	Budget 2020-21	Actual 2020-21
Jul	8.0	13.0
Aug	19.0	23.0
Sep	19.0	24.0
Oct	28.0	30.0
Nov	33.0	36.0
Dec	47.0	49.0
Jan		
Feb		
Mar		
Apr		
May		
Jun		

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 December 2020	
1. SIGNIFICANT ACCOUNTING POLICIES	
(a) Basis of Preparation	
	This report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget are presented below and have been consistently applied unless stated otherwise.
	Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.
	The Local Government Reporting Entity
	All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.
	In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.
	All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 16 to this budget document.
(b) Rounding Off Figures	
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.
(c) Rates, Grants, Donations and Other Contributions	
	Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.
	Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.
(d) Goods and Services Tax (GST)	
	Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).
	Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.
	Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.
(e) Superannuation	
	The Council contributes to a number of Superannuation Funds on behalf of employees.
	All funds to which the Council contributes are defined contribution plans.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 December 2020	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(f) Cash and Cash Equivalents	
	Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.
	Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial position.
(g) Trade and Other Receivables	
	Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.
	Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.
	Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.
(h) Inventories	
	General
	Inventories are measured at the lower of cost and net realisable value.
	Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.
	Land Held for Resale
	Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.
	Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.
	Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.
(i) Fixed Assets	
	Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.
	Mandatory Requirement to Revalue Non-Current Assets
	Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2020					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
<i>Land Under Control</i>					
In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of state or regional significance.					
Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.					
Whilst they were initially recorded at cost (being fair value at the date of acquisition (deemed cost) as per AASB 116) they were revalued along with other items of Land and Buildings at 30 June 2014.					
<i>Initial Recognition and Measurement between Mandatory Revaluation Dates</i>					
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.					
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.					
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2020				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(j) Fixed Assets (Continued)				
Revaluation				
Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.				
Transitional Arrangement				
During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.				
Those assets carried at cost will be carried in accordance with the policy detailed in the Initial Recognition section as detailed above.				
Those assets carried at fair value will be carried in accordance with the Revaluation Methodology section as detailed above.				
Land Under Roads				
In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.				
Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.				
In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.				
Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.				
Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.				
Depreciation				
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.				

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 December 2020			
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)			
(j) Fixed Assets (Continued)			
Major depreciation periods used for each class of depreciable asset are:			
Buildings			10 to 50 years
Furniture and Equipment			5 to 10 years
Plant and Equipment			5 to 10 years
Heritage			25 to 100 years
Sealed Roads and Streets			
- Subgrade			Not Depreciated
- Pavement			80 to 100 years
- Seal	Bituminous Seals		15 to 22 years
	Asphalt Surfaces		30 years
Formed Roads (Unsealed)			
- Subgrade			Not Depreciated
- Pavement			12 years
Footpaths			40 to 80 years
Drainage Systems			
- Drains and Kerbs			20 to 60 years
- Culverts			60 years
- Pipes			80 years
- Pits			60 years
The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.			
An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.			
Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.			
When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.			
Capitalisation Threshold			
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.			
(k) Fair Value of Assets and Liabilities			
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:			
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.			

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2020				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(k) Fair Value of Assets and Liabilities (Continued)				
As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.				
To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).				
For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.				
Fair Value Hierarchy				
AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:				
Level 1				
Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.				
Level 2				
Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.				
Level 3				
Measurements based on unobservable inputs for the asset or liability.				
The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.				
Valuation techniques				
The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:				
Market approach				
Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.				

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2020					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(k) Fair Value of Assets and Liabilities (Continued)					
Income approach					
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.					
Cost approach					
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.					
Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.					
As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.					
(l) Financial Instruments					
Initial Recognition and Measurement					
Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).					
Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.					
Classification and Subsequent Measurement					
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.					
Amortised cost is calculated as:					
(a) the amount in which the financial asset or financial liability is measured at initial recognition;					
(b) less principal repayments and any reduction for impairment; and					
(c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 December 2020	
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)
(I)	Financial Instruments (Continued)
	The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.
	<i>(i) Financial assets at fair value through profit and loss</i>
	Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.
	<i>(ii) Loans and receivables</i>
	Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
	Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.
	<i>(iii) Held-to-maturity investments</i>
	Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
	Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.
	<i>(iv) Available-for-sale financial assets</i>
	Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.
	They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.
	Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.
	<i>(v) Financial liabilities</i>
	Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 December 2020	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(l) Financial Instruments (Continued)	
<i>Impairment</i>	
A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).	
In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.	
In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.	
For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.	
<i>Derecognition</i>	
Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.	
Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.	
(m) Impairment of Assets	
In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.	
Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.	
Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2020					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(m) Impairment of Assets (Continued)					
For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.					
(n) Trade and Other Payables					
Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obligated to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.					
(o) Employee Benefits					
Short-Term Employee Benefits					
Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.					
The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.					
Other Long-Term Employee Benefits					
Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.					
The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2020					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(p) Borrowing Costs					
Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.					
(q) Provisions					
Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.					
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.					
(r) Current and Non-Current Classification					
In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

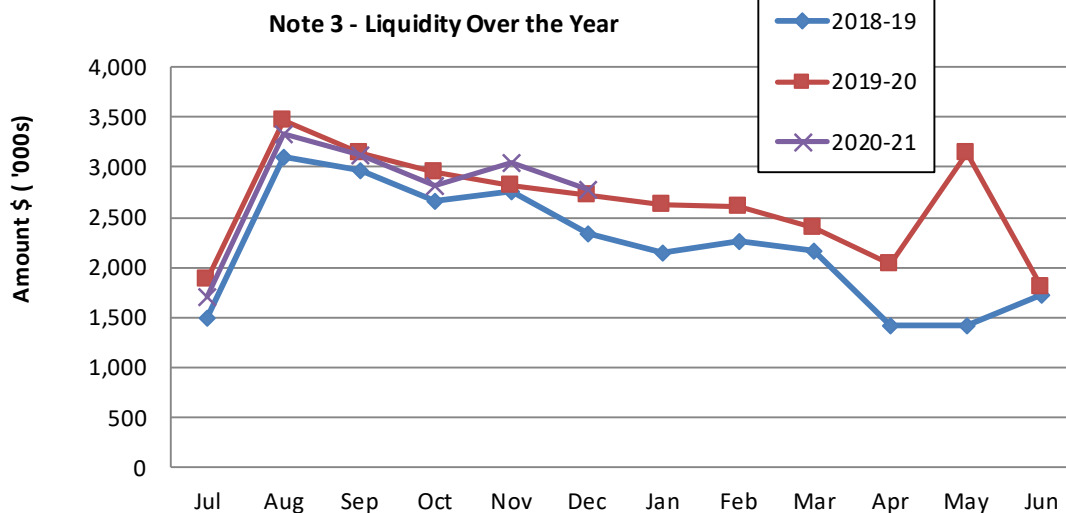
Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 31 December 2020					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(1,504)	(100.0%)	▼	Timing	No Reportable Variance
General Purpose Funding - Rates	23,621	0.0%	▲	Timing	No Reportable Variance
General Purpose Funding - Other	17,103	3.6%	▲	Timing	Interest Earned, Department of Transport Commission and Rate Instalment Fees higher than Year to Date Budget
Law, Order and Public Safety	5,996	18.9%	▲	Timing	Fines and Penalties Local Laws, Dog Registration Fees, Reimbursements from SES and St Johns Ambulance Services for Insurances and Vehicle Registrations in advance of YTD Budget
Health	(57)	(4.2%)	▼	Timing	No Reportable Variance
Housing	1,121	1.8%	▲	Timing	No Reportable Variance
Community Amenities	30,233	11.2%	▲	Timing	Increase in Refuse Fees and Development Applications compared to YTD Budget
Recreation and Culture	115,881	41.9%	▲	Timing	Increase in Gym Memberships, SBDC Entrance Fees, Sales and Booking Commissions compared to YTD Budget
Transport	(6,814)	(1.6%)	▼	Timing	No Reportable Variance
Economic Services	(155,452)	(31.8%)	▼	Timing	Caravan Rental January to June 2021 \$60,000 Prepaid Income transferred to Grants Received in Advance plus Private Works Main Roads WA invoice timing behind YTD Budget resulting in variance.
Other Property and Services	11,028	55.1%	▲	Timing	Increase Refunds Income compared to YTD Budget
Operating Expense					
Governance	130,215	(73.7%)	▲	Timing	Overall Expenditure less than YTD Budget
General Purpose Funding	2,113	(4.0%)	▲	Timing	No Reportable Variance
Law, Order and Public Safety	18,114	(13.5%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation
Health	7,396	(23.7%)	▲	Timing	Public Health Plan YTD Budget ahead of YTD Actual resulting in a timing variance.
Housing	38,262	(31.5%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation
Community Amenities	69,731	(19.5%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation
Recreation and Culture	450,518	(34.0%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation
Transport	201,985	(24.7%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation.
Economic Services	222,463	(38.2%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation
Other Property and Services	223,116	(211.8%)	▲	Timing	Depreciation has not been run due to finalisation of 2019/20 Financial Accounts and Fair Valuation
Capital Revenues					
Grants, Subsidies and Contributions	(257)	(2.6%)	▲	Timing	No Reportable Variance
Proceeds from Disposal of Assets	(1,945)	0.0%	▲	Timing	No Reportable Variance
Capital Expenses					
Land and Buildings	4,322	(13.2%)	▲	Timing	No Reportable Variance
Infrastructure - Roads	(2,818)	34.3%	▼	Timing	No Reportable Variance
Infrastructure - Public Facilities	(4,196)		▼	Timing	No Reportable Variance
Infrastructure - Footpaths	(586)		▼	Timing	No Reportable Variance
Plant and Equipment	526	(10.5%)	▲	Timing	No Reportable Variance
Financing					
Loan Principal	0	0.0%	▼	Timing	No Reportable Variance

Note: YTD budgets are an estimation at the time of preparing the draft annual budget.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 December 2020			
Note 3: NET CURRENT FUNDING POSITION			
		Positive=Surplus (Negative=Deficit)	
	Note	31 December 2020	31 December 2019
		\$	\$
Current Assets			
Cash Unrestricted	4	3,037,675	2,099,782
Cash Restricted	4	2,928,738	1,435,957
Receivables - Rates	6	217,245	469,828
Receivables -Other	6	144,475	326,889
Interest / ATO Receivable		25,269	24,944
Inventories		127,279	131,104
		6,480,679	4,488,504
Less: Current Liabilities			
Payables		(171,082)	(113,215)
Provisions		(263,385)	(208,068)
Grants/Income Received in Advance		(332,932)	0
Bond Liability (Formally Trust Account)		(13,277)	(11,433)
		(780,675)	(332,716)
Less: Cash Reserves	7	(2,928,738)	(1,435,957)
Net Current Funding Position		2,771,267	2,719,831



Comments - Net Current Funding Position

MINUTES OF THE ORDINARY COUNCIL MEETING

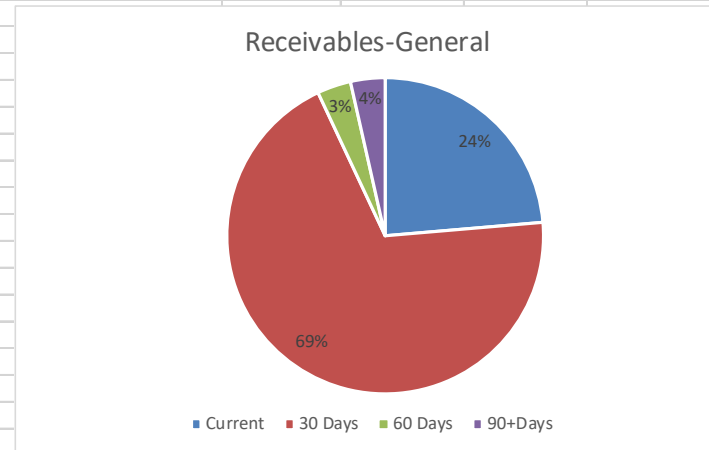
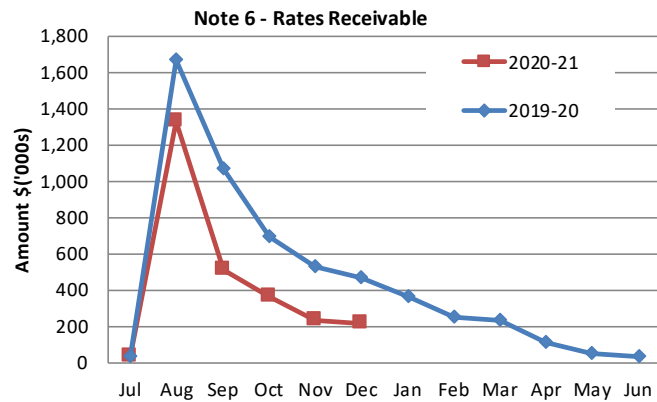
24 FEBRUARY 2021

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 December 2020							
Note 4: CASH AND INVESTMENTS							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.10%	222,061			222,061	Bankwest	At Call
Reserve Bank Account	0.00%		179		179	Bankwest	At Call
Reserve Telenet Saver Account	0.25%		2,928,559		2,928,559	Bankwest	At Call
Municipal Telenet Saver	0.50%	2,814,714			2,814,714	Bankwest	At Call
Trust Bank Account	0.00%			0	0	Bankwest	At Call
Cash On Hand		900			900		On Hand
(b) Term Deposits							
Municipal Investment					0		
Municipal Investment					0		
Reserve Investment					0		
Total		3,037,675	2,928,738	0	5,966,412		
Comments/Notes - Investments							
Surplus funds invested for terms conducive to cashflow requirements.							

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2020				
Note 6: RECEIVABLES				
Receivables - Rates Receivable	31 December 2020	30 June 2020	Receivables - General	Current 30 Days 60 Days 90+Days
	\$	\$	\$	\$
Opening Arrears Previous Years	32,544	31,927	Receivables - General	28,079 82,400 4,090 4,188
Levied this year	1,767,907	1,827,891	Total Receivables General Outstanding	118,757
Less Collections to date	(1,583,206)	(1,827,274)	Amounts shown above include GST (where applicable)	
Equals Current Outstanding	217,245	32,544		
Net Rates Collectable	217,245	32,544		
% Collected	87.93%	98.25%		



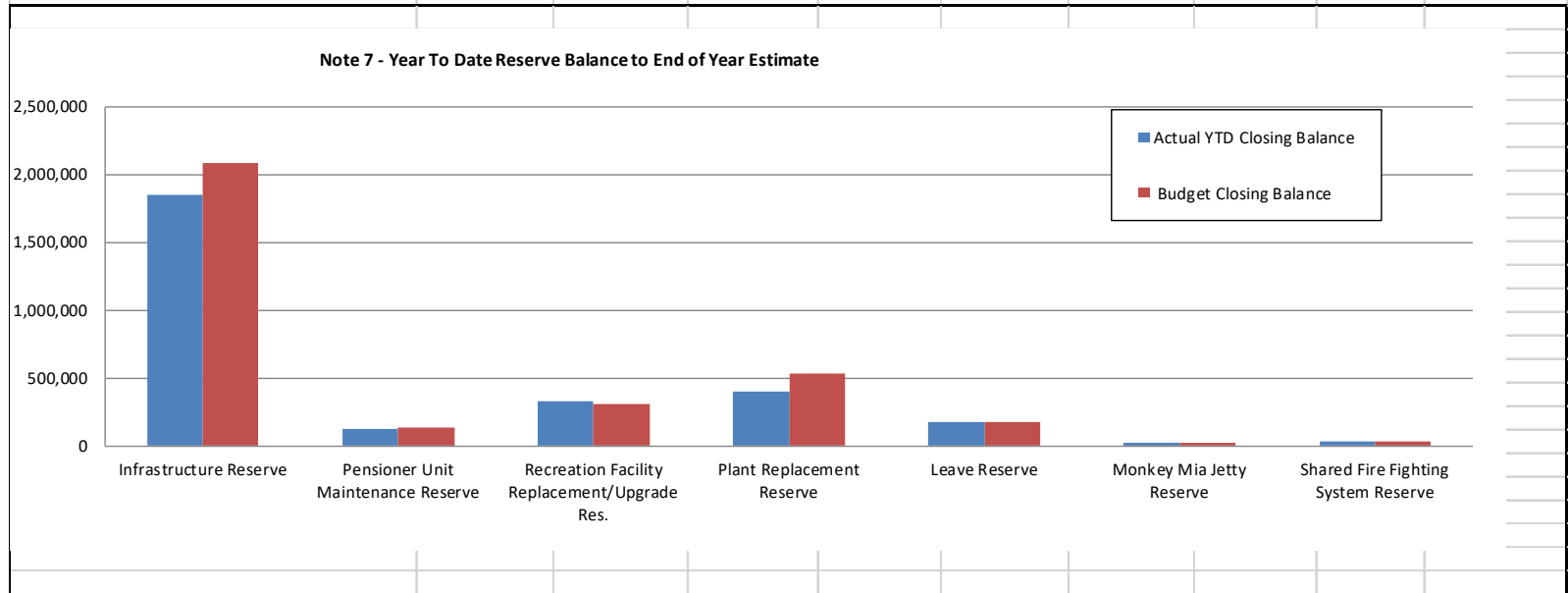
Comments/Notes - Receivables Rates

No major issues at this time

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 31 December 2020									
<u>Note 7: Cash Backed Reserve</u>									
2020-21									
Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Reserve	1,847,921	1,500	4,038	710,457	0	(480,476)	0	2,079,402	1,851,959
Pensioner Unit Maintenance Reserve	127,114	30	278	45,000	0	(35,000)	0	137,144	127,392
Recreation Facility Replacement/Upgrade Res.	322,812	850	705	180,000	0	(193,438)	0	310,224	323,517
Plant Replacement Reserve	401,851	300	878	450,000	0	(320,000)	0	532,151	402,729
Leave Reserve	171,006	680	374	0	0	0	0	171,686	171,380
Monkey Mia Jetty Reserve	22,087	60	48	0	0	0	0	22,147	22,135
Shared Fire Fighting System Reserve	29,560	80	65	0	0	0	0	29,640	29,625
	2,922,352	3,500	6,387	1,385,457	0	(1,028,914)	0	3,282,394	2,928,738



MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 December 2020							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Annual Budget		
					YTD 31 12 2020		
Cost	Accum Depr	Proceeds	Profit (Loss)		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
\$	\$	\$	\$	Plant and Equipment	\$	\$	\$
				Governance			
			0	CEO Vehicle	502	0	(502)
0	0	0	0		502	0	(502)
				Transport			
				Dual Cab Ute - Works Manager	(5,229)	0	5,229
				Dual Cab Ute - Town	(9,310)	0	9,310
				Dual Cab Ute - Country	(9,310)		
				Country Loader	(84,389)	0	84,389
95,000	(4,589)	56,237	(34,174)	Vibration Roller - Sale Proceeds	(31,394)	(34,174)	(2,780)
95,000	(4,589)	56,237	(34,174)		(139,632)	(34,174)	96,148
95,000	(4,589)	56,237	(34,174)		(139,130)	(34,174)	95,646
Comments - Capital Disposal/Replacements							

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 31 December 2020											
Rate Type	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2020/21 Budget Rate Revenue \$	2020/21 Budget Interim Rate \$	2020/21 Budget Back Rate \$	2020/21 Budget Total Revenue \$
Differential General Rate											
GRV Residential	0.102840	321	3,822,263	393,082	5,576	153	398,811	392,577			392,577
GRV Commercial	0.105690	41	2,130,457	225,168			225,168	222,420			222,420
GRV Vacant	0.102840	18	360,104	37,033			37,033	37,033			37,033
GRV Rural Commercial	0.106880	5	315,380	33,709			33,709	33,709			33,709
GRV Industrial/Residential	0.113800	46	640,229	72,860			72,860	72,860			72,860
GRV Industrial/Residential Vaca	0.102840	2	0	0			0	0			0
GRV Rural Resort	0.112820	1	1,346,800	151,949			151,949	151,949			151,949
UV General	0.207090	7	859,222	177,936			177,936	171,402			171,402
UV Pastoral	0.141820	11	642,378	91,105			91,105	87,556			87,556
UV Mining	0.282450	1	8,415	2,377			2,377	2,245			2,245
UV Exploration	0.271580	10	806,582	219,052			219,052	206,866			206,866
Sub-Totals		463	10,931,830	1,404,269	5,576	153	1,409,999	1,378,617	0	0	1,378,617
Minimum Payment											
GRV Residential	876.00	51	381,339	44,676			44,676	43,800			43,800
GRV Commercial	876.00	17	93,933	14,892			14,892	14,892			14,892
GRV Vacant	876.00	80	262,806	70,080			70,080	71,832			71,832
GRV Rural Commercial	876.00	0	0	0			0	0			0
GRV Industrial/Residential	876.00	3	19,439	2,628			2,628	2,628			2,628
GRV Industrial/Residential Vaca	546.00	0	0	0			0	0			0
GRV Rural Resort	876.00	0	0	0			0	0			0
UV General	735.00	6	9,395	4,410			4,410	4,410			4,410
UV Pastoral	920.00	0	0	0			0	0			0
UV Mining	920.00	1	693	920			920	920			920
UV Exploration	920.00	1	2,073	920			920	920			920
Sub-Totals		159	769,678	138,526	0	0	138,526	139,402	0	0	139,402
Total		622									
Concessions							(145,719)				(138,834)
Amount from General Rates							1,402,806				1,379,185
Specified Area Rates							37,104				37,104
Totals							1,439,910				1,416,289
Comments - Rating Information											

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 December 2020								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-20	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2020/21 Actual	2020/21 Budget	2020/21 Actual	2020/21 Budget	2020/21 Actual	2020/21 Budget
			\$	\$	\$	\$	\$	\$
Loan 57 Monkey Mia Bore	102,963	0	16,310	32,951	86,653	70,012	920	4,154
Loan 56 - Staff Housing	9,901	0	9,901	9,901	0	0	221	289
Loan 58 - Town Oval Bore	800,000		15,963	32,105	784,037	767,895	5,288	26,716
	912,864	0	42,174	74,957	870,690	837,907	6,429	31,159

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 31 December 2020									
Note 11: GRANTS AND CONTRIBUTIONS									
Program/Details	Grant Provider	Approval	2020-21 Annual Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status		
							Received/Invoiced	Not Received	
		(Y/N)	\$	\$	\$	\$	\$	\$	
GENERAL PURPOSE FUNDING									
Grants Commission - General	WALGGC	Y	692,158	0	692,158	0	357,064	335,095	
Grants Commission - Roads	WALGGC	Y	226,736	0	226,736	0	104,068	122,668	
LAW, ORDER, PUBLIC SAFETY									
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Y	8,970	0	8,970	0	4,687	4,283	
Grant FESA - SES	Dept. of Fire & Emergency Services	Y	45,240	0	45,240	0	22,620	22,620	
RECREATION AND CULTURE									
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	Y	200	0	200	0	309	0	
Little Lagoon Rehabilitation Project	Department of Industry, Science, Energy and Resources	Y	12,500	0	0	12,500	0	0	
ECONOMIC SERVICES									
Thank a Volunteer	Dept of Communities	Y	700	0	700	0	750	0	
Keep Australia Beautiful for Community Litter	Keep Australia Beautiful Council	Y	0	0	0	0	1,500	0	
Christmas Festival	Shire of Shark Bay						120		
Awards Proceeds - Tidy Town Winner	Keep Australia Beautiful Council						455		
Horizon Power Christmas Festival	Horizon Power	Y	0	0	0	0	7,500	0	
NAIDOC Week Flag Raising Ceremony	NAIDOC	Y	0	0	0	0	250	0	
TRANSPORT									
Road Preservation Grant	State Initiative - Main Roads WA	Y	117,315	0	117,315	0	117,315	0	
Useless Loop Road - Mtce	Main Roads WA	Y	330,000	0	330,000	0	264,000	66,000	
Contributions - Road Projects	Pipeline	Y	12,705	0	12,705	0	0	12,705	
Roads To Recovery Grant - Cap	Roads to Recovery	Y	297,245	0	0	297,245	0	297,245	
RRG Grants - Capital Projects	Regional Road Group	Y	243,956	0	0	243,956	95,395	148,561	
Local Road and Community Infrastructure		Y	334,062	0		334,062	167,031	167,031	
TOTALS			2,321,787	0	1,434,024	887,763	1,143,063	1,176,208	
			Operating		1,434,024		880,637		
			Non-operating		887,763		262,426		
					2,321,787		1,143,063		
Comments - Operating and Non Operating Grants									

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2020				
Note 12: BOND LIABILITY				
Funds held at balance date over which the Shire has no control and which are included in Note 3 of this statement are as follows:				
Description	Opening Balance 1 Jul 20	Amount Received	Amount Paid	Closing Balance 31-Dec-20
	\$	\$	\$	\$
CITF Levy	\$ 294	1,683	(1,907)	70
Library Card Bond	\$ 150	100	(150)	100
Bookeasy- Sales	\$ 199	360,597	(359,841)	955
Kerb/Footpath Deposit	\$ 4,800	0	0	4,800
Bond Key	\$ 3,850	1,300	(580)	4,570
Hall Bond	\$ 825	275	(825)	275
Police Licensing	\$ 4,705	125,499	(130,205)	(1)
Election Deposit	\$ -	0	0	0
Marquee Deposit	\$ -	0	0	0
Building Licence Levy	\$ 277	2,542	(2,819)	0
Road Reserve - Hughes Street	\$ 2,298	0	0	2,298
Tour Sales	\$ -	0	0	0
Property Rental Bonds	\$ -	0	0	0
Rates Unidentified Deposit	\$ 210	0	0	210
	17,607	491,996	(496,327)	13,277

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CAPITAL WORKS PROGRAM 2020/2021								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Over)/Under	YTD Actual (Renewal Exp)	Comment
Land and Buildings								
Governance								
Asbestos Removal - Shire Office	3.1, 4.1	WKSM	(75,000)	0	0	0	0	
Governance Total			(75,000)	0	0	0	0	
Housing								
Staff Housing - 5 Spaven Way	4.1	WKSM	(10,000)	0	0	0	0	
Staff Housing - 65 Brockman St	4.1	WKSM	(10,000)	0	0	0	0	
Staff Housing - 51 Durlacher St	4.1	WKSM	(10,000)	0	0	0	0	
Staff Housing - 80 Durlacher St	4.1	WKSM	(10,000)	0	0	0	0	
Pensioner Units Capital	4.1	WKSM	(25,000)	0	0	0	0	
Pensioner Units Door/Water Pipe Replacement	4.1	WKSM	(10,000)	0	0	0	0	
Housing Total			(75,000)	0	0	0	0	
Community Amenities								
Buildings								
Morgue	4.1	EMCD	(40,000)	0	0	0	0	
Community Amenities Total			(40,000)	0	0	0	0	
Recreation								
Buildings								
Asbestos Removal - Denham Town Hall/Stables	3.1, 4.1	EMCD	(75,000)	0	0	0	0	
Stable Refurbishment	4.1	EMCD	(50,000)	(5,000)	(1,985)	3,015	0	
Denham Town Hall Access Upgrade	4.1, 5.1, 5.2	EMCD	(40,000)	0	0	0	0	
Recreation Centre Panel and Paint Renewal	4.1	EMCD	(50,000)	0	0	0	0	
Day Care Centre Site Works	5.1	EMCD	(40,000)	(20,000)	(21,129)	0	0	
Recreation Total			(255,000)	(25,000)	(23,114)	3,015	0	
Transport								
Buildings								
Depot - Office Awning	4.1	WKSM	(10,000)	0	0	0	0	
Depot - Boundary Fencing	4.1	WKSM	(7,721)	(7,721)	(5,285)	2,436	0	
Transport Total			(17,721)	(7,721)	(5,285)	2,436	0	
Land and Buildings Total			(462,721)	(32,721)	(28,399)	5,451	0	
Footpaths								
Infrastructure								
Footpath Construction-Denham Footpath Plan	1.1, 4.1, 5.1	WKSM	(100,000)	0	0	0	0	
Francis Street Lighting on Dual Purpose Pathway	1.1, 4.1, 5.1	WKSM	(80,000)	0	(586)	(586)	0	
Stella Rowley Lighting on Dual Purpose Pathway	1.1, 4.1, 5.1	WKSM	(80,000)	0	0	0	0	
Footpaths Total			(260,000)	0	(586)	(586)	0	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Plant , Equipment and Vehicles								
Governance								
CEO Vehicle	4.1	CEO	(70,000)	0	0	0	0	
Total Governance			(70,000)	0	0	0	0	
Transport								
Major Plant Items	4.1	WKSM	(20,000)	(5,000)	(4,474)	526	4,474	
Dual Cab Ute -Works Manager	4.1	WKSM	(57,000)	0	0	0	0	
Dual Cab Ute - Town	4.1	WKSM	(46,000)	0	0	0	0	
Dual Cab Ute - Country	4.1	WKSM	(46,000)	0	0	0	0	
Country Loader	4.1	WKSM	(280,000)	0	0	0	0	
Transport Total			(449,000)	(5,000)	(4,474)	526	4,474	
Plant , Equipment and Vehicles Total			(519,000)	(5,000)	(4,474)	526	4,474	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	(Renewal Exp)	Comment
Public Facilities								
Community Amenities								
Cemetery Shade	4.1	WKSM	(5,000)	0	0	0	0	
Hamelin Pool Carpark	4.1	WKSM	(10,000)	0	0	0	0	
West End Toilet Roof Replacement	4.1	WKSM	(15,000)	0	0	0	0	
Community Amenities Total			(30,000)	0	0	0	0	
Recreation And Culture								
Playground Fence Replacement	4.1, 5.1, 5.2	WKSM	(15,000)	0	0	0	0	
Playground Softfall Replacement - Town Oval	4.1, 5.1, 5.2	WKSM	(20,000)	0	(262)	(262)	262	
Foreshore Limestone Wall	4.1	WKSM	(45,000)	0	0	0	0	
Charlie Sappie Park Bed Removal and Replacement	4.1	WKSM	(20,000)	0	0	0	0	
Multi Purpose Courts Light Upgrade	4.1	WKSM	(25,000)	0	0	0	0	
Little Lagoon Signs and Barriers	3.1, 4.1	WKSM	(25,000)	0	0	0	0	
Town Oval Bore Capital	4.1, 5.1, 5.2	WKSM	0	0	(1,860)	(1,860)	1,860	
Town Oval Fence Extensions	4.1, 5.1, 5.2	WKSM	0	0	(2,074)	(2,074)	2,074	
Recreation And Culture Total			(150,000)	0	(4,196)	(4,196)	262	
Public Facilities Total			(180,000)	0	(4,196)	(4,196)	262	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Roads (Non Town)								
Transport								
R2R Projects 20-21 Brockman Street	1.1	WKSM	(450,000)	0	0	0	0	
Useless Loop Road - RRG 20-21	1.1	WKSM	(229,958)	0	(274)	(274)	274	
Eagle Bluff - RRG 19-20 CF	1.1	WKSM	(8,203)	(8,203)	(8,672)	(469)	8,672	
Eagle Bluff - RRG 20-21	1.1	WKSM	(127,775)	0	(2,075)	(2,075)	2,075	
Transport Total			(815,936)	(8,203)	(11,021)	(2,818)	11,021	
Roads (Non Town) Total			(815,936)	(8,203)	(11,021)	(2,818)	11,021	
Capital Expenditure Total			(2,237,657)	(45,924)	(48,676)	(1,623)	15,757	

24 FEBRUARY 2021

11.3 FINANCIAL REPORTS TO 31 JANUARY 2021
CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Fenny
Seconded Cr Ridgley

Council Resolution

**That the monthly financial report to 31 January 2021 as attached be received.
6/0 CARRIED**

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to **31 January 2021** are attached.

VARIANCE ANALYSIS

Operating Revenue was below year to date budget by \$115,678 as a result of Main Roads Private Works year to date Budget timing in advance of year to date Actual by \$175,801. This has been offset by increases in Shark Bay World Heritage Discovery and Visitor Centre Entrance Fees (\$21,868) and Sales and Booking commissions (\$50,938).

Operating Expenditure is under the year to date budget by \$685,086. This is due to a reduction in Depreciation Expense (\$75,287) as a result of fair valuation review, Conference Expenses – Members (\$9,500), Strategic Planning (\$10,958), Elected Members Training (\$14,700), Utility costs (\$31,205), Housing (\$30,794), Recycling Service Review (\$14,310), Maintenance Shark Bay World Heritage Discovery and Visitor Centre (\$15,154), Men's Shed Sites Works (\$20,000), Shark Bay Business Association Contribution (\$5,000), Shark Bay Recreation Centre Operating (\$15,749), Useless Loop Road Maintenance (\$153,429), Loss on Disposal of Assets (\$105,458), Country Road Maintenance (\$31,698) and Private Works Main Roads Western Australia Shark Bay Road (\$144,198).

Capital Revenue year to date actual was in excess of the year to date budget by \$1,553 and is not a reportable variance.

Capital Expenditure is over the year to date budget by \$1,746 and is not a reportable variance.

LEGAL IMPLICATIONS

Section 34 of the *Local Government (Financial Management) Regulations 1996*, requires a financial report to be submitted to Council on a monthly basis.

POLICY IMPLICATIONS

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows the financial position of the Shire has exceeded the year to date budget as a result of strategies put in place to address the significant adverse trend in the financial position of the Shire, as the Operating Surplus Ratio has been below the Department of Local Government, Sports and Cultural Industries standard for the past three years. In addition, due to the COVID-19 pandemic further strategies were implemented in the budget to further reduce expenditure in anticipation of an adverse impact on cashflow forecast for the 2020/2021 financial year.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

The financial report reports on the current financial status and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Author

A Pears

Chief Executive Officer

P Anderson

Date of Report

17 February 2021

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
MONTHLY FINANCIAL REPORT	
For the Period Ended 31 January 2021	
LOCAL GOVERNMENT ACT 1995	
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996	
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MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 31 January 2021							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Operating Revenues							
Governance		2,502	1,671	0	(1,671)	(100.00%)	▼
General Purpose Funding - Rates	9	1,416,289	1,416,289	1,441,656	25,367	1.79%	▲
General Purpose Funding - Other		948,046	479,643	496,709	17,066	3.6%	▲
Law, Order and Public Safety		67,340	49,868	53,023	3,155	6%	▲
Health		1,800	1,623	1,316	(307)	(18.92%)	▼
Housing		126,780	74,571	75,317	746	1.0%	▲
Community Amenities		308,876	276,229	309,345	33,116	11.99%	▲
Recreation and Culture		552,130	347,691	416,546	68,855	19.8%	▲
Transport		522,620	419,746	412,448	(7,298)	(1.7%)	▼
Economic Services		798,900	619,558	354,568	(264,990)	(42.8%)	▼
Other Property and Services		40,000	23,331	33,615	10,284	44.1%	▲
Total Operating Revenue		4,785,283	3,710,220	3,594,542	(115,678)	(3.12%)	
Operating Expense							
Governance		(240,462)	(215,436)	(70,589)	144,847	(67.2%)	▲
General Purpose Funding		(123,220)	(61,964)	(61,220)	744	(1.2%)	▲
Law, Order and Public Safety		(259,359)	(162,485)	(168,682)	(6,197)	3.8%	▼
Health		(87,889)	(50,403)	(29,060)	21,343	(42.3%)	▲
Housing		(224,065)	(139,803)	(122,005)	17,798	(12.7%)	▲
Community Amenities		(698,626)	(414,580)	(360,799)	53,781	(13.0%)	▲
Recreation and Culture		(2,564,061)	(1,560,900)	(1,330,046)	230,854	(14.8%)	▲
Transport		(1,780,612)	(980,368)	(1,106,936)	(126,568)	12.9%	▼
Economic Services		(1,047,114)	(726,860)	(473,736)	253,124	(34.8%)	▲
Other Property and Services		(39,500)	(110,753)	(15,393)	95,360	(86.1%)	▲
Total Operating Expenditure		(7,064,908)	(4,423,552)	(3,738,466)	685,086	(15.5%)	
Funding Balance Adjustments							
Add back Depreciation		1,886,365	1,111,133	1,035,859	(75,274)		
Adjust (Profit)/Loss on Asset Disposal	8	139,130	34,174	34,174	0		
Adjust in Pensioner Rates Non Current		0	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
Net Cash from Operations		(254,130)	431,975	926,109	494,134		
Capital Revenues							
Grants, Subsidies and Contributions	11	887,763	30,000	33,498	3,498	11.7%	▲
Proceeds from Disposal of Assets	8	257,182	58,182	56,237	(1,945)	3.3%	▼
Total Capital Revenues		1,144,945	88,182	89,735	1,553	1.8%	
Capital Expenses							
Land and Buildings	13	(462,721)	(31,721)	(28,838)	2,883	(9.1%)	▲
Infrastructure - Roads	13	(815,936)	(8,203)	(11,021)	(2,818)	34.3%	▼
Infrastructure - Public Facilities	13	(180,000)	(28,500)	(30,251)	(1,751)	6.1%	▼
Infrastructure - Footpaths	13	(260,000)	0	(586)	(586)		▼
Plant and Equipment	13	(519,000)	(5,000)	(4,474)	526	(10.5%)	▲
Total Capital Expenditure		(2,237,657)	(73,424)	(75,170)	(1,746)	(2.4%)	
Net Cash from Capital Activities		(1,092,712)	14,758	14,565	(193)	1.31%	
Financing							
Proceeds from Loans		0	0	0	0		
Transfer from Reserves	7	1,028,914	0	0	0		
Repayment of Debentures	10	(74,957)	(42,174)	(42,174)	0	0.0%	
Transfer to Reserves	7	(1,388,957)	(5,513)	(6,946)	(1,433)	26.0%	
Net Cash from Financing Activities		(435,000)	(47,687)	(49,120)	(1,433)	(3.0%)	
Net Operations, Capital and Financing		(1,781,842)	399,046	891,553	492,507	(123.42%)	▲
Opening Funding Surplus(Deficit)	3	1,781,842	1,781,842	1,601,685	(180,157)		
Closing Funding Surplus(Deficit)	3	(0)	2,180,888	2,493,238	312,350		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 2 for an explanation of the reasons for the variance.

Depreciation has not been run for July until Fair Valuation for Land and Buildings and end of year accounts have been finalised.

MINUTES OF THE ORDINARY COUNCIL MEETING

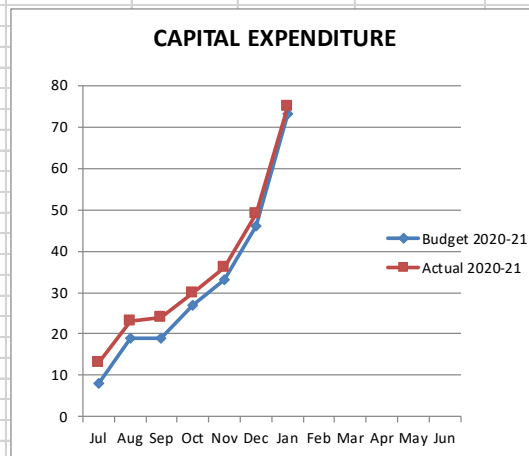
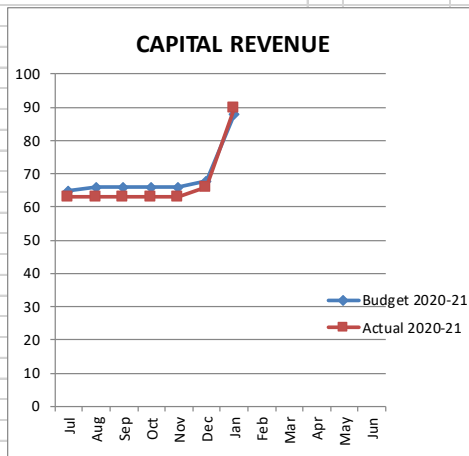
24 FEBRUARY 2021

SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 31 January 2021				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
Operating Revenues		\$	\$	\$
Rates	9	1,416,289	1,416,289	1,441,656
Operating Grants, Subsidies and Contributions	11	1,434,024	882,236	894,753
Fees and Charges		1,512,891	1,138,111	984,654
Interest Earnings		9,650	5,694	16,628
Other Revenue		411,927	267,388	256,850
Profit on Disposal of Assets	8	502	502	0
Total Operating Revenue		4,785,283	3,710,220	3,594,542
Operating Expense				
Employee Costs		(2,257,076)	(1,409,416)	(1,335,873)
Materials and Contracts		(1,910,483)	(1,147,060)	(818,578)
Utility Charges		(194,240)	(113,498)	(82,293)
Depreciation on Non-Current Assets		(1,886,365)	(1,111,133)	(1,035,859)
Interest Expenses		(31,159)	(13,349)	(9,665)
Insurance Expenses		(168,073)	(167,353)	(167,063)
Other Expenditure		(477,880)	(322,111)	(254,962)
Loss on Disposal of Assets	8	(139,632)	(139,632)	(34,174)
Total Operating Expenditure		(7,064,908)	(4,423,552)	(3,738,466)
Funding Balance Adjustments				
Add back Depreciation		1,886,365	1,111,133	1,035,859
Adjust (Profit)/Loss on Asset Disposal	8	139,130	34,174	34,174
Adjust in Pensioner Rates Non Current		0	0	0
Adjust Provisions and Accruals		0	0	0
Net Cash from Operations		(254,130)	431,975	926,109
Capital Revenues				
Grants, Subsidies and Contributions	11	887,763	30,000	33,498
Proceeds from Disposal of Assets	8	257,182	58,182	56,237
Total Capital Revenues		1,144,945	88,182	89,735
Capital Expenses				
Land and Buildings	13	(462,721)	(31,721)	(28,838)
Infrastructure - Roads	13	(815,936)	(8,203)	(11,021)
Infrastructure - Public Facilities	13	(180,000)	(28,500)	(30,251)
Infrastructure - Footpaths	13	(260,000)	0	(586)
Plant and Equipment	13	(519,000)	(5,000)	(4,474)
Total Capital Expenditure		(2,237,657)	(73,424)	(75,170)
Net Cash from Capital Activities		(1,092,712)	14,758	14,565
Financing				
Proceeds from Loans		0	0	0
Transfer from Reserves	7	1,028,914	0	0
Repayment of Debentures	10	(74,957)	(42,174)	(42,174)
Transfer to Reserves	7	(1,388,957)	(5,513)	(6,946)
Net Cash from Financing Activities		(435,000)	(47,687)	(49,120)
Net Operations, Capital and Financing		(1,781,842)	399,046	891,553
Opening Funding Surplus(Deficit)	3	1,781,842	1,781,842	1,601,685
Closing Funding Surplus(Deficit)	3	(0)	2,180,888	2,493,238

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY							
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING							
For the Period Ended 31 January 2021							
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal) Expenditure (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	28,838	0	28,838	31,721	462,721	2,883
Infrastructure Assets - Roads	13	0	11,021	11,021	8,203	815,936	(2,818)
Infrastructure Assets - Public Facilities	13	3,862	26,389	30,251	28,500	180,000	(1,751)
Infrastructure Assets - Footpaths	13	586	0	586	0	260,000	(586)
Infrastructure Assets - Streetscapes	13	0	0	0	0	0	0
Plant and Equipment	13	0	4,474	4,474	5,000	519,000	526
Furniture and Equipment	13	586	0	586	0	260,000	(586)
Capital Expenditure Totals		33,872	41,884	75,756	73,424	2,497,657	(2,332)



MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 January 2021	
1. SIGNIFICANT ACCOUNTING POLICIES	
(a) Basis of Preparation	
	This report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget are presented below and have been consistently applied unless stated otherwise.
	Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.
	The Local Government Reporting Entity
	All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.
	In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.
	All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 16 to this budget document.
(b) Rounding Off Figures	
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.
(c) Rates, Grants, Donations and Other Contributions	
	Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.
	Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.
(d) Goods and Services Tax (GST)	
	Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).
	Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.
	Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.
(e) Superannuation	
	The Council contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 January 2021	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(f) Cash and Cash Equivalents	
	Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.
	Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial position.
(g) Trade and Other Receivables	
	Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.
	Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.
	Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.
(h) Inventories	
	General
	Inventories are measured at the lower of cost and net realisable value.
	Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.
	Land Held for Resale
	Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.
	Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.
	Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.
(i) Fixed Assets	
	Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.
	Mandatory Requirement to Revalue Non-Current Assets
	Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2021					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
<i>Land Under Control</i>					
In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of state or regional significance.					
Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.					
Whilst they were initially recorded at cost (being fair value at the date of acquisition (deemed cost) as per AASB 116) they were revalued along with other items of Land and Buildings at 30 June 2014.					
<i>Initial Recognition and Measurement between Mandatory Revaluation Dates</i>					
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.					
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.					
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2021				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(j) Fixed Assets (Continued)				
Revaluation				
Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.				
Transitional Arrangement				
During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.				
Those assets carried at cost will be carried in accordance with the policy detailed in the Initial Recognition section as detailed above.				
Those assets carried at fair value will be carried in accordance with the Revaluation Methodology section as detailed above.				
Land Under Roads				
In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.				
Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.				
In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.				
Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.				
Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.				
Depreciation				
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.				

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 January 2021			
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)			
(j) Fixed Assets (Continued)			
Major depreciation periods used for each class of depreciable asset are:			
Buildings			10 to 50 years
Furniture and Equipment			5 to 10 years
Plant and Equipment			5 to 10 years
Heritage			25 to 100 years
Sealed Roads and Streets			
- Subgrade			Not Depreciated
- Pavement			80 to 100 years
- Seal	Bituminous Seals		15 to 22 years
	Asphalt Surfaces		30 years
Formed Roads (Unsealed)			
- Subgrade			Not Depreciated
- Pavement			12 years
Footpaths			40 to 80 years
Drainage Systems			
- Drains and Kerbs			20 to 60 years
- Culverts			60 years
- Pipes			80 years
- Pits			60 years
The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.			
An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.			
Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.			
When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.			
Capitalisation Threshold			
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.			
(k) Fair Value of Assets and Liabilities			
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:			
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.			

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 January 2021			
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)			
(k) Fair Value of Assets and Liabilities (Continued)			
As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.			
To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).			
For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.			
Fair Value Hierarchy			
AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:			
Level 1			
Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.			
Level 2			
Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.			
Level 3			
Measurements based on unobservable inputs for the asset or liability.			
The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.			
Valuation techniques			
The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:			
Market approach			
Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.			

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2021				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(k) Fair Value of Assets and Liabilities (Continued)				
Income approach				
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.				
Cost approach				
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.				
Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.				
As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.				
(l) Financial Instruments				
Initial Recognition and Measurement				
Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).				
Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.				
Classification and Subsequent Measurement				
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.				
Amortised cost is calculated as:				
(a) the amount in which the financial asset or financial liability is measured at initial recognition;				
(b) less principal repayments and any reduction for impairment; and				
(c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.				

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 January 2021	
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)
(I)	Financial Instruments (Continued)
	The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.
	<i>(i) Financial assets at fair value through profit and loss</i>
	Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.
	<i>(ii) Loans and receivables</i>
	Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
	Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.
	<i>(iii) Held-to-maturity investments</i>
	Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
	Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.
	<i>(iv) Available-for-sale financial assets</i>
	Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.
	They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.
	Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.
	<i>(v) Financial liabilities</i>
	Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 January 2021	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(l) Financial Instruments (Continued)	
<i>Impairment</i>	
A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).	
In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.	
In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.	
For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.	
<i>Derecognition</i>	
Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.	
Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.	
(m) Impairment of Assets	
In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.	
Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.	
Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2021					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(m) Impairment of Assets (Continued)					
For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.					
(n) Trade and Other Payables					
Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.					
(o) Employee Benefits					
Short-Term Employee Benefits					
Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.					
The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.					
Other Long-Term Employee Benefits					
Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.					
The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2021					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(p) Borrowing Costs					
Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.					
(q) Provisions					
Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.					
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.					
(r) Current and Non-Current Classification					
In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.					

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

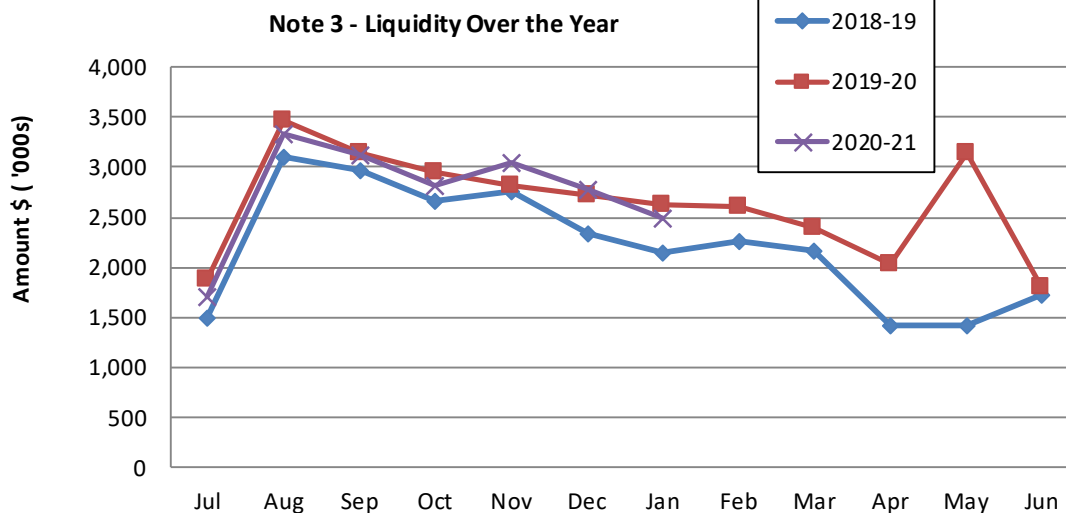
Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 31 January 2021					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(1,671)	(100.0%)	▼	Timing	No Reportable Variance
General Purpose Funding - Rates	25,367	0.0%	▲	Timing	No Reportable Variance
General Purpose Funding - Other	17,066	3.6%	▲	Timing	No Reportable Variance
Law, Order and Public Safety	3,155	6.3%	▲	Timing	No Reportable Variance
Health	(307)	(18.9%)	▼	Timing	No Reportable Variance
Housing	746	1.0%	▲	Timing	No Reportable Variance
Community Amenities	33,116	12.0%	▲	Timing	Increase in Refuse Fees and Development Applications compared to YTD Budget
Recreation and Culture	68,855	19.8%	▲	Timing	Increase in Gym Memberships, SBDC Entrance Fees, Sales and Booking Commissions compared to YTD Budget
Transport	(7,298)	(1.7%)	▼	Timing	No Reportable Variance
Economic Services	(264,990)	(42.8%)	▼	Timing	Caravan Rental February to June 2021 \$50,000 Prepaid Income transferred to Grants Received in Advance plus Private Works Main Roads WA invoice timing behind YTD Budget resulting in variance.
Other Property and Services	10,284	44.1%	▲	Timing	Increase Refunds Income compared to YTD Budget
Operating Expense					
Governance	144,847	(67.2%)	▲	Timing	Overall Expenditure less than YTD Budget
General Purpose Funding	744	(1.2%)	▲	Timing	No Reportable Variance
Law, Order and Public Safety	(6,197)	3.8%	▼	Timing	No Reportable Variance
Health	21,343	(42.3%)	▲	Timing	Public Health Plan and Health Consultant Fees YTD Budget ahead of YTD Actual resulting in a timing variance.
Housing	17,798	(12.7%)	▲	Timing	Pensioner Unit Maintenance and Building Depreciation YTD Actual less than YTD Budget
Community Amenities	53,781	(13.0%)	▲	Timing	Recycling Services Review, Rubbish and Recycling Expenses and Town Planning Scheme YTD Actual are below YTD Budget
Recreation and Culture	230,854	(14.8%)	▲	Timing	Building Depreciation, Recreation Centre Operating Expenses and SBDC Operating expenses YTD Actual are below YTD budget
Transport	(126,568)	12.9%	▼	Timing	Useless Loop Road Maintenance work scheduled is ahead of YTD Budget allocation resulting in a timing difference.
Economic Services	253,124	(34.8%)	▲	Timing	MRWA Private Works Work Schedule is behind the YTD Budget allocation resulting in a timing difference.
Other Property and Services	95,360	(86.1%)	▲	Timing	Overrecovery of Plant Costs compared to YTD Budget allocation resulting in a timing variance.
Capital Revenues					
Grants, Subsidies and Contributions	3,498	11.7%	▲	Timing	No Reportable Variance
Proceeds from Disposal of Assets	(1,945)	0.0%	▲	Timing	No Reportable Variance
Capital Expenses					
Land and Buildings	2,883	(9.1%)	▲	Timing	No Reportable Variance
Infrastructure - Roads	(2,818)	34.3%	▼	Timing	No Reportable Variance
Infrastructure - Public Facilities	(1,751)	6.1%	▼	Timing	No Reportable Variance
Infrastructure - Footpaths	(586)		▼	Timing	No Reportable Variance
Plant and Equipment	526	(10.5%)	▲	Timing	No Reportable Variance
Financing					
Loan Principal	0	0.0%	▼	Timing	No Reportable Variance

Note: YTD budgets are an estimation at the time of preparing the draft annual budget.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 January 2021			
Note 3: NET CURRENT FUNDING POSITION			
		Positive=Surplus (Negative=Deficit)	
	Note	31 JANUARY 2021	31 JANUARY 2020
		\$	\$
Current Assets			
Cash Unrestricted	4	2,964,989	2,125,938
Cash Restricted	4	2,929,299	1,303,256
Receivables - Rates	6	131,937	361,361
Receivables -Other	6	35,526	272,169
Interest / ATO Receivable		25,269	24,944
Inventories		127,279	131,104
		6,214,299	4,218,771
Less: Current Liabilities			
Payables		(212,566)	(71,571)
Provisions		(263,385)	(208,068)
Grants/Income Received in Advance		(301,391)	0
Bond Liability (Formally Trust Account)		(14,420)	(12,408)
		(791,761)	(292,047)
Less: Cash Reserves	7	(2,929,299)	(1,303,256)
Net Current Funding Position		2,493,238	2,623,469



Comments - Net Current Funding Position

MINUTES OF THE ORDINARY COUNCIL MEETING

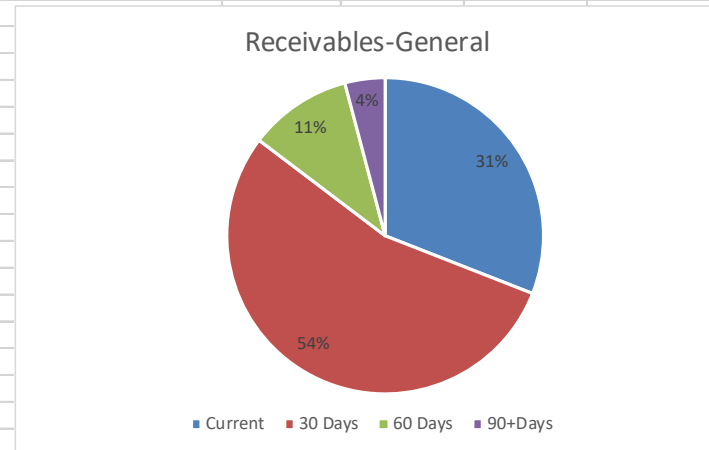
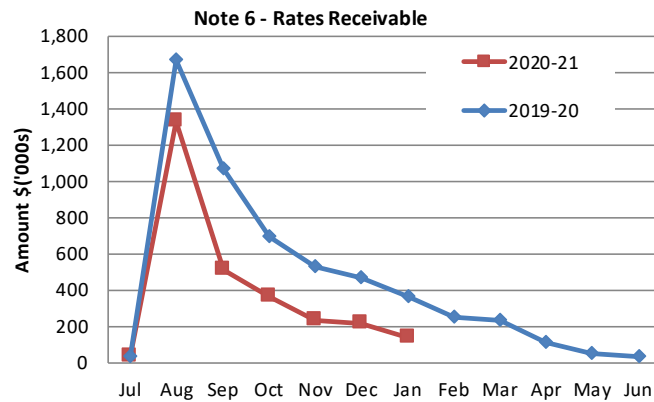
24 FEBRUARY 2021

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 January 2021							
Note 4: CASH AND INVESTMENTS							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.10%	148,943		0	148,943	Bankwest	At Call
Reserve Bank Account	0.00%		179	0	179	Bankwest	At Call
Reserve Telenet Saver Account	0.25%		2,929,120	0	2,929,120	Bankwest	At Call
Municipal Telenet Saver	0.50%	2,815,145	0	0	2,815,145	Bankwest	At Call
Trust Bank Account	0.00%	0	0	0	0	Bankwest	At Call
Cash On Hand		900			900		On Hand
(b) Term Deposits							
Municipal Investment							
Municipal Investment							
Reserve Investment							
Total		2,964,989	2,929,299	0	5,894,288		
Comments/Notes - Investments							
Surplus funds invested for terms conducive to cashflow requirements.							

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2021				
Note 6: RECEIVABLES				
Receivables - Rates Receivable	31 JANUARY 2021	30 June 2020	Receivables - General	Current 30 Days 60 Days 90+Days
	\$	\$		\$ \$ \$ \$
Opening Arrears Previous Years	32,544	31,927	Receivables - General	10,218 17,953 3,488 1,356
Levied this year	1,771,485	1,827,891	Total Receivables General Outstanding	33,015
Less Collections to date	(1,672,092)	(1,827,274)	Amounts shown above include GST (where applicable)	
Equals Current Outstanding	131,937	32,544		
Net Rates Collectable	131,937	32,544		
% Collected	92.69%	98.25%		



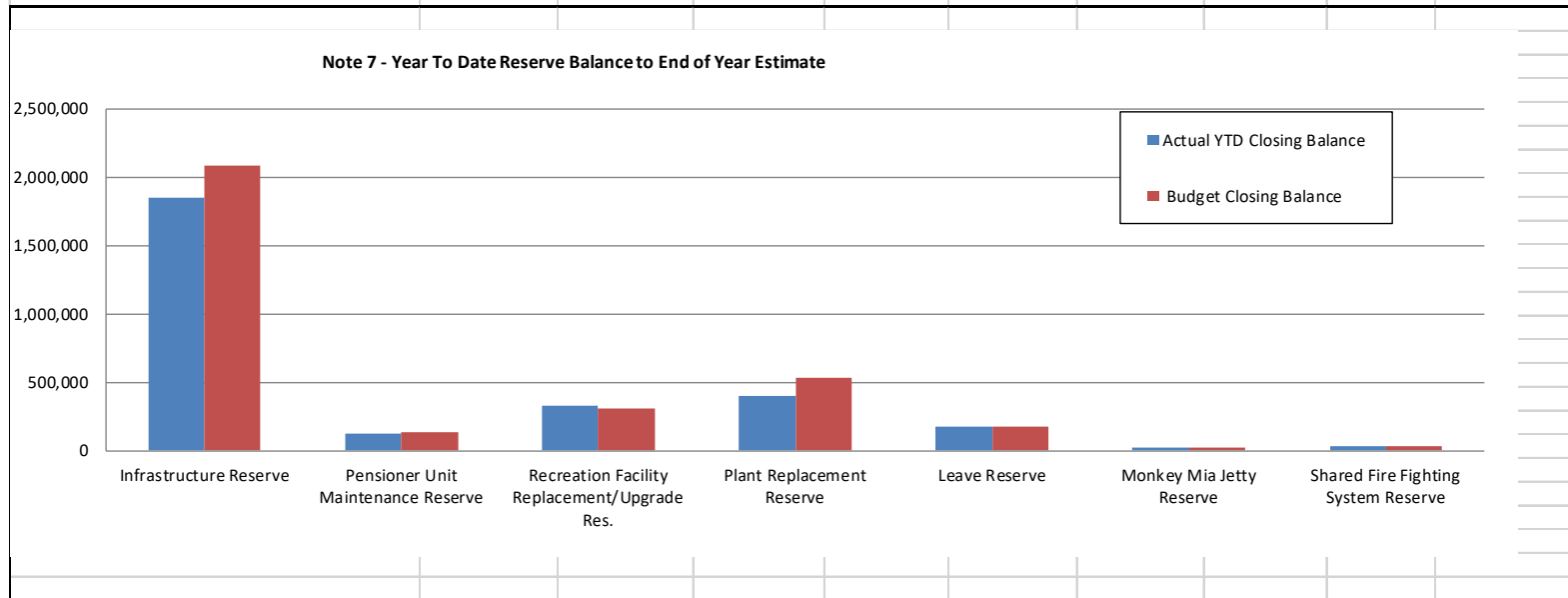
Comments/Notes - Receivables Rates

No major issues at this time

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 31 January 2021									
<u>Note 7: Cash Backed Reserve</u>									
2020-21									
Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
Infrastructure Reserve	\$ 1,847,921	\$ 1,500	\$ 4,393	\$ 710,457	\$ 0	\$ (480,476)	\$ 0	\$ 2,079,402	\$ 1,852,314
Pensioner Unit Maintenance Reserve	127,114	30	302	45,000	0	(35,000)	0	137,144	127,416
Recreation Facility Replacement/Upgrade Res.	322,812	850	767	180,000	0	(193,438)	0	310,224	323,580
Plant Replacement Reserve	401,851	300	955	450,000	0	(320,000)	0	532,151	402,806
Leave Reserve	171,006	680	407	0	0	0	0	171,686	171,413
Monkey Mia Jetty Reserve	22,087	60	52	0	0	0	0	22,147	22,139
Shared Fire Fighting System Reserve	29,560	80	70	0	0	0	0	29,640	29,630
	2,922,352	3,500	6,947	1,385,457	0	(1,028,914)	0	3,282,394	2,929,299



MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 January 2021							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Annual Budget		
					YTD 31 01 2021		
Cost	Accum Depr	Proceeds	Profit (Loss)		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
\$	\$	\$	\$	Plant and Equipment	\$	\$	\$
				Governance			
			0	CEO Vehicle	502	0	(502)
0	0	0	0		502	0	(502)
				Transport			
				Dual Cab Ute - Works Manager	(5,229)	0	5,229
				Dual Cab Ute - Town	(9,310)	0	9,310
				Dual Cab Ute - Country	(9,310)		
				Country Loader	(84,389)	0	84,389
95,000	(4,589)	56,237	(34,174)	Vibration Roller - Sale Proceeds	(31,394)	(34,174)	(2,780)
95,000	(4,589)	56,237	(34,174)		(139,632)	(34,174)	96,148
95,000	(4,589)	56,237	(34,174)		(139,130)	(34,174)	95,646
Comments - Capital Disposal/Replacements							

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 31 January 2021											
Rate Type	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2020/21 Budget Rate Revenue \$	2020/21 Budget Interim Rate \$	2020/21 Budget Back Rate \$	2020/21 Budget Total Revenue \$
Note 9: RATING INFORMATION											
Differential General Rate											
GRV Residential	0.102840	321	3,839,243	394,828	5,576	153	400,557	392,577			392,577
GRV Commercial	0.105690	41	2,130,457	225,168			225,168	222,420			222,420
GRV Vacant	0.102840	18	360,104	37,033			37,033	37,033			37,033
GRV Rural Commercial	0.106880	5	315,380	33,709			33,709	33,709			33,709
GRV Industrial/Residential	0.113800	46	640,229	72,860			72,860	72,860			72,860
GRV Industrial/Residential Vaca	0.102840	2	0	0			0	0			0
GRV Rural Resort	0.112820	1	1,346,800	151,949			151,949	151,949			151,949
UV General	0.207090	7	859,222	177,936			177,936	171,402			171,402
UV Pastoral	0.141820	11	642,378	91,105			91,105	87,556			87,556
UV Mining	0.282450	1	8,415	2,377			2,377	2,245			2,245
UV Exploration	0.271580	10	806,582	219,052			219,052	206,866			206,866
Sub-Totals		463	10,948,810	1,406,016	5,576	153	1,411,745	1,378,617	0	0	1,378,617
Minimum Payment											
GRV Residential	876.00	51	364,359	44,676			44,676	43,800			43,800
GRV Commercial	876.00	17	93,933	14,892			14,892	14,892			14,892
GRV Vacant	876.00	80	262,806	70,080			70,080	71,832			71,832
GRV Rural Commercial	876.00	0	0	0			0	0			0
GRV Industrial/Residential	876.00	3	19,439	2,628			2,628	2,628			2,628
GRV Industrial/Residential Vaca	546.00	0	0	0			0	0			0
GRV Rural Resort	876.00	0	0	0			0	0			0
UV General	735.00	6	9,395	4,410			4,410	4,410			4,410
UV Pastoral	920.00	0	0	0			0	0			0
UV Mining	920.00	1	693	920			920	920			920
UV Exploration	920.00	1	2,073	920			920	920			920
Sub-Totals		159	752,698	138,526	0	0	138,526	139,402	0	0	139,402
Total		622									
Concessions							(145,719)				(138,834)
Amount from General Rates							1,404,552				1,379,185
Specified Area Rates							37,104				37,104
Totals							1,441,656				1,416,289
Comments - Rating Information											

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 January 2021								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-20	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2020/21 Actual	2020/21 Budget	2020/21 Actual	2020/21 Budget	2020/21 Actual	2020/21 Budget
			\$	\$	\$	\$	\$	\$
Loan 57 Monkey Mia Bore	102,963	0	16,310	32,951	86,653	70,012	1,289	4,154
Loan 56 - Staff Housing	9,901	0	9,901	9,901	0	0	288	289
Loan 58 - Town Oval Bore	800,000		15,963	32,105	784,037	767,895	8,088	26,716
	912,864	0	42,174	74,957	870,690	837,907	9,665	31,159

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 31 January 2021									
Note 11: GRANTS AND CONTRIBUTIONS									
Program/Details	Grant Provider	Approval	2020-21 Annual Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status		
							Received/Invoiced	Not Received	
		(Y/N)	\$	\$	\$	\$	\$	\$	
GENERAL PURPOSE FUNDING									
Grants Commission - General	WALGGC	Y	692,158	0	692,158	0	357,064	335,095	
Grants Commission - Roads	WALGGC	Y	226,736	0	226,736	0	104,068	122,668	
LAW, ORDER, PUBLIC SAFETY									
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Y	8,970	0	8,970	0	7,031	1,940	
Grant FESA - SES	Dept. of Fire & Emergency Services	Y	45,240	0	45,240	0	33,930	11,310	
RECREATION AND CULTURE									
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	Y	200	0	200	0	354	0	
Little Lagoon Rehabilitation Project	Department of Industry, Science, Energy and Resources	Y	12,500	0	0	12,500	0	0	
ECONOMIC SERVICES									
Thank a Volunteer	Dept of Communities	Y	700	0	700	0	750	0	
Keep Australia Beautiful for Community Litter	Keep Australia Beautiful Council	Y	0	0	0	0	1,500	0	
Club Capacity Building Workshop	Gaming and Wagering Commission		0	0	0	0	3,000		
Christmas Festival	Shire of Shark Bay						120		
Awards Proceeds - Tidy Town Winner	Keep Australia Beautiful Council						500		
Horizon Power Christmas Festival	Horizon Power	Y	0	0	0	0	7,500	0	
NAIDOC Week Flag Raising Ceremony	NAIDOC	Y	0	0	0	0	250	0	
TRANSPORT									
Road Preservation Grant	State Initiative - Main Roads WA	Y	117,315	0	117,315	0	117,315	0	
Useless Loop Road - Mtce	Main Roads WA	Y	330,000	0	330,000	0	264,000	66,000	
Contributions - Road Projects	Pipeline	Y	12,705	0	12,705	0	0	12,705	
Roads To Recovery Grant - Cap	Roads to Recovery	Y	297,245	0	0	297,245	0	297,245	
RRG Grants - Capital Projects	Regional Road Group	Y	243,956	0	0	243,956	95,395	148,561	
Local Road and Community Infrastructure		Y	334,062	0		334,062	167,031	167,031	
TOTALS			2,321,787	0	1,434,024	887,763	1,159,807	1,162,554	
			Operating		1,434,024		894,381		
			Non-operating		887,763		262,426		
					2,321,787		1,156,807		
Comments - Operating and Non Operating Grants									

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2021				
Note 12: BOND LIABILITY				
Funds held at balance date over which the Shire has no control and which are included in Note 3 of this statement are as follows:				
Description	Opening Balance 1 Jul 20	Amount Received	Amount Paid	Closing Balance 31-Jan-21
	\$	\$	\$	\$
CITF Levy	\$ 294	1,683	(1,907)	70
Library Card Bond	\$ 150	150	(200)	100
Bookeasy- Sales	\$ 199	398,304	(397,620)	883
Kerb/Footpath Deposit	\$ 4,800	0	0	4,800
Bond Key	\$ 3,850	1,600	(700)	4,750
Hall Bond	\$ 825	275	(825)	275
Police Licensing	\$ 4,705	140,883	(144,554)	1,034
Election Deposit	\$ -	0	0	0
Marquee Deposit	\$ -	0	0	0
Building Licence Levy	\$ 277	2,920	(3,197)	0
Road Reserve - Hughes Street	\$ 2,298	0	0	2,298
Tour Sales	\$ -	0	0	0
Property Rental Bonds	\$ -	0	0	0
Rates Unidentified Deposit	\$ 210	0	0	210
	17,607	545,814	(549,002)	14,420

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

CAPITAL WORKS PROGRAM 2020/2021								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Over)/Under	YTD Actual (Renewal Exp)	Comment
Land and Buildings								
Governance								
Asbestos Removal - Shire Office	3.1, 4.1	WKSM	(75,000)	0	0	0	0	
Governance Total			(75,000)	0	0	0	0	
Housing								
Staff Housing - 5 Spaven Way	4.1	WKSM	(10,000)	0	0	0	0	
Staff Housing - 65 Brockman St	4.1	WKSM	(10,000)	0	0	0	0	
Staff Housing - 51 Durlacher St	4.1	WKSM	(10,000)	0	0	0	0	
Staff Housing - 80 Durlacher St	4.1	WKSM	(10,000)	0	0	0	0	
Pensioner Units Capital	4.1	WKSM	(25,000)	0	0	0	0	
Pensioner Units Door/Water Pipe Replacement	4.1	WKSM	(10,000)	0	0	0	0	
Housing Total			(75,000)	0	0	0	0	
Community Amenities								
Buildings								
Morgue	4.1	EMCD	(40,000)	0	0	0	0	
Community Amenities Total			(40,000)	0	0	0	0	
Recreation								
Buildings								
Asbestos Removal - Denham Town Hall/Stables	3.1, 4.1	EMCD	(75,000)	0	0	0	0	
Stable Refurbishment	4.1	EMCD	(50,000)	(2,000)	(1,949)	51	0	Contract Awarded
Denham Town Hall Access Upgrade	4.1, 5.1, 5.2	EMCD	(40,000)	0	0	0	0	
Recreation Centre Panel and Paint Renewal	4.1	EMCD	(50,000)	0	0	0	0	
Day Care Centre Site Works	5.1	EMCD	(40,000)	(22,000)	(21,725)	0	0	
Recreation Total			(255,000)	(24,000)	(23,674)	51	0	
Transport								
Buildings								
Depot - Office Awning	4.1	WKSM	(10,000)	0	0	0	0	
Depot - Boundary Fencing	4.1	WKSM	(7,721)	(7,721)	(5,164)	2,557	0	Completed
Transport Total			(17,721)	(7,721)	(5,164)	2,557	0	
Land and Buildings Total			(462,721)	(31,721)	(28,838)	2,609	0	
Footpaths								
Infrastructure								
Footpath Construction-Denham Footpath Plan	1.1, 4.1, 5.1	WKSM	(100,000)	0	0	0	0	
Francis Street Lighting on Dual Purpose Pathway	1.1, 4.1, 5.1	WKSM	(80,000)	0	(586)	(586)	0	Contract Awarded Far West
Stella Rowley Lighting on Dual Purpose Pathway	1.1, 4.1, 5.1	WKSM	(80,000)	0	0	0	0	Contract Awarded CDH
Footpaths Total			(260,000)	0	(586)	(586)	0	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Plant , Equipment and Vehicles								
Governance								
CEO Vehicle	4.1	CEO	(70,000)	0	0	0	0	
Total Governance			(70,000)	0	0	0	0	
Transport								
Major Plant Items	4.1	WKSM	(20,000)	(5,000)	(4,474)	526	4,474	
Dual Cab Ute -Works Manager	4.1	WKSM	(57,000)	0	0	0	0	
Dual Cab Ute - Town	4.1	WKSM	(46,000)	0	0	0	0	Pending Council Meeting February
Dual Cab Ute - Country	4.1	WKSM	(46,000)	0	0	0	0	Pending Council Meeting February
Country Loader	4.1	WKSM	(280,000)	0	0	0	0	Awarded - expected late March
Transport Total			(449,000)	(5,000)	(4,474)	526	4,474	
Plant , Equipment and Vehicles Total			(519,000)	(5,000)	(4,474)	526	4,474	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	(Renewal Exp)	Comment
Public Facilities								
Community Amenities								
Cemetery Shade	4.1	WKSM	(5,000)	0	0	0	0	
Hamelin Pool Carpark	4.1	WKSM	(10,000)	0	0	0	0	
West End Toilet Roof Replacement	4.1	WKSM	(15,000)	0	0	0	0	
Community Amenities Total			(30,000)	0	0	0	0	
Recreation And Culture								
Playground Fence Replacement	4.1, 5.1, 5.2	WKSM	(15,000)	(3,500)	(3,362)	138	3,362	
Playground Softfall Replacement - Town Oval	4.1, 5.1, 5.2	WKSM	(20,000)	(15,000)	(15,461)	(461)	15,461	Last third to do
Foreshore Limestone Wall	4.1	WKSM	(45,000)	0	0	0	0	To commence February 2021
Charlie Sappie Park Bed Removal and Replacement	4.1	WKSM	(20,000)	0	0	0	0	
Multi Purpose Courts Light Upgrade	4.1	WKSM	(25,000)	0	0	0	0	Contract awarded Far West
Little Lagoon Signs and Barriers	3.1, 4.1	WKSM	(25,000)	(10,000)	(7,566)	2,434	7,566	
Town Oval Bore Capital	4.1, 5.1, 5.2	WKSM	0	0	(1,860)	(1,860)	1,860	
Town Oval Fence Extensions	4.1, 5.1, 5.2	WKSM	0	0	(2,002)	(2,002)	2,002	
Recreation And Culture Total			(150,000)	(28,500)	(30,251)	(1,751)	26,389	
Public Facilities Total			(180,000)	(28,500)	(30,251)	(1,751)	26,389	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Roads (Non Town)								
Transport								
R2R Projects 20-21 Brockman Street	1.1	WKSM	(450,000)	0	0	0	0	To commence late February 2021
Useless Loop Road - RRG 20-21	1.1	WKSM	(229,958)	0	(274)	(274)	274	To commence early March 2021
Eagle Bluff - RRG 19-20 CF	1.1	WKSM	(8,203)	(8,203)	(8,672)	(469)	8,672	
Eagle Bluff - RRG 20-21	1.1	WKSM	(127,775)	0	(2,075)	(2,075)	2,075	Awaiting quotes
Transport Total			(815,936)	(8,203)	(11,021)	(2,818)	11,021	
Roads (Non Town) Total			(815,936)	(8,203)	(11,021)	(2,818)	11,021	
Capital Expenditure Total			(2,237,657)	(73,424)	(75,170)	(2,020)	41,884	

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

11.4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANT PROGRAM
GS00038

AUTHOR

Chief Executive Officer

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Ridgely
Seconded Cr Stubberfield

Council Resolution

That Council endorse the allocation of the Local Roads and community infrastructure grants stage one for the following projects:

Project	Estimated Cost	Council Funding	Grant Funding
Dual use Discovery Trail to Lookout	\$100,000	\$50,000	\$50,000
Foreshore Limestone Wall	\$45,000	\$5,000	\$40,000
Oval Playground Softfall Replacement	\$20,000	\$0	\$20,000
Francis Street/Stella Rowley Drive Solar Lighting	\$160,000	\$40,000	\$120,000
Multi-purpose Courts Lights Upgrade	\$25,000	\$10,000	\$15,000
Foreshore Adventure Park Fence Replacement	\$15,000	\$5,000	\$10,000
Stables Refurbishment	\$50,000	\$5,938	\$44,062
Town Hall pathway repairs	\$40,000	\$5,000	\$35,000
Total	\$455,000	\$120,938	\$334,062

And

Approve the allocation of the Local Roads and Community Infrastructure grants stage two to the following projects and the 2020/2021 budget be amended to include the grant funding and council contributions.

Project	Estimated Cost	Council Funding	Grant Funding
Multipurpose courts resurface	\$70,000	\$0	\$70,000
Morgue Replacement	\$85,000	\$40,000	\$45,000
Little Lagoon upgrades gazebo signage	\$35,000	\$0	\$35,000
Gym Equipment Additions	\$15,000	\$0	\$15,000
Skate Park Upgrade to pump track	\$55,000	\$10,000	\$45,000
Adventure park Lighting repairs	\$15,000	\$2,609	\$12,391
Discovery Centre Door Replacement	\$12,500	\$0	\$12,500
Recreation Centre entry System Upgrade	\$12,500	\$0	\$12,500
Total	\$300,000	\$52,609	\$247,391

6/0 CARRIED BY ABSOLUTE MAJORITY

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

BACKGROUND

As part of the Federal Governments COVID-19 recovery plan an initial grant of \$334,062 was allocated to the Shire of Shark Bay in July 2020.

A second phase of the grant program was subsequently announced and a further grant of \$247,391 was allocated with the duration of the grant being from 01 December 2020 to 30 June 2022.

COMMENT

The council previously endorsed the first Local Roads and Community Infrastructure grant funding allocation of \$334,062 to the following projects:

Project	Estimated Cost	Council Funding	Grant Funding
Dual use Discovery Trail to Lookout	\$100,000	\$50,000	\$50,000
Foreshore Limestone Wall	\$45,000	\$5,000	\$40,000
Oval Playground Softfall Replacement	\$20,000	\$0	\$20,000
Francis Street/Stella Rowley Drive Solar Lighting	\$160,000	\$40,000	\$120,000
Multi-purpose Courts Lights Upgrade	\$25,000	\$10,000	\$15,000
Foreshore Adventure Park Fence Replacement	\$15,000	\$5,000	\$10,000
Stables Refurbishment	\$50,000	\$5,938	\$44,062
Town Hall pathway repairs	\$40,000	\$5,000	\$35,000
Total	\$455,000	\$120,938	\$334,062

A number of these projects have been initiated and firm quotes from local contractors have been received with orders to undertake the works being issued.

The only project that has not progressed at this point is the Town Hall pathway repairs which is waiting to outcome of a grant application for additional funding.

The second phase of the funding now needs to be allocated and it is suggested that the following projects be undertaken.

Project	Estimated Cost	Council Funding	Grant Funding
Multipurpose courts resurface	\$70,000	\$0	\$70,000
Morgue Replacement	\$85,000	\$40,000	\$45,000
Little Lagoon upgrades gazebo signage	\$35,000	\$0	\$35,000
Gym Equipment Additions	\$15,000	\$0	\$15,000
Skate Park Upgrade to pump track	\$55,000	\$10,000	\$45,000
Adventure park Lighting repairs	\$15,000	\$2,609	\$12,391
Discovery Centre Door Replacement	\$12,500	\$0	\$12,500
Recreation Centre entry System Upgrade	\$12,500	\$0	\$12,500
Total	\$300,000	\$52,609	\$247,391

The additional funding required can be drawn from the Recreation Reserve at the end of the financial year if required.

The costs are estimated only and may need variation once firm quotations are received, the Council contribution can also be varied as required.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

The activity timeframe on the second round of funding is to have projects completed by 31 December 2021, with other costs associated with the projects being required to be finalised by 30 June 2022.

The projects indicated will effectively enable the Council to bring forward maintenance programs from future years. This will have an ongoing positive affect on the Councils future budgets and allow the Council to manage its future maintenance programs far more efficiently.

LEGAL IMPLICATIONS

There are no Legal Implications associated with the item.

POLICY IMPLICATIONS

There are no policy implications with this item.

FINANCIAL IMPLICATIONS

The majority of funding is provided through the grant program with any additional funding required to be drawn from Reserve funds or from projected surplus.

STRATEGIC IMPLICATIONS

Environment Objective

Help protect our unique natural and built environment.

Outcome 4

A well-planned built environment and infrastructure supporting our community

Strategies

4.1 ongoing development, maintenance and upgrade of infrastructure

RISK MANAGEMENT

This is a low-risk item for Council.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

1 February 2021

24 FEBRUARY 2021

11.5 COMMUNITY ASSISTANCE GRANTS – SIGNIFICANT EVENT SPONSORSHIP FUNDING
GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Bellottie

Nature of Interest: Impartiality Interest as Member

Declaration of Interest: Cr Smith

Nature of Interest: Financial Interest as Business Agreement

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as input into the support letter for the grant

Cr Smith and Cr Bellottie left the Council chamber at 3.59 pm.

Officer Recommendation

1. Council approve the Malgana Aboriginal Corporation application for a Community Assistance Grant – Significant Event Sponsorship Funding for the value of \$5,000.00 to contribute to the Seagrass (Wirriya Jalyanu) Festival.

OR

2. Council does not approve the Malgana Aboriginal Corporation application for a Community Assistance Grant – Significant Event Sponsorship Funding to contribute to the Seagrass (Wirriya Jalyanu) Festival.

Or

3. Council approve the Malgana Aboriginal Corporation application for the a Community Assistance Grant - Significant Event Sponsorship Funding for the value of \$_____ to contribute to the Seagrass (Wirriya Jalyanu) Festival

Moved Cr Ridgley

Seconded Cr Cowell

Councillor Recommendation

Council approve the Malgana Aboriginal Corporation application for a Community Assistance Grant – Significant Event Sponsorship Funding for the value of \$5,000.00 to contribute to the Seagrass (Wirriya Jalyanu) Festival.

The vote was cast and resulted in a tied vote

2/2 TIED

The President exercised a casting vote and the item was recorded as 2/3 LOST

Moved Cr Stubberfield

Seconded Cr Fenny

Council Resolution

Council approve the Malgana Aboriginal Corporation application for the a Community Assistance Grant - Significant Event Sponsorship Funding for the value of \$2,000 to contribute to the Seagrass (Wirriya Jalyanu) Festival.

4/0 CARRIED

Cr Bellottie and Cr Smith returned to the Council Chamber at 4.09 pm

BACKGROUND

24 FEBRUARY 2021

The Significant Event Sponsorship Funding supports current major events and future innovative events, that attract additional funds into town and recognises the positive economic value that these events bring to the Shark Bay community. Applications for the Significant Event Sponsorship Funding is open for the duration of the financial year and funding is allocated at the Council's discretion.

The Seagrass (Wirriya Jalyanu) Festival celebrates the unique seagrass ecosystems that are crucial to Shark Bay marine life and stromatolite formations. The proposed festival event aims to bring the community together to learn about seagrasses in Shark Bay, and to focus on Malgana language and culture, showcasing the work of local indigenous rangers that have been working in partnership with seagrass scientists. The festival event will include entertainment with traditional performances and activity stalls.

At the December 2020 Ordinary Council Meeting, Council approved a fee waiver (value of \$799) for 2-day hire at the Denham Town Hall on 7 & 8 April 2021 for the Seagrass (Wirriya Jalyanu) Festival. The festival organisers are now requesting an additional \$5,000 cash contribution towards the cost of holding the festival.

COMMENT

The Seagrass (Wirriya Jalyanu) Festival will be the first of its kind in Denham and seeks to engage with the wider community of all ages. The festival is a collaborative event between the Malgana Aboriginal Corporation and University of WA. The festival team has already secured funding from the National Environmental Science Program and SciTech for the research component of the festival. The requested Shire funding will contribute to the educational and entertainment activities during the 2-day event.

The attached application form details that the Shire funding will be used to engage a local photographer, and for the running of various activities, such as dance, cooking, craft, face painting and demonstrations of turtle tagging. Funding received from other sources (SciTech and National Environmental Science program) will be used for festival coordination, exhibition related costs, prizes, hiring of equipment, accommodation, fuel and other ancillary costs.

In the 2020/2021 annual budget, \$20,000 was allocated for Significant Event Sponsorship funding. Two sporting clubs have been successful in receiving funding, Shark Bay Speedway Club (\$8,000) and Shark Bay Fishing Club (\$6,000). Included in the February budget review, remaining monies from the Community Assistance Grants Round 1 – Community Projects has been reallocated to the Significant Event Sponsorship funding budget, therefore the total amount remaining is \$14,839.17.

The Shire's Community Development Officer will continue to promote the Significant Event Sponsorship funding opportunity to the Shark Bay community.

APPLICATION

Group: **Malgana Aboriginal Corporation**

Amount requested: **\$5,000.00**

Project: **Seagrass (Wirriya Jalyanu) Festival**

Funding category: **Funding for a specific event**

Strategic Community Plan (category): **Social and Environment**

24 FEBRUARY 2021

The Seagrass (Wirriya Jalyanu) Festival provides the opportunity to promote culture and preserve local Malgana traditions. The festival is an inclusive and all-ages event and seeks to attract the wider community for educational and culture experience.

The Significant Event Sponsorship Funding will contribute to the following items:

- Event photographer
- Children activities
- Language workshop facilitator
- Cooking demonstration
- Painting supplies for activities
- Dance performers

The grant application includes:

- Letter of support from University of Western Australia, Professor Gary Kendrick
- Letter of support from University of Western Australia, Dr Jade Pervan
- Letter of support from Western Australian Marine Science Institution, Jenny Shaw
- Letter of support from Bush Heritage Australia, Elizabeth McLellan
- Letter of support from Department of Biodiversity, Conservation and Attractions, Alan Kendrick
- Letter of support from Shark Bay World Heritage Advisory Committee, Phil Scott
- Event program costings and project plan
- Certificate of registration has been included, as the corporation does not have a constitution.

Officer Recommendation:

It is recommended that Council approve \$5,000.00 to the Malgana Aboriginal Corporation to contribute to the Seagrass (Wirriya Jalyanu) Festival. In addition, the festival organisers will be required to prepare appropriate event risk management plans aligning with the Western Australia State Government COVID-19 health regulations at the time of the event.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

These recommendations comply with current Policies made by Council 2.2 Financial Assistance/Donations.

FINANCIAL IMPLICATIONS

If Malgana Aboriginal Corporation is successful in receiving \$5,000 funding, \$9,839.17 will remain in the Significant Event Sponsorship funding budget.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

The Malgana Aboriginal Corporation will be required to prepare appropriate event risk management plans aligning with the Western Australia State Government COVID-19 health regulations at the time of the event.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Executive Manager Community Development *D Wilkes*

Chief Executive Officer *P Anderson*

Date of Report 12 February 2021

24 FEBRUARY 2021



**Shire of Shark Bay
Community Assistance Grants**

APPLICATION FORM

Please complete and return the signed application form to The Shire of Shark Bay.
Late submissions will not be considered.

Applications to be addressed to: Chief Executive Officer
Shire of Shark Bay
PO Box 126
Denham WA 6537

Applications can be delivered: Shire of Shark Bay
65 Knight Terrace
Denham WA 6537

Or

Email: cdo@sharkbay.wa.gov.au

For further information, please contact the Community Development Officer on 9948 1218

Please ensure you have read The Shire of Shark Bay Community Assistance Grants – Guidelines before completing the application form to confirm your organisation's eligibility and funding round.

Organisation Name Malgana Aboriginal Corporation
Postal Address 5-B Second Avenue, Claremont, WA 6010
Contact Person Amrit Kendrick/ Pat Oakley
Position/Title Festival Coordinators
Telephone (Home) _____ (Mobile) 0400628830
E-mail amrit@westnet.com.au

FUNDING ROUND

Please indicate which funding round you are applying for:

- Round 1 - Community Projects
 Round 2 - Equipment and minor projects
 Significant Event Sponsorship Funding

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

ORGANISATION DETAILS

What is the purpose of the organisation?

The Wirriya Jalyanu Festival is providing a unique opportunity to support our community in understanding Malgana visions and aspirations for healthy country to revitalise, reclaim and maintain our traditional language and enhance the work that has already begun in this area over the past several years. Our Malgana language and culture is a unique component of Shark Bays heritage, and a fundamental

How many years has your organisation been in operation? 1 year*

How many members does your organisation have? 12

Association Constitution: To be eligible for this grant, all Clubs and Associations must provide the Shire with a current copy of their Constitution.

Copy enclosed

Copy previously provided

Which of the following best describes the organisation's legal status?

- | | YES | NO |
|------------------|-------------------------------------|--------------------------|
| • Incorporated | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • GST Registered | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Australian Business Number* (ABN): 144 9622 0959

Please note the Shire of Shark Bay requires applicants to have an ABN. Applicants who do not have one may be subjected to withholding tax of 48.5%. If you are unsure, please contact the Shire to discuss how to best proceed.

FUNDING DETAILS

Project title: Wirriya Jalyanu (Seagrass) Festival

Project description:

*UWA and Mac are working together under a National Environmental Science Program (NESP) grant for 2019-2021. This festival, jointly developed with Malgana Rangers, the Malgana Aboriginal Corporation and seagrass researchers from 2 universities, is bringing together science, the arts and the community to

Date(s) the project will take place: April 7 and 8, 2021 (rescheduled from Oct. 2020)

Location(s) where the project will take place: Denham Town Hall and in front of DBCA;

Total project funds requested (including GST if applicable) \$5000

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Has your organisation previously received funding from the Shire of Shark Bay?

YES NO

If Yes,

Previous funding amount received: \$ _____

Round / Year funding was received: _____

Funded project: _____

Has your organisation acquitted all previous Shire of Shark Bay funding?

YES NO

If No, please outline why?

Please Note: Your organisation is not eligible to receive new funding from the Shire of Shark Bay, until previous Shire of Shark Bay funding has been acquitted.

PROJECT DETAILS

What is the funding to be used for?

- Leveraging a grant from a State or Federal agency
- Purchasing goods and services (i.e. sporting equipment or materials and/or engaging a professional for the purpose of instruction)
- Infrastructure (i.e. significant construction or improvement of facilities). Please include Planning Approvals from the Shire
- Funding for a specific event or program
- Prize money.

Does the project meet the objectives of the Shire of Shark Bay Strategic Community Plan 2018-2028? Copy of the Plan can be found on the Shire's website.

- Economic A progressive, resilient and diverse economy
- Environment Help protect our unique natural and built environment
- Social A safe, welcoming and inclusive community

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Outline the project goals and how they will benefit Shark Bay.

Social:

- Helps build social capital.
- Promotes preservation of local Malgana traditions, customs and culture. (UNESCO now recognises intangible cultural heritage as being as important as buildings).
- Creates a market for Cultural experiences and traditional projects & provides the economic support for keeping these skills and traditions alive.
- Promotes positive behaviour.

Economic:

- Injects new money into the local economy and supports small businesses.
- ¥ Creates another avenue to link with local and regional events and attractions, thus helping diversify the local economy.
- Promotes the active preservation and protection of important local resources.
- Builds vital relationships among the scientific community and our local community.
- Helps encourage the development and maintenance of new/existing community

Tourism:

Environmental

- Helps encourage a culture of preservation and sustainability.
- Boosts awareness of the tourist site, attraction or the area's significance.
- Helps encourage local residents and visitors to be mindful about their impact on the local environment and provides and promotes the use of use of eco friendly alternatives.

Breaking Down Barriers.

Please list other organisations involved in this project

Name of Organisation	Project Involvement
MAC	Co-organising Festival
UWA	Co-organisers of Festival
Bush Heritage (Hamelin Station)	In-kind contribution

Please show evidence that your organisation has attempted to obtain or raise funds from alternative sources/activities (if applicable)

Agency Name	Funds Secured	Funds Raised	In-Kind Value
NESP	\$10,000		\$10,000
SciTech	\$2350		

MINUTES OF THE ORDINARY COUNCIL MEETING

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If your funding application involves purchasing equipment, can the equipment be used by other community groups in the future?

YES NO

If Yes, please provide details:

EQUIPMENT	COMMUNITY USE	PROPOSED LOCATION
<i>e.g. Portable Event Marque</i>	<i>√ Please tick for yes</i>	<i>e.g. Emergency Service Building</i>

If you are seeking the use of equipment for your community project and/or event, please contact the Shire's Community Development Officer to discuss equipment available for community use.

SIGNIFICANT EVENT - ONLY

If your project is a **Significant Event** will it attract additional visitors to town? If so, how many additional visitors are you planning for?

- 50-100
- 100-200
- 200-300
- Over 500

Will you be charging an entry fee to attend the event?

YES NO

If Yes, how much? NO

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

PROJECT BUDGET

Please provide a budget of how the funds are to be spent and where (if any) additional funds are coming from.

INCOME

FUNDING AGENCY	TOTAL CONTRIBUTION	CASH CONTRIBUTION	IN-KIND CONTRIBUTION (see below)
<i>Shire of Shark Bay</i>	\$ 5799	\$ 5000	799
<i>Your organisation name (insert below)</i>			
UWA-equal partner in NESP grant	\$ 10000	\$ 5000 (NESP)	\$5000
MAC-equal partner *in NESP grant	\$ 10000	\$ 5000 (NESP)	\$5000
Sci Tech	\$ 2350	\$ 2350	
Bush Heritage-accom and transport for performers	\$ 2200	\$	\$2200
TOTAL CASH INCOME	\$ 28,549	\$ 17350	10,000

In-Kind Value: Number of volunteers x hours worked directly on Project x \$25 per hour

EXPENDITURE

ITEM	COST	LOCAL SPEND	EXTERNAL SPEND
Photography	\$ 1900	\$ 1900	\$
Childrens Activities	\$ 620	\$ 620	\$
Cooking show	\$ 800	\$ 800	\$
Painting supplies	\$ 270	\$	\$ 270
	\$	\$	\$
Malgana Seagrass Language Workshop	\$ 790	\$ 790	\$
Dancers	\$ 620	\$ 620	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
TOTAL	5000	4730	270

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

PART 6 – ADDITIONAL INFORMATION

Please attach a copy of the following:

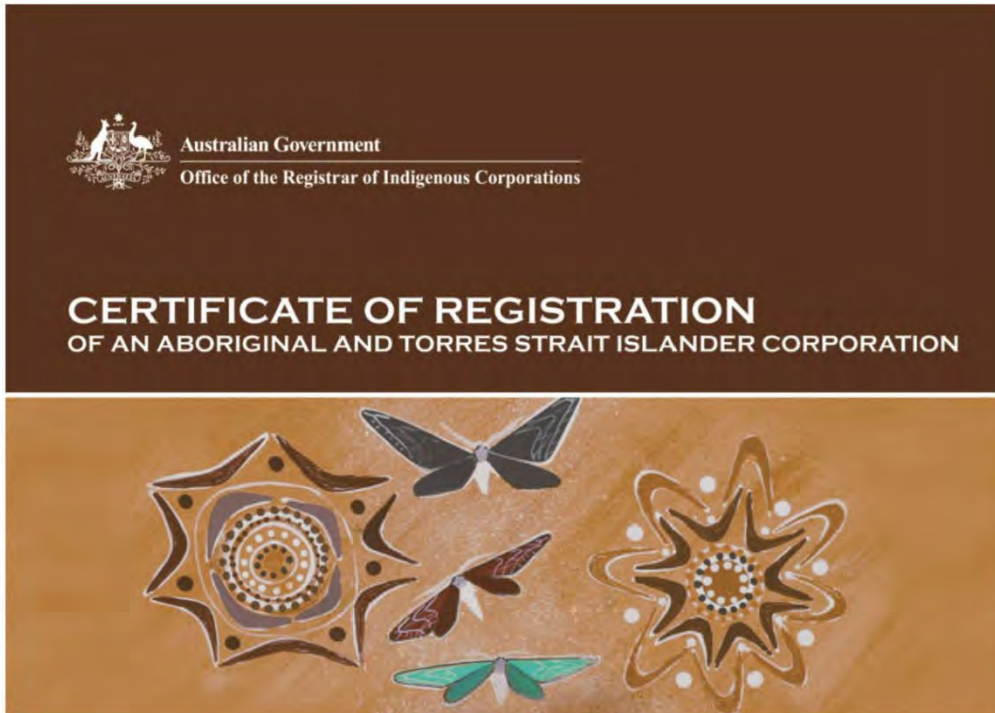
- Organisation's most recent Audited Financial Statement
- Quotations for expenditure items
- Letters of support (minimum of 2)

PART 7 – DECLARATION

I hereby certify that I am the authorised person to sign on behalf of the organisation and that the information is correct. I have read, understand and agree to abide by the conditions set out in the Shire of Shark Bay Community Assistance Grants guidelines.

NAME	Pat Oakley
SIGNATURE	
POSITION IN ORGANISATION	Festival Coordinator
DATE	3 February 2021

24 FEBRUARY 2021



This is to record that

MALGANA ABORIGINAL CORPORATION

registered on 05 November 2018
under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*
is now registered under the new name of

MALGANA ABORIGINAL CORPORATION RNTBC

INDIGENOUS CORPORATION NUMBER: 8935

A handwritten signature in black ink, appearing to read 'Andrew East'.

Andrew East
Delegate of the Registrar of Aboriginal and Torres Strait Islander Corporations
Dated 14 February 2019



Certificate issued under section 88-20(1).

CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER) ACT 2006

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

From: shauna.oakley@bigpond.com <shauna.oakley@bigpond.com>
Sent: Saturday, September 5, 2020 11:06 pm
To: 'Patricia Oakley'
Subject: Wirrya Jalyanu Festival,

Dear Organisers of the Wirrya Jalyanu Festival,

I am so pleased to be participating in the upcoming Festival in Denham on April 8th. I understand you are reimbursing me for a portion of my costs. I normally charge \$1650 for my photography services and would normally charge \$270 for travel, and approximately \$700 for Accommodation purposes at a Total cost of \$2,620. And for this event I am providing my services and you have agreed to pay me \$1900. I am delighted to be part of this and I appreciate receiving \$1900 to support me in my contribution to the worthwhile celebration of our seagrass ecosystems in Shark Bay.

Sincerely,

Shauna Oakley
Owner / Director / Award Winning Photographer
Shauna Oakley Photography
[Facebook.com/shaunaoakleyphotography](https://www.facebook.com/shaunaoakleyphotography)

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Subject: Wirriya Jalyanu Festival Committee-Tori Oakley invoice PO

Dear Organisers of the Wirriya Jalyanu Festival,

I am so pleased to be participating in the upcoming Festival in Denham on April 8th. I understand you are reimbursing me for a portion of my costs. I will be providing face painting and childrens' activities. The complete cost for my services for the day is \$620. This amount is inclusive of a contribution to travel and accommodation expenses, supplies and \$350 as per my standard charge for this service. I am delighted to be part of this and I appreciate receiving \$620.00 to support me in my contribution to the worthwhile celebration of our seagrass ecosystems in Shark Bay.

Sincerely,

Tori Oakley

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

**QUOTATION /
INVOICE**

Kym Oakley

DATE: 04.08.2020

49 Burrows Loop Midvale WA 6056
Mobile: 0439968820
Email: k_oakley70@hotmail.com

Attention:
Wirriya Jalyanu Festival

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
Kym Oakley	Artist and Malgana Speaker	Due on receipt or following the performance for corporate events.	ASAP

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1	Malgana language workshop at the Wirriya Jalyanu Festival. Provide illustrations and translate text to create a children's story book "Nayi nyinda nhanja?" (what can you see?). Teach and record the "Nayi Nyinda Nhanja?" text with community members.	1 x \$500	\$500
	Travel and accommodation	\$290	\$290
	Please note that this quote does not include the production and printing of the children's book.		
SUBTOTAL			\$790
SALES TAX			
TOTAL			\$790

BSB: 066-512 Account: 10168142 Account name: Kimberley Oakley

PLEASE MAKE ALL PAYMENTS/CHEQUES TO Kimberley Oakley

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

To
Wirrya Jalyanu Festival Committee

Busselton, 06/ 09 / 2020

Quote 02/20-21

Dear Organisers of the Wirrya Jalyanu Festival,

I am so pleased to be participating in the upcoming Festival in Denham on October 4th. I understand you are reimbursing me for a portion of my costs. I would normally charge \$1869.84 (excluding Accommodation). For this event I am providing my services and you have agreed to pay me \$620.00 I am delighted to be part of this and I appreciate receiving \$620.00 to support me in my contribution to the worthwhile celebration of our seagrass ecosystems in Shark Bay.

Janine Oxenham

20 Maryllia Road
Broadwater, WA 6280
Phone: 0458 242 337

neen_jj@yahoo.com.au

Mileage \$270.00

Workshop Facilitation \$350.00

Total amount payable \$620.00

Sincerely
Janine Oxenham



WIRRIYA JALYANU FESTIVAL
PROPOSAL/QUOTATION SEPTEMBER
2020

Wirriya Jayanu Festival

Proposed Activities

Participants will be involved in a range of practices that promote education about Aboriginal culture, in particular bush tucker. Participants will learn about bush foods, uses, traditional uses and knowledge of bush foods that have been used for thousands of years.

- History of damper (2 x 1hr sessions / 30 people per session)
 - Nutritional Bush Tucker (15 mins)

Participants will learn and experience aspects of traditional bush tucker and their nutritional benefits for better health. Participants will also be able to taste and try an extensive range of native ingredients.
 - 2 Deadly Chefs (45mins)

Interactive, hands-on cooking demonstrations utilising traditional bush tucker. Participants will also learn how to integrate traditional tucker into damper. A brief history of traditional damper making is also included.
- Master Deadly Chef (2hrs session) and assisting with evening meal.

Interactive, hands-on cooking demonstrations utilising traditional bush tucker. Participants will also learn how to integrate traditional tucker into modern cuisine. Understanding the co-existence of traditional and modern food systems is a way of continuing a connection to culture and encouraging good health and wellbeing.

Pricing

\$800 workshop inclusive of all food, Biodegradable cutlery and crockery
+\$270 travel and accommodation.
\$1070

*At the date of this proposal GST is not currently applicable.

Invoicing

24 FEBRUARY 2021

Our payment terms are 14 days, with thanks.

Further Information

Les & Chantelle Oakley
M 0407 084 304
E twodeadlyff@bigpond.com

24 FEBRUARY 2021

- [PAINTING SUPPLIES](#)
- [DRAWING](#)
- [SCULPTING & MODELLING](#)
- [CRAFT & SCRAPBOOKING](#)
- [FLUID ART](#)
- [PRINTMAKING](#)
- [SCREEN PRINTING](#)
- [KIDS](#)
- [BOOKS](#)
- [GIFT VOUCHERS](#)




Shopping Cart

[CHECKOUT NOW](#)

Item Description	
	Mont Marte Primed Cotton Canvas 380gsm 155cm Wide Sold Per Metre
	Mont Marte Kids - Poster Paint 500ml - Gold




MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

	Item Description
	Mont Marte Kids - Poster Paint 500ml - Yellow Green
	Winsor & Newton Cotman Watercolour Brush 111 Round
	Winsor & Newton Cotman Watercolour Brush 111 Round


MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Item Description	
	Winsor & Newton Cotman Watercolour Brush 111 Round
	Mont Marte Face n Body Paint 21g - Black
	*Mont Marte Face n Body Paint 21g - Neon Pink



MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Item Description	
 A retail blister pack for Mont Marte Face n Body Paint. The packaging is black and white with a blue accent. The product name 'face n body' is written in a stylized font, with 'PROFESSIONAL' and 'PAINT' below it. The net weight '21g' is in the top right corner. The paint itself is a vibrant blue. At the bottom, it says 'LONG-LASTING WATERSOLUBLE COSMETIC USE'.	Mont Marte Face n Body Paint 21g - Blue
 A retail blister pack for Mont Marte Face n Body Paint. The packaging is black and white with a green accent. The product name 'face n body' is written in a stylized font, with 'PROFESSIONAL' and 'PAINT' below it. The net weight '21g' is in the top right corner. The paint itself is a vibrant light green. At the bottom, it says 'LONG-LASTING WATERSOLUBLE COSMETIC USE'.	Mont Marte Face n Body Paint 21g - Light Green

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

	Item Description
 A 21g package of Mont Marte Face n Body Paint in Pearl Gold. The package is black and white with a clear window showing the gold paint. Text on the package includes 'mont marte', 'facebody PROFESSIONAL PAINT', 'LONG LASTING', and 'WATERSOLUBLE COSMETIC USE'.	Mont Marte Face n Body Paint 21g - Pearl Gold
 A 21g package of Mont Marte Face n Body Paint in Pearl Green. The package is black and white with a clear window showing the green paint. Text on the package includes 'mont marte', 'facebody PROFESSIONAL PAINT', 'LONG LASTING', and 'WATERSOLUBLE COSMETIC USE'.	Mont Marte Face n Body Paint 21g - Pearl Green

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

	Item Description
	Mont Marte Face n Body Brush Kit 3pc

[CONTINUE SHOPPING](#)
[UPDATE MY CHANGES](#)

Shipping Calculator

Enter your post code to calculate.

Australia New Zealand
Post Code
Discount Code

If you have a coupon or discount code enter it below

Coupon code

Sub Total	\$274.00
Enter post code to calculate shipping	
GST Inc.	\$24.91
Shopping Cart Total	\$274.00

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021



Professor Gary A Kendrick
Head of School of Biological Sciences
Biology without Borders

4th September, 2020

To the Shire of Shark Bay:

I am writing to express support for Wirriya Jalyanu Festival grant request. The Wirriya Jalyanu Festival will celebrate Shark Bay and its seagrasses and the joint effort of researchers and Malgana rangers to develop a capacity to restore lost seagrasses in Shark Bay. It will bring together the community in Denham to celebrate the unique seagrass ecosystem in Shark Bay.

In 2019 Malgana Rangers and University of Western Australia seagrass scientists began to collaborate to gain a greater local understanding of seagrasses and seagrass restoration. There was a huge loss of seagrasses (approx. 1,000km²) during and after an extreme marine heatwave on the WA coastline in 2011. Since 2011, UWA scientists have studied the natural recovery of seagrasses in Shark Bay and have noticed seagrass habitats were still being lost over large areas of Shark Bay. The Malgana rangers are engaged in land management activities around the terrestrial and marine environments of Shark Bay World Heritage Site. Together with UWA, they designed and have been implementing a seagrass restoration program to enhance recruitment of seagrasses and recovery of the ecosystem. This important partnership is and will be benefiting the region and the community in a myriad of ways. Fish, prawn and crab populations require abundant and healthy seagrass meadows. Sea turtles and dugongs depend direct on seagrass for their food. Tourism and fishing are both very important to the Shark Bay community and those animals are the foundation for those activities.

The Wirriya Jalyanu Festival will be an opportunity for local community to learn about the science of seagrass ecosystems and restoration. There will be childrens stories and artworks prepared in celebration of seagrass ecosystems. Malgana elders and community will be present, as will neighbouring organisations, including Bush Heritage and the Ocean Park Aquarium, presenting displays of their activities.

The University of Western Australia wholeheartedly supports this event and we are thrilled that we can make it happen in a year which has presented so many challenges. We hope you will be also supportive and fund the grant request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gary Kendrick'.

Professor Gary Kendrick

The University of Western Australia
M092, Perth WA 6009 Australia

T +61 8 6488 3998 M +61 448 793 090

E gary.kendrick@uwa.edu.au
CRICOS Provider Code 00126G

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Ms Cheryl Cowell
President
Shark Bay Shire

Dear Cheryl

I am writing in support of the project for the Wirriya Jalyanu Festival proposed for 8th April 2021.

The event is designed for the Shark Bay community to understand more about the work the Malgana rangers are carrying out with scientists to improve outcomes for the unique local seagrass ecosystem.

Malgana rangers are involved in management of land country and sea country and since August of 2019 have been working with seagrass researchers from the University of Western Australia to restore some areas of seagrass meadow. A huge die-off of seagrass occurred in 2011 and had a range of impacts on fisheries and other important local fauna. In an effort to help the seagrass meadows return to their former health and to be resilient in the face of future temperature events, the rangers are working with seagrass researchers to share their traditional knowledge and to teach others what they have discovered with genetics and ecological studies.

This Festival is an opportunity to bring Malgana language and the arts together with science to celebrate Wirriya jalyanu (seagrasses) and the rich ecosystem they are part of: turtles, dugong, mullet, red eyes, crabs, cockles and much more.

WAMSI has done considerable recent work in Shark Bay and would like to add our support to the Wirriya Jalyanu Festival and request for funds from the Shark Bay Shire Council.

Best regards

Jenny
7 February 2021

Jenny Shaw

Research Director

BSc (Hons), Dip Ed, PhD

Western Australian Marine Science Institution

+61 8 6488 4572 • +61 401 121 975 • jenny.shaw@wamsi.org.au



Better science
Better decisions

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021



Paul Anderson, CEO
Shire of Shark Bay
65 Knight Terrace
Denham WA6537

8 February 2021

Support for Wirriya Jalyanu Festival

Bush Heritage Australia supports the Wirriya Jalyanu Festival planned for April 7 & 8 2021 in Shark Bay.

The festival has been designed to educate and engage community to the importance of the endangered Seagrass ecosystem, an ecosystem which is critical to the health of the local environment and local business.

It provides an opportunity to show case research and restoration work which is bringing together Science & Traditional knowledge to improve the outcome for this unique ecosystem that is vital to the health of the environment and the local economy.

The festival provides an opportunity to bring Malgana language and arts together with science to display the interconnection and importance of Wirriya Jalyanu (Seagrass).

Bush Heritage Australia has been involved on the festival planning committee and will have a display highlighting science and restoration work that we are doing on Hamelin Station Reserve that directly supports the health of Shark Bay seagrass.

We look forward to supporting the festival by providing accommodation to festival performers, outdoor furniture and an educational display.

Yours sincerely

A handwritten signature in black ink, appearing to read "Elisabeth McLellan".

Elisabeth McLellan
Healthy Landscapes Manager, Western Rangelands
M: 0439 293 313

Bush Heritage Australia ABN 78 053 639 115

Level 1, 395 Collins Street Melbourne, VIC 3000 Australia | PO Box 329 Flinders Lane Melbourne, VIC 8009
T: (03) 8610 9100 T: 1300 628 873 (1300 NATURE) F: (03) 8610 9199 E: info@bushheritage.org.au W: www.bushheritage.org.au

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021



Department of **Biodiversity,
Conservation and Attractions**



*We're working for
Western Australia.*

Enquiries: Alan Kendrick
Phone: 08 9219 9793
Email: alan.kendrick@dbca.wa.gov.au

Cr Cheryl Cowell
Shire President
Shire of Shark Bay
65 Knight Terrace
Denham WA 6537

Dear Cr Cowell,

The Marine Science Program (MSP) of the Department of Biodiversity, Conservation and Attractions (DBCA) undertakes research and monitoring to support the management of WA's marine parks and reserves. A key aspect of the is role is the communication of marine science to managers, traditional owners and the broader community.

We offer support to the Wirriya Jalyanu (seagrass) Festival to be held in Denham on 8 April 2021. This event will provide a great opportunity to engage with the public to share the exciting work that Malgana rangers are undertaking with scientists to improve outcomes for Shark Bay's unique and World Heritage listed seagrass-dominated ecosystem.

We especially support the Festival concept of highlighting Malgana language and the arts together with science from The University of WA and DBCA on country to celebrate seagrasses and the rich ecosystem they support. As such, I look forward to MSP scientists participating in the festival.

Yours sincerely,

Alan Kendrick
Marine Science Program Leader

9 February 2021

Biodiversity and Conservation Science
Department of Biodiversity, Conservation and Attractions
Locked Bag 104, Bentley Delivery Centre WA 6983
Website: dbca.wa.gov.au/science

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Chief Executive Officer
Shire of Shark Bay
P O Box 126
DENHAM WA 6537

Dear Paul

Wirriya Jalyanu Festival – 7-8th April 2021

The Shark Bay World Heritage Area is renowned for being one of the world's most extensive and richest seagrass areas, with 12 species occurring here. These seagrass meadows are the foundation of the marine ecosystem in Shark Bay and provide food, shelter and nursery areas for many marine animals, including dugong.

The Wirriya Jalyanu Festival is designed to inform the general public of the work the Malgana rangers are carrying out, in conjunction with scientists, to improve outcomes for Shark Bay's unique local seagrass ecosystem.

Since August 2019, Malgana rangers have been involved in management of both land and sea country and have been working with seagrass researchers from the University of Western Australia to restore areas of the seagrass meadows. The significant 2011 die-off of seagrass had a range of impacts on fisheries and other important local marine fauna.

To assist the meadows to return to their former health and be more resilient to future high temperature events, rangers are working with seagrass researchers, sharing their traditional knowledge and learning from genetic and ecological studies.

In addition, this Festival is an opportunity to bring Malgana language, the arts, and science together, to celebrate Wirriya Jalyanu, (seagrasses) and the rich ecosystem that supports turtles, dugong, mullet, crabs, cockles and many more marine species.

The Shark Bay World Heritage Advisory Committee (SBWHAC) fully supports the forthcoming Wirriya Jalyanu (Seagrass) Festival to be held in Denham early April.

Yours sincerely

Phil Scott
CHAIR

9 February 2021

cc

Rachel Garcia, Natural Heritage, Heritage, Reef and Marine Section, DAWE, Canberra
DBCA, Midwest Region, Shark Bay District



Shark Bay World Heritage Advisory Committee

Please address all correspondence to:

The Chair
c/- Department of
Parks and Wildlife
Shark Bay District Office
Knight Terrace
Denham WA 6537

Phone: (08) 9948 2226

Fax: (08) 9948 2201

cheryl.cowell@dpaw.wa.gov.au
(Executive Officer)

www.sharkbay.org



MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021



7 February 2020

Malgana Aboriginal Corporation
C/O Denham Post Office
Denham, WA, 6537

Re: Support for Wirriya Jalyanu (Sea Grass) Festival

The Archaeology Department at UWA has been working with the people of Shark Bay since the 1980s to help record and understand the significance of the cultural landscape of Gathaagudu (Shark Bay). We have always advocated for the protection of cultural values and more generally the education of these values to the wider public. We particularly are supportive of on country events that showcases these values to the public.

The Archaeology Department at UWA believes that we are successful when we work in partnership with Aboriginal communities to promote and protect Aboriginal cultural values. The Malgana Aboriginal Corporation Board has invited us to be part of this festival and we strongly support this initiative.

We understand that the Wirriya Jalyanu (sea grass) Festival will promote both the natural and cultural values of Gathaagudu, while also supporting local and Indigenous businesses. In particular it will

- Feature the importance of the sea grass fields of Sark Bay Region in supporting health of the oceans
- Showcase marine biodiversity research of the area
- Integrate cultural understandings of the area
- Showcase both science and arts performances
- Enables intergenerational and cross community shared understandings of the area
- Facilitates Elders, locals, researchers and public on country to share their stories
- Provide a cultural activities and events that are open to the public
- Provide education to the public of natural and cultural values of the area.

We are particularly supportive of the component of this festival that allows for the cultural understanding of the sea grass fields and the sea itself to be incorporated into the scientific values of the area. The understanding of the importance of the Malgana Dreamtime knowledge of the Wirriya Jalyanu (sea grass) and the animals its supports (in particular Wuthuga (Dugong) and Buyungurra (turtles)) to the Shark Bay World Heritage area is critical for long term protection.

Myself, as a UWA researcher will provide in kind contribution to the festival by providing archaeological and ethnographical expertise, as well as undertaking educational activities with the public that promote both the natural and cultural values of the area.

Thank you for taking the time to read this letter and please feel free to contact myself on 0428968424 for any queries.

Kind regards,

A handwritten signature in black ink, appearing to read 'Jade Pervan'.

Dr Jade Pervan

Honorary Research Fellow
School of Social and Cultural Studies
The University of Western Australia, WA, 6009
Email - jade.pervan@uwa.edu.au
Phone - 0428968424

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

2021 Wirriya Jalyanu Festival ~ Denham, Shark Bay

INCOME

NESP		\$10,000	
Shire of Shark Bay		\$5,000	
Scitech		\$2,350	
TOTAL CASH INCOME		\$17,350	

EXPENSES by Activity

Coordination			
UWA Festival Coordination		\$7,700	
Marketing			
Posters-printing		\$1,000	
Various			
Prizes for childrens writing and painting contests	\$300		
Mounting and display of childrens' work	\$400		
Hire of 11 trestle tables and 2 gazebos	\$500		
Banner-materials and artwork	\$500		
Hire of sound system	\$500		
Printing of activities to do at stalls	\$300		
Easels to exhibit artworks at stall	\$800	\$3,300.00	\$12,000
Public Activity - Science Talks Friday 2 October			
Accommodation/fuel costs (Perth-Denham) for speakers @\$300pp		\$1,200	
Marketing/Promotion – newspaper/CRC advertisement in local paper/posters in shop windows/social media		\$350	
Licence fee for use of Artworks		\$200	
Gift Payment for Welcome to Country		\$300	
Live streaming talks		\$250	
COVID19 care/sanitising		\$50	\$2,350
Photography			
Digital. Portrait Photos of Elders in Shark Bay		\$1,900	
Public Activity - Aboriginal Women in Science: Malgana Women turtle monitoring on Dirk Hartog			
Public Activity - Bush Tucker Demos (samples to be handed out)			
Performance fees x 2. Cooking Workshop	1,070		
		2970	
Malgana Language Workshops			
Public Activity - Welcome to Country		\$790	
Public Activity - Scavenger Hunt			
Public Activity - Live Performances: Dance, Music and Visual Art			
Performance Fees –Dance workshop	620		
Public Activity - Face Painting and Seagrass Crafts			
Public Activity - Crafts and Facepainting	620	5,000	
Public Activity - Beach walk to talk about local seagrass			
Public Activity - Boat at the jetty where people can ask questions of the crew			\$7,970

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

TOTAL CASH EXPENSES	5000	<u>\$17,350</u>
IN-KIND SUPPORT		
Venue hire	\$786	
Shire of Shark Bay - Town Hall		
Public Liability Insurance	Undisclosed	
University of Western Australia		
Business Donations	\$130	
Artworks - Aprons		\$xx
Other business names listed here...		<u>\$xx</u>
TOTAL VALUE IN-KIND SUPPORT		
VOLUNTEER SUPPORT		
Coordinators - Bianca McNeair, Jade Pervan, Pat Oakley, Sabrina Dowling Giudici	\$1,600	
COVID19 Hygiene Roster (1 FTE)	\$200	
Crew (Bump in/out)	\$400	
CRC	\$100	
Public Activity - Aboriginal Women in Science: Malgana Women turtle monitoring on DH	\$200	
Public Activity - Face Painting and Seagrass Crafts	\$200	
Public Activity - Scavenger Hunt	\$200	
Public Activity - Live Performances: Dance, Music and Visual Art	\$200	
Public Activity - Beach walk to talk about local seagrass	\$200	
Public Activity - Boat at the jetty where people can ask questions of the crew	\$200	\$3,500
TOTAL VALUE VOLUNTEER SUPPORT		<u>\$3,500</u>

24 FEBRUARY 2021

12. TOWN PLANNING REPORT

12.1 GENERAL REPORT ON ACCOMMODATION IN DENHAM TOWNSITE LP00018

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Officer Recommendation

That Council:

- A. Support OR not support the promotion of existing opportunities for *new or good quality* ancillary dwellings on existing residential lots as permissible under the Residential Design Codes to encourage local development to assist with *long term rental* accommodation shortages in Denham.
- B. Note that Amendments to the existing Residential Design Codes which operate as State Planning Policy 7.3 are proposed to be gazetted on the 2 July 2021.
- C. Note that any promotional material prepared by the Shire would need to reviewed after July 2021 once the R Code amendment is gazetted.
- D. Note that changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* will commence on 15 February 2021.
- E. Support active education and increased awareness to the general public on the Shires Scheme and Policy requirements applicable to Holiday Houses being pursued by Shire Administration in the latter part of 2021.
- F. Note that all forms of accommodation including an ancillary dwelling requires a separate Building Permit, and any second hand dwelling or repurposed dwelling would require planning approval from the Shire.

Moved Cr Fenny
Seconded Cr Stubberfield

Council Resolution

That Council:

- A. Support the promotion of existing opportunities for *new or good quality* ancillary dwellings on existing residential lots as permissible under the Residential Design Codes to encourage local development to assist with *long term rental* accommodation shortages in Denham.**
- B. Note that Amendments to the existing Residential Design Codes which operate as State Planning Policy 7.3 are proposed to be gazetted on the 2 July 2021.**
- C. Note that any promotional material prepared by the Shire would need to reviewed after July 2021 once the R Code amendment is gazetted.**
- D. Note that changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* will commence on 15 February 2021.**

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- E. **Support active education and increased awareness to the general public on the Shires Scheme and Policy requirements applicable to Holiday Houses being pursued by Shire Administration in the latter part of 2021.**
- F. **Note that all forms of accommodation including an ancillary dwelling requires a separate Building Permit, and any second hand dwelling or repurposed dwelling would require planning approval from the Shire.**

6/ CARRIED

BACKGROUND

The Shire Chief Executive Officer has advised that there is evidence of a shortage of long term rental houses in Denham which is limiting opportunities to attract available workforce into town.

Evidence has been in the form of comments on social media, informal feedback from local businesses, and the Shire has also experienced issues with attracting employees due to a lack of available staff accommodation.

COMMENT

Some concern has been raised about a perceived lack of long term rental accommodation available that is needed to attract workers into town to service the Shire, tourist and other local businesses.

This report provides a general overview and is intended to generate Council discussion. It discusses a range of accommodation types relevant to this issue as follows:

- **Ancillary Accommodation**

Under the Residential Design Codes, residential lot owners can apply for an ‘ancillary dwelling’ if the lot already contains a single house. An ancillary dwelling has to meet criteria such as the lot being more than 450m², the ancillary dwelling having a maximum plot ratio area of 70m², and additional car parking be provided – refer Attachment 1 at the end of this report.

Under the Shire of Shark Bay Local Planning Scheme No 4 an ancillary dwelling is permitted in the Residential zone.

Historically ancillary dwellings were more commonly referred to as ‘granny flats’, and were restricted to use by a person who was related to the family that occupied the main dwelling.

Changes to the Residential Design Codes, which operate as a State Planning Policy, have taken away any restrictions over who can live in an ancillary dwelling. The changes have been effective since at least 2018, when the Residential Design Codes were last reviewed.

The Western Australian Planning Commission Explanatory Guidelines for the Residential Design Codes explains that:

- a. The R Codes (now) provide for ancillary dwellings to encourage diversity in accommodation types, and to provide a means for residents to live in proximity but with autonomy.

24 FEBRUARY 2021

- b. Ancillary accommodation is an independent dwelling, which may or may not be physically attached, on the same lot (with a minimum lot size of 450m²) as a single house. Such dwellings would include, for example, 'Fonzie Flats' (studios located above garages); separate rear studios; and self contained quarters within a single house; for example, a second storey or separate ground floor wing that may have a shared lobby/entry or separate external access.
- c. There is no longer a restriction regarding occupancy of ancillary dwellings by family members of the primary dwelling. While an ancillary dwelling is a self-contained dwelling, the extent of facilities provided would be at the discretion of the landowner. It is generally accepted that a separate kitchen and bathroom would be provided. The provision of a laundry would not be essential from a planning point of view. Meeting Building Code of Australia requirements may, however, require the provision of laundry facilities.
- d. Services also may be shared; the rental of an ancillary accommodation would function in a similar manner as a boarder.

The Shire Chief Executive Officer would like to bring this to the attention of Councillors to ascertain whether there is interest in promoting ancillary dwelling development opportunities as available under the Residential Design Codes, to owners in Denham.

Promotion of ancillary dwellings (or any other form of accommodation) may be in any form preferred by Council including and not to limited consideration of;

1. A Media Statement;
2. Articles in the local newsletter;
3. Information on the Shire website;
4. Development of Information Sheets to assist and guide landowners;
5. Waiving any planning application fee or charging a reduced fee;
6. Granting delegated authority to the Chief Executive Officer to determine planning applications for ancillary dwellings to expedite the planning process (where an application has been advertised and there are no objections).

It should be noted that planning approval is not required for any ancillary dwelling on the same lot as a single house if it complies with the 'deemed to comply' requirements of the Residential Design Codes (unless it is a second hand or repurposed dwelling). A separate Building Permit would be still be required.

Ancillary dwellings are not for short term accommodation, and may be subject to Tenancy Act requirements as explained in the 'statutory' section of this report.

- ***Holiday Houses***

It is generally well known that a number of dwellings in Denham townsite are available for short term accommodation for tourists and visitors.

Many owners earn an income when they are not using a dwelling, whilst also having access to utilise premises for their own holidays without being hindered by any long term rental use.

The Shire Council has addressed some of the issues through development of a Local Planning Policy on Holiday Houses, however a number of premises continue to operate without approval and are not registered with the Shire.

24 FEBRUARY 2021

It is recommended that the Shire pursue an advertising and education strategy to encourage landowners to obtain the necessary approvals for holiday accommodation in the second part of 2021. Education can be achieved through articles in the local newsletter, information on the Shire website, media promotion of the Local Planning Policy and writing to any known operators individually.

- **Grouped Dwellings**

Grouped dwellings are more than one dwelling on a green title lot, or can include dwellings on strata lots where there is common property.

There are opportunities for some grouped dwelling developments in the sewerred areas of Denham as:

- a. Most of the residential sewerred areas (closer to the ocean side) have a medium density code of R30, which allows for a minimum site area per dwelling of 260m² and an average site area per dwelling of 300m².
- b. Some residential lots south of Hughes Street in the western part of town have a density code of R50, which allows for a minimum site area per dwelling of 160m² and an average site area per dwelling of 180m².
- c. The Shires Local Planning Scheme also allows a higher density of R40 to be applied to grouped dwellings on corner lots that have two constructed road frontages and sewer, as long as any dwelling being retained is of a good quality. The R40 density code allows for a minimum site area per dwelling of 180m² and an average site area per dwelling of 220m².

The larger lot sizes in Denham provide some opportunities for grouped dwellings.

- **Workforce Accommodation**

Council has discretion to consider applications for workforce accommodation in the Residential zone or as an 'I' (incidental) use in the Commercial, Tourism, General industry and Tourism zone under 'Table 1 – Zoning Table' of the Shire of Shark Bay Local Planning Scheme No 4.

An Incidental Use means that the use is permitted if it is incidental, ancillary or subordinate to the predominate use of the land and it complies with all relevant development standards or requirements of the Scheme.

There is also discretion for Council to consider workforce accommodation in many of the tourist sites zoned Special Use such as at Monkey Mia, Nanga, the Overlander, Billabong, and Ocean Park. Closer to town there is discretion to consider applications for Workforce Accommodation on sites such as at Lot 90 Monkey Mia Road and Lot 142 Oakley Ridge in Denham. In come cases a Local Development Plan and Bushfire Management Plan may be required.

The Workforce Accommodation definition is more orientated towards a transient workforce and is defined as means premises, which may include modular or relocatable buildings, used —

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

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- **Building Permit**

Irrespective of whether planning approval is required for development, a separate Building Permit is required for any proposed dwelling or accommodation.

- **Compliance**

It is known that a number of owners operate holiday houses without approval from the Shire. In the longer term, the Shire may need to consider regulating compliance.

It is important to note that any approved ancillary dwelling would be for long term rental use. If an owner illegally rented out ancillary accommodation for short term use then they would be in breach of any planning approval issued (if one exists) and / or the Shire of Shark Bay Local Planning Scheme No 4. The use of these forms of accommodation may need to be policed and require increased compliance resources.

The Shire may consider prosecution for any proven breach of an approval or the Scheme.

- **Conclusion**

Due to the large lot sizes throughout Denham, the existing Scheme and densities provide for a range of development opportunities. The Shire may wish to increase public awareness of development potential of existing lots that are already available under the Scheme and the Residential Design Codes, such as an ancillary dwelling.

As discussed in this report, the Shire may also seek to expedite the planning process for certain types of applications through increased delegation.

The purpose of this report is to gain the perspective of Councillors and to give Council a chance to discuss options to provide Shire Officers with any preferred direction.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 61 of the ‘deemed provisions’ outlines ‘development for which development approval not required’ and Clause 61(1)(d) provides an exemption from the need for planning approval for the erection of an ancillary dwelling on the same lot as a single house if the R Codes apply to the development and the development complies with the ‘deemed to comply’ requirements of the R Codes.

Changes to the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) will commence on 15 February 2021.
--

Shire of Shark Bay Local Planning Scheme No 4 –

Explained in the body of this report.

Residential Tenancy Act 1987 – The Department of Mines, Industry Regulation and Safety has information on their website about renting an ancillary dwelling. It explains

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that “in Western Australia, a person renting a granny flat could be a tenant under the Residential Tenancies Act 1987 or lodger which means common law will apply.”

POLICY IMPLICATIONS

There are no Local Planning Policy implications for residential development as that is controlled by State Planning 7.3 being the Residential Design Codes.

It is important to note that the Residential Design Codes change from time to time. Changes to the Residential Design Codes are proposed to be gazetted on the 2 July 2021.

One of the proposed changes is to replace Clause 5.5.1-C1 with the following:

“C1 Ancillary dwelling associated with a single house and on the same lot where:

- i. the lot is not less than 350m² in area;*
- ii. there is a maximum plot ratio area of 70m² ;*
- iii. parking is provided in accordance with clause 5.3.3 C3.1;*
- iv. ancillary dwelling is located behind the street setback line;*
- v. ancillary dwelling is designed to be compatible with the colour, roof pitch and materials of the single house on the same lot;*
- vi. ancillary dwelling does not preclude the single house from meeting the required minimum open space and outdoor living area; and*
- vii. ancillary dwelling complies with all other R-Code provisions, only as they apply to single houses, with the exception of clauses:*
 - (a) 5.1.1 Site area;*
 - (b) 5.2.3 Street surveillance (except where located on a lot with secondary street or right-of-way access); and*
 - (c) 5.3.1 Outdoor living areas.”*

There are changes proposed to the alternative Design Criteria to make reference to ancillary dwellings being small scale, and positively contributing to streetscapes or amenity.

The above changes were part of an interim review. A more comprehensive review of the Residential Design Codes is being undertaken as part of a separate Design WA Medium Density Codes.

The Residential Design Codes are not a static document and undergo amendments and review at a state planning level from time to time.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

MINUTES OF THE ORDINARY COUNCIL MEETING

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Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

11 February 2021

R-Codes

State Planning Policy 7.3 Residential Design Codes Volume 1

Return to contents page

Part 5 – Design elements for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40

- 5.1 Context
- 5.2 Streetscape
- 5.3 Site planning and design
- 5.4 Building design
- 5.5 Special purpose dwellings

Part 5 – Design elements for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40

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5.5 Special purpose dwellings

Objectives

- (a) To ensure residential **development** is provided to accommodate people with or without special needs.
- (b) To provide ancillary accommodation which is independent or semi-independent to residents of the **single house**.
- (c) To ensure that **dwellings** for the aged and people with special needs can be provided within residential areas.
- (d) To provide opportunities for affordable housing.

Design principles	Deemed-to-comply
<p><i>Development demonstrates compliance with the following design principles (P)</i></p> <p>5.5.1 Ancillary dwellings</p> <p>P1 Ancillary dwelling for people who live either independently or semi-dependently to the residents of the single house, sharing some site facilities and services and without compromising the amenity of surrounding properties.</p>	<p><i>Development satisfies the following deemed-to-comply requirements (C)</i></p> <p>C1 Ancillary dwelling associated with a single house and on the same lot where:</p> <ul style="list-style-type: none"> i. the lot is not less than 450m² in area; ii. there is a maximum plot ratio area of 70m²; iii. parking provided in accordance with clause 5.3.3 C3.1; and iv. complies with all other R-Code provisions, only as they apply to single houses, with the exception of clauses: <ul style="list-style-type: none"> (a) 5.1.1 Site area; (b) 5.2.3 Street surveillance (except where located on a lot with secondary street or right-of-way access); and (c) 5.3.1 Outdoor living areas.

5.5 Special purpose dwellings

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12.2 PROPOSED REPURPOSED DWELLING – LOT 141 (2) ADAMS COVE, DENHAM P4269

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Smith

Nature of Interest: Proximity Interest as Own Adjacent Property

Cr Smith left the Council Chamber at 4.16 pm

Moved Cr Ridgley
Seconded Cr Cowell

Council Resolution

That Council:

1. **Note that the proposal for a repurposed dwelling on Lot 141 (2) Adams Cove, Denham has been advertised for public comment and no objections have been received.**
2. **Approve the Planning Application for a repurposed dwelling on Lot 141 (2) Adams Cove, Denham subject to the following conditions and footnotes:**
 - (i) **Prior to the issue of a Building Permit, the site plan shall be modified so that the driveway width does not exceed 6 metres at the Adams Street lot boundary and the crossover width is reduced to a maximum of 6 metres.**
 - (ii) **The plans lodged with this application shall form part of this planning approval, except to comply with Condition (i) above. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.**
 - (iii) **The owner to install and construct a new crossover within 12 months from the issue of a Building Permit or an alternative time period approved separately by the Shire Chief Executive Officer in writing. The crossover shall be constructed out of:**
 - a. **A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or**
 - b. **A minimum of 100 mm reinforced concrete over a compacted sub-base; or**
 - c. **A minimum of 50 mm thick brick pavers.**
 - (iv) **A trafficable driveway shall be installed on site within 12 months of the issue of a Building Permit or alternative time period agreed to in writing by the Chief Executive Officer.**

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- (v) The driveway shall be constructed and maintained to a trafficable standard to the satisfaction of the Chief Executive Officer.
- (vi) All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.
- (vii) The sea containers that form part of the proposed house construction shall be externally clad in accordance with the plans submitted and approved as part of this application. All external cladding shall be installed within 12 months of the issue of a Building Permit, or an alternative timeframe approved separately in writing by the Chief Executive Officer.
- (viii) If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes:

- (a) This repurposed dwelling has not been approved for short stay holiday accommodation. Specific approval by the Shire Council is required for any proposed holiday house (for short stay rental).
- (b) The owner is advised to lodge a separate application to the Shire for permission to install a new crossover to Oakley Ridge. A crossover application and reimbursement pack is available on the Shire's website.

Once a crossover is constructed to the Shire's requirements, an application can be lodged seeking a contribution from the Shire towards a portion of the construction cost.

5/0 CARRIED

Cr Smith returned to the Council Chamber at 4.18 pm.

BACKGROUND

- **Zoning**

The lot is zoned 'Residential' with a density code of R12.5 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme').

The lot has an approximate area of 682m², is vacant and is located on the corner of Adams Cove and Oakley Ridge in Denham – refer aerial over page.



Location Plan

COMMENT

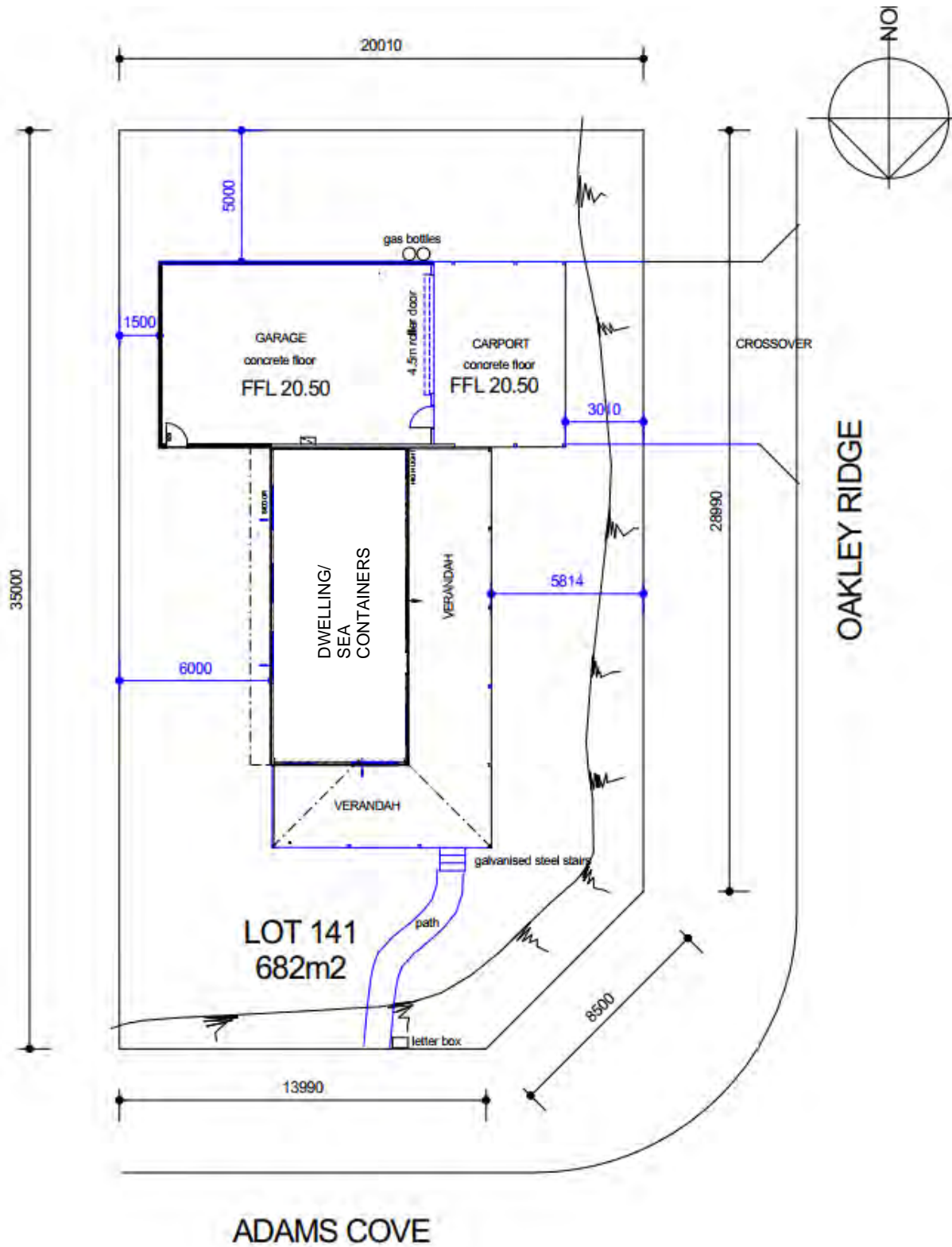
• ***Description of Proposed Development***

The application proposes a dwelling that will be constructed using two sea containers as part of the internal structure.

The sea containers will be externally clad with Compressed Fibre Cement panels, there will be a new pitched roof over, new front and side verandah and a new zincume clad garage and a carport.

No portion of the sea containers will be visible on the outside. Plans are included in the body of this report for convenience.

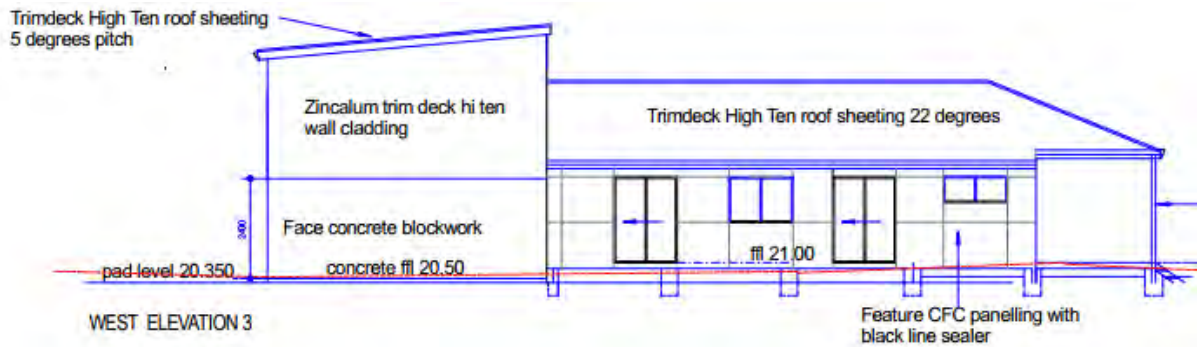
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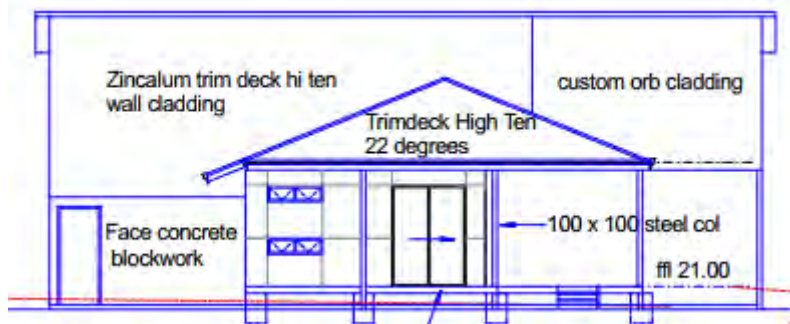
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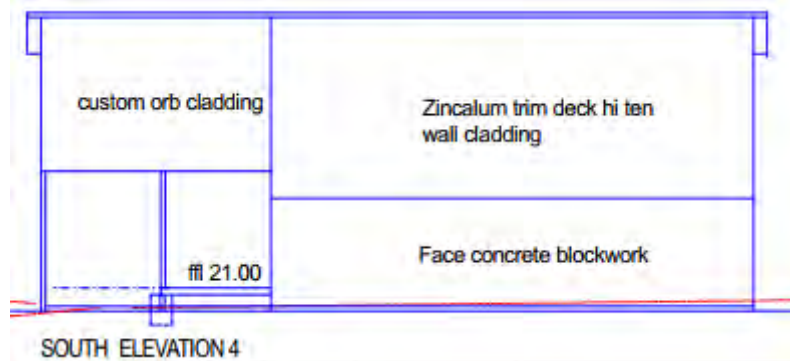
Above: Elevation fronting Oakley Ridge



Above: West / Rear Elevation



Above: Front North Elevation facing Adams Cove



Above: South / Side Elevation (carport and garage)

- **Repurposed Dwelling**

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The proposed dwelling requires planning approval because the owner seeks use of two sea containers to form the base of the main dwelling structure.

The building is construed as a 'repurposed dwelling' under the Shire of Shark Bay Local Planning Scheme No 4 which is defined as '*means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling.*'

A repurposed dwelling is listed as an 'A' use in the Residential zone under 'Table 1: Zoning Table' of the Scheme which '*means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions.*'

- **Residential Design Codes – Single House**

The Residential Design Codes ('the Codes') have two separate options for the assessment of development including 'Deemed to Comply' criteria and 'Design Principles'.

Under the Residential Design Codes there are specific 'Deemed to Comply' requirements for single dwellings. The main requirements are explained in this report.

- **Building Setbacks**

The proposed dwelling complies with the requirements of the Codes, with the exception that a 5 metre rear (south) setback is proposed in lieu of 6 metres.

Building setbacks are calculated using Table 2a and 2b in the Codes and are based on the street frontage, wall height, wall length and whether the wall has major openings.

Setback	Permitted	Compliance
Front (Adams Cove) (Main entry and front door into house)	7.5m average	Complies.
Secondary Street Oakley Ridge	2 metres	Complies. 5.8m to verandah and 3.0m to carport
East side (garage) – Articulated wall with more than 3m difference so wall setback measured separately from main house wall.	1.2 metres	Complies.
East side (house) – Articulated wall with more than 3m difference so side wall setback measured separately from the side garage wall.	1.5 metres	Complies.
Rear (south)	6 metres average	Variation. 5 metre setback proposed.

Council has discretion to support a rear setback variation (from 6 metres to 5 metres) in accordance with an alternative Design Principle under the Codes which discusses

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making effective use of space for the occupants, where there is no adverse impact on the amenity of the adjoining property, ensures direct sunlight to major openings to habitable rooms or outdoor areas of adjacent properties is not restricted, and positively contributes to the prevailing or future development context and streetscape.

The proposed setback variation is generally supported at an officer level.

- **Site Open Space**

Site open space can include eaves overhang, as well as verandahs and patios not more than 0.5 metres above natural ground level that are unenclosed on at least two sides.

The proposal complies with the required site open space as follows;

			Permitted	Proposed
Min site	Total	%	50%	71%

- **Crossovers and Parking**

The Residential Design Codes requires two car parking bays to be provided on site for the proposed two bedroom dwelling. The site plan shows a crossover and double carport.

Clause C5.2 of the Residential Design Codes requires driveways to have a maximum width of 6 metres at the street boundary. The proposed driveway to Adams Cove is 7 metres therefore a condition is recommended to reduce the driveway and crossover width at the front lot boundary. The modification is minor and can be readily accommodated.

- **Building Height**

The Residential Design Codes contains Table 3 which outlines maximum building heights for dwellings. Table 3 allows for walls up to 6 metres (with a roof above). The proposal complies as the highest wall height is proposed for the garage ranging between 5.5 to 6 metres high.

- **Public Consultation**

The application was advertised to nearby and adjacent landowners. Advertising closed on the 12 February 2021.

The owner of adjacent 103 Shark Bay Road (which is the large undeveloped land parcel to the immediate east of Lot 141) made enquiries about the proposal, however advised by email that he has no objections as the sea containers were proposed to be clad.

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- ***Bushfire Prone Area***

Lot 141 is within a declared bushfire prone area. Under the Western Australian Planning Commission State Planning Policy 3.7, a Bushfire Attack Level assessment does not need to be lodged with planning applications for dwellings proposed on lots less than 1100m².

A Bushfire Attack Level assessment may still be required at the separate Building Permit application stage. Town Planning Innovations is of the understanding that the owner has obtained Bushfire Attack Level advice from a fire consultant which has influenced the house location. Any Bushfire Attack Level requirements will be assessed as part of the Building Permit process.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 -

Clause 61 lists 'development for which development approval is not required' and includes the erection of a single house that complies with the Residential Design Codes (unless located in a heritage place).

Shire of Shark Bay Local Planning Scheme No 4 – Partially explained in the body of this report.

Clause 32.9.1 of the Scheme applies to repurposed dwellings and states as follows:

'In determining an application for a Repurposed Dwelling or Second Hand Dwelling, the local government will have regard to the following matters:

- (a) The objectives of the relevant zone;
- (b) The ability of the built form including roof pitch, eaves, colours, material and architectural details to complement the expected character of the locality;
- (c) The potential for negative visual impact or conflict with any established streetscape and character of the locality;
- (d) Any proposed upgrading, alterations and additions which will enhance the elevations and architectural detail of proposed development;
- (e) Potential glare from reflective materials;
- (f) The potential for existing or proposed landscaping and vegetation to mitigate visual impacts of the development;
- (g) Landscape protection and landscape characteristics of the locality. '

POLICY IMPLICATIONS

There are no Policy implications associated directly with this report.

The Shire has a Local Planning Policy on Holiday Houses which applies when dwellings are proposed for short stay rentals. A footnote reference to holiday houses is recommended on any approval to:

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- (a) Ensure that it is clear that the dwelling has not been approved for short term holiday rental use, and
- (b) As part of the process to educate owners about holiday house controls and the need for separate approvals.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

11 February 2021

24 FEBRUARY 2021

12.3 REQUEST TO LEASE PEDESTRIAN ACCESS WAY IN FRY COURT
P4254 / P1432 / P1433

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Fenny

Nature of Interest: Proximity Interest as family own property adjacent

Cr Fenny left the Council Chamber at 4.18 pm.

Moved Cr Cowell
Seconded Cr Ridgely

Council Resolution

That Council:

1. **Note that the owners of Lot 214 Fry Court have lodged a request seeking to lease a portion of an adjacent Pedestrian Access Way.**
2. **Note that no consultation with other affected landowners has been conducted at this early stage.**
3. **Authorise the Chief Executive Officer to advise the owners of Lot 214 Fry Court that:**
 - a) **The existing Pedestrian Access Way, by virtue of it's title, was created for pedestrian access and not for vehicular access.**
 - b) **The Pedestrian Access Way is crown land over which the Shire has no power to consider any lease. The Department of Planning, Lands and Heritage controls leasing of crown land.**
 - c) **The Shire has already identified that the Pedestrian Access Way should be retained as it will provide a future strategic link to land to the north which has development potential.**
 - d) **The issues with lack of rear access is not a result of a situation caused by the Shire, and is due to how the lot has been privately developed.**
 - e) **The use of any dwelling for short stay rental accommodation requires Shire approval. The Shire has no record of such approvals for this address.**

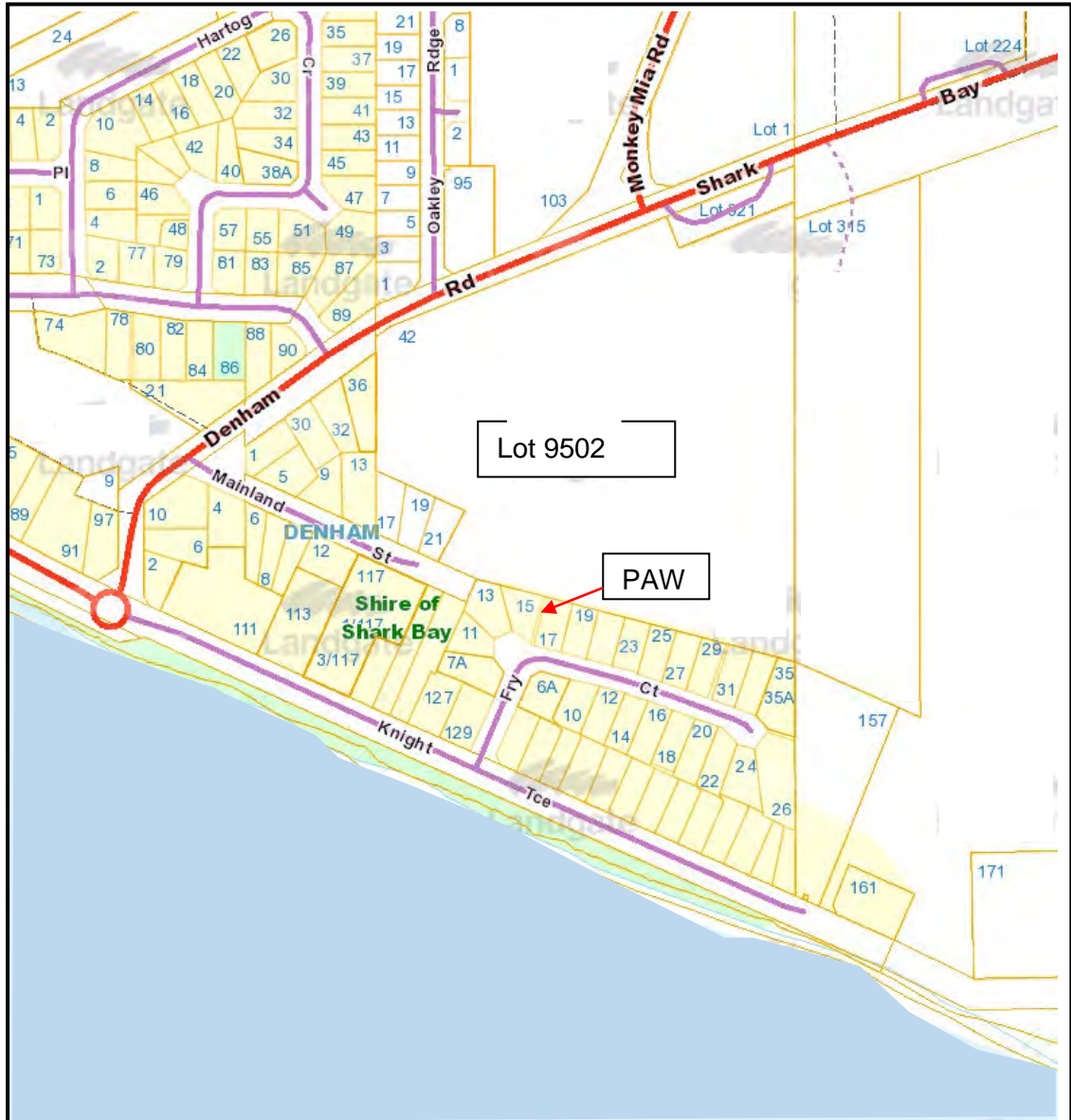
5/0 CARRIED

BACKGROUND

- *Location*

There is a Pedestrian Access Way located between Lot 214 (15) and Lot 215 (17) Fry Court in Denham – refer to a Location Plan over page.

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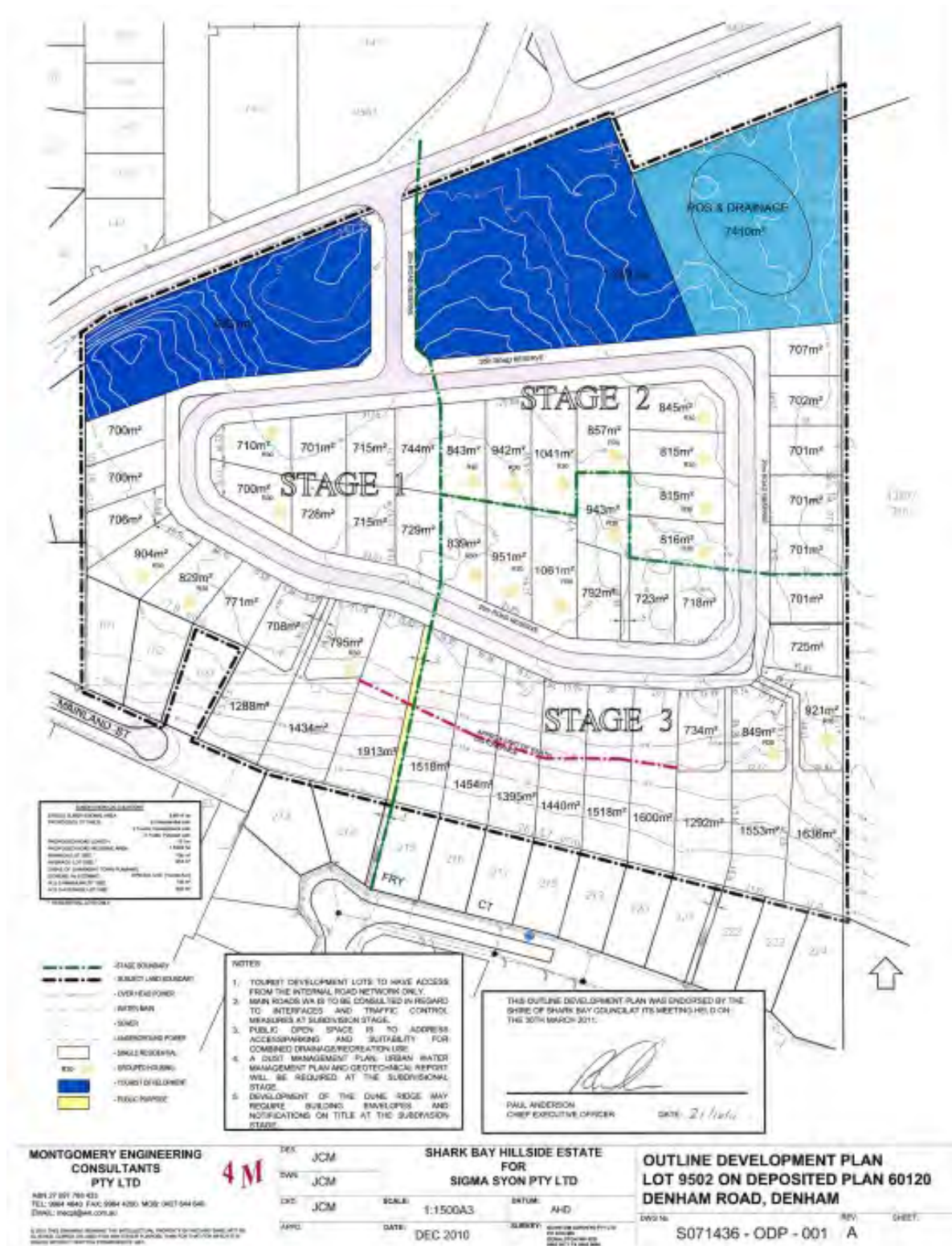
Location Plan

- *Surrounding Future Pedestrian Network*

The Pedestrian Access Way abuts Lot 9502 Denham Road which is located to the north. Lot 9502 is zoned 'Special Use 2' under the Shire of Shark Bay Local Planning Scheme No 4, and has potential for future subdivision to be guided by a Structure Plan.

There is an Outline Development Plan for Lot 9502 that was approved by Council on the 30 March 2011. The Outline Development Plan included an extension of the existing Pedestrian Access Way in Fry Court for pedestrian connectivity and would provide future landowners within any subdivision on Lot 9502 with direct access to the beach via Fry Court.

A copy of the approved Outline Development Plan is included over page.



It should be noted that the Outline Development Plan for Lot 9502 was approved prior to the *Planning and Development (Local Planning Schemes) Regulations 2015* coming into effect. In that circumstance the Regulations includes provisions that the Outline Development Plan continues to apply and is taken to have been approved on the day the Regulations commenced operation.

MINUTES OF THE ORDINARY COUNCIL MEETING

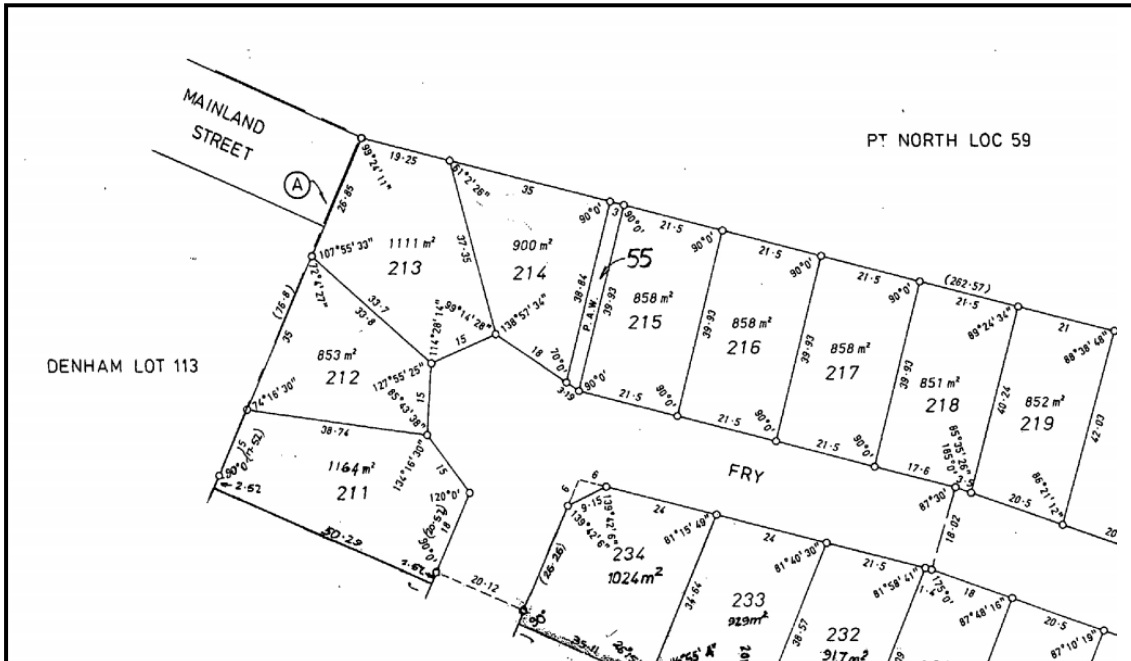
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The existing approved Outline Development Plan will expire 10 years from the commencement date of the Regulations (i.e. 19 October 2025).

- *Relevant Council decision (September 2020)*

The owner of Lot 215 (17) Fry Court wrote to the Shire in 2020 seeking information on whether the Pedestrian Access Way can be purchased and essentially become an extension to her property.

Town Planning Innovations identified the parcel as a Pedestrian Access Way, and it's status as a Pedestrian Access Way has been confirmed in writing by Landgate.



Above: Extract of Plan 17197 showing Pedestrian Access Way

Council considered the request to close the Pedestrian Access Way on the 30 September 2020 and resolved as follows:

- Note that the owner of 17 Fry Court has expressed interest in a Pedestrian Access Way Closure. The Pedestrian Access Way is located between 15 and 17 Fry Court.
- Note that there is an approved and operative Outline Development Plan for Lot 9502 which proposes an extension of the Fry Court Pedestrian Access Way to the north. The Outlined Plan is included in the body of this report.
- Note that 3 Options have been outlined in the body of this report. If Option 3 is pursued by Council, Shire Administration will need to prepare an Assessment Report with mapping for formal consultation to proceed.
- Resolve to pursue Option 1 Not to support closure of the Pedestrian Access Way located between 15 and 17 Fry Court.

Reasons: (i) There is an approved operative Local Development Plan for Lot 9502 which proposes to extend the Fry Court Pedestrian Access

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Way to the north. It forms part of strategic planning for future land development in the immediate locality.

- (ii) The Pedestrian Access Way forms part of a larger planned pedestrian network and will provide connectivity between Shark Bay Road and the beach in the future.

- E. Authorise the Chief Executive Officer to write to the owner of 17 Fry Court to advise of the Council decision, and request removal of the structure in the Pedestrian Access Way within 35 days.
- F. Note that there is no dividing fence between the Pedestrian Access Way and adjacent 15 and 17 Fry Court and authorise the Chief Executive Officer to organise works that will delineate the Pedestrian Access Way boundary and prohibit vehicular access using bollards (after the structure in the Pedestrian Access Way is removed).

- *Structure in Pedestrian Access Way*

The Shire wrote to the owner of Lot 215 (17) Fry Court on the 5 October 2020 and requested that they remove a structure from the Pedestrian Access Way. The structure was subsequently removed.

COMMENT

- ***New request to Lease portion of Pedestrian Access Way***

The owner of Lot 214 (15) has lodged a letter to the Shire proposing to lease a portion of the Pedestrian Access Way so their rental guests can access the rear outbuilding.

The owners advise as follows:

- Being the owners of number 15 Fry Ct for almost 30 years, and never having any problems with the “proposed demarcation of pedestrian access way” the general impression that we have always been given by the local council is that the access way would be unlikely to happen within any short period of time.
- Our property at 15 Fry Court is primarily a rental property. Most travellers to town bring boats with them, to further enjoy the area we are lucky to live in.
- Over the years, boats seem to have become larger, and the access way of 3m will severely impact the ability for most large vehicles to traverse the driveway, let alone boats.
- We would like to propose to the Shire, that we, Steve and Elena Valentine, lease 1m of the proposed 3m access way, on the 15 Fry Ct side, with a yearly lease/rental fee payable to the Shire, up until such time that the access way is constructed permanently.

An aerial photograph is included overpage.

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Above: Aerial with Pedestrian Access Way shown in yellow outline (by Town Planning Innovations)

- ***Ownership and Purpose of PAW***

Firstly, the Pedestrian Access Way is crown land and therefore any proposal to lease it would have to be made through the Department of Planning, Lands and Heritage ('the Department').

Given that the purpose of a Pedestrian Access Way is to provide public pedestrian access, and that it is not a Right of Way (for vehicular access), it is considered unlikely that a lease would be agreeable to the Department under the current Pedestrian Access Way tenure.

Town Planning Innovations has researched this matter and has not identified any options to lease a Pedestrian Access Way – only to keep it open or to close it. The Shire Council has already made a decision that the Pedestrian Access Way should be retained due to its strategic benefits in context of a future broader pedestrian network.

In the event that the owner of Lot 214 Fry Court wishes to pursue any lease enquires through the Department of Planning, Lands and Heritage, it is likely that the Department will first seek advice from the Shire on the matter.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

It is recommended that Council advise the owners of Lot 214 Fry Court that:

1. The existing Pedestrian Access Way, by virtue of its title, was created for pedestrian access and not for vehicular access.
2. The Pedestrian Access Way is crown land over which the Shire has no power to consider any lease.
3. The Shire has already identified that the Pedestrian Access Way should be retained as it will provide a future strategic link to land to the north when developed in the future.
4. Whilst it is open to the owners to make further lease enquiries through the Department of Planning, Lands and Heritage, the Shire requires that the Pedestrian Access Way be available as part of a planned future network.
5. The landowners issues with lack of rear access is not a result of a situation caused by the Shire, and is due to how the lot has been privately developed.

The existing situation is undesirable however any vehicular use of the Pedestrian Access Way has been unauthorised.

The Pedestrian Access Way has been created for the wider benefit of future residents. It is the responsibility of all landowners to undertake their own due diligence in purchasing or developing land.

LEGAL IMPLICATIONS

Land Administration Act 1997 – provides powers for the Minister to lease crown land. It is not known if this would extend to any pedestrian access way.

POLICY IMPLICATIONS

There are no known local government policy implications associated with this matter.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this matter.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	16 February 2021

24 FEBRUARY 2021

12.4 PROPOSED FOOD/COFFEE VAN IN KNIGHT TERRACE ROAD RESERVE
RD00019

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Stubberfield

Nature of Interest: Proximity Interest as residence and business on Knight Terrace

Declaration of Interest: Cr Fenny

Nature of Interest: Proximity Interest as family own property on Knight Terrace

Cr Stubberfield left the Council Chamber at 4.21 pm

Moved Cr Bellottie

Seconded Cr Smith

Council Resolution

That Council:

- A. **Resolve not to give consent for any application to be lodged for use of a portion Knight Terrace Road Reserve for a food/coffee van in the capacity of being the owner of the land.**
- B. **Advise the applicant that there is concern that the proposed location for a commercial type use has potential to cause noise, traffic and residential amenity impact issues.**
- C. **Note that the planning application is not valid without owners consent so it does not need any separate determination.**

4/0 CARRIED

Cr Stubberfield and Cr Fenny returned to the Council Chamber at 4.25 pm.

BACKGROUND

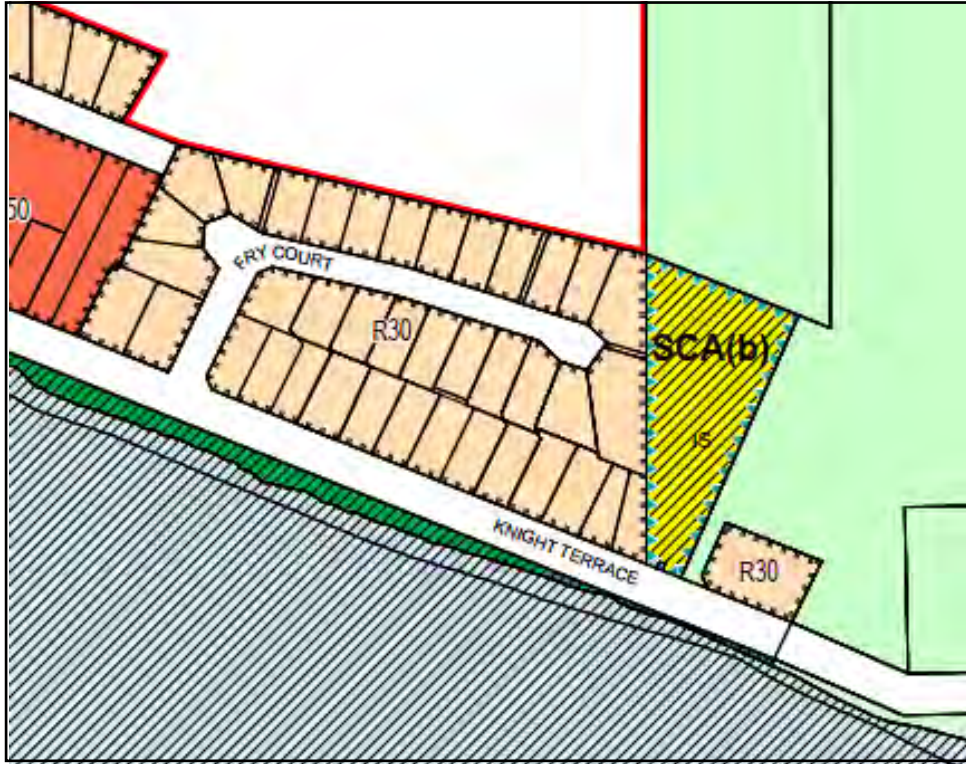
A proposal has been lodged seeking approval to park and operate a mobile food/coffee van within the Knight Terrace road reserve, opposite 153 Knight Terrace in Denham.

The road reserve falls under the care and control of the Shire, therefore the Shire is effectively the 'owner' of the land. A location plan is included overpage.

Knight Terrace is a local scheme reserve for 'Local Road' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme). The closest intersection to the proposed location is the corner of Knight Terrace and Fry Court.

Lots to the immediate north of the proposed site are zoned Residential under the Scheme – refer zoning map overpage.

24 FEBRUARY 2021



24 FEBRUARY 2021

COMMENT

- Roles of Council

Council has two different roles in dealing with this proposal and has to make a decision on:

1. Planning Application

The applicant has lodged a planning application seeking to use a portion of the road reserve for a mobile coffee/food van near to Netters Beach.

The planning application is not valid unless Council authorises the Chief Executive Officer to sign the application form on behalf of the Shire as the owner of the land.

Council therefore needs to decide whether to consent to the application being lodged as the 'owner'.

2. Determine a valid application

If Council endorses lodgement of the application (as the owner), then Council has to determine whether to approve the planning application (with or without conditions) or whether to refuse the application.

Due to the proximity of the proposed location near to a public beach, an established residential area and local businesses in town, Town Planning Innovations would recommend that the application be advertised for public comment prior to any formal determination of the planning application.

If Council does not consent to the application being lodged, as the land owner, then no determination has to be made.

- *Description of Proposal*

The applicant's submission is included as Attachment 1. The applicant initially sought 'pre-approval' (which is not an option available) therefore Town Planning Innovations has advised her of the process and that decisions need to be made at a Council level.

The information provided is limited however the applicant advises as follows;

- a) The location is outside of the 300 metre buffer to existing businesses required under the Shires Local Laws;
- b) The van window will face the ocean so customers are not the traffic side of the van.
- c) The times will be flexible and based on trade. Key operational times are expected to be 6.00am to 1.00pm, evenings if there is a town event, and seven days a week during holidays.
- d) The business name proposed is 'Freshwater Camp Sips and Dips'.

The applicant has advised that they would like to sell coffees, cool drinks, toasted sandwiches, bagels, and muffins. The applicant has also advised that she would like to sell liquor on an ad hoc basis (such as when events are on) subject to being able to comply with any separate liquor licencing requirements.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

Below is a photograph of the proposed food/coffee van location in Knight Terrace.



Below is a photograph of the existing houses in Knight Terrace. The two storey house is 153 Knight Terrace.



24 FEBRUARY 2021

- *Matters for consideration*

Town Planning Innovations does not recommend support for lodgement of the application as outlined in the Officer Recommendation of this report. The location is considered inappropriate due to the following:

- a) It is adjacent to an established residential area where a high level of amenity is expected. There is potential for noise, traffic and vehicle movements to negatively impact on the residential amenity of the area;
- b) Whilst some customers may walk to the van, there is potential for customers to also drive to the site. Knight Terrace does not have sufficient space to accommodate any significant street parking.
- c) Noise associated with customers attending the site may cause conflict with the residential nature of the area.
- d) Support for the proposal will set an undesirable precedent for similar services in road reserves throughout Denham townsite.

If Council wants to consider the planning application, then an alternative option is to resolve as follows:

- A. *Authorise the Chief Executive Officer to sign a planning application prepared by Tegan Kay proposing use of a portion of Knight Terrace road reserve for a mobile food/coffee van.*
- B. *Resolve to advertise the proposal by writing to nearby and surrounding landowners, and publishing a notice in a local newspaper and on the Shire website.*
- C. *Note that a further report will be referred to a future Council meeting for determination of the planning application following completion of advertising.'*

The above option is not considered desirable from an officer perspective, for the reasons outlined in this report.

- **Conclusion**

It is recommended that Council resolve not to endorse lodgement of the planning application as the road reserve is to cater for safe local traffic movements and there is potential for the business to negatively impact on traffic safety and the amenity of the area.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 61 of the 'deemed provisions' outlines 'development for which development approval not required' and Clause 61(1)(d) provides an exemption from the need for planning approval for the erection of an ancillary dwelling on the same lot as a single house if the R Codes apply to the development and the development complies with the 'deemed to comply' requirements of the R Codes.

Changes to the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) will commence on 15 February 2021.

24 FEBRUARY 2021

Shire of Shark Bay Local Planning Scheme No 4 –

Under the Scheme the purpose of a Local Road Reserve is:

- (i) To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
- (ii) Cater for a wide variety of development to the discretion of the local government where there is economic or community benefit, particularly uses that will increase the enjoyment of the area for visitors without impacting on the amenity of the locality or negatively impacting on traffic and pedestrian safety.

Shire of Shark Bay 'Activities in Thoroughfares and Public Places and trading Local Law' –

Any proposal to trade in the road reserve requires a separate permit under the Shire's Local Laws. Proposed permit holders have to provide adequate public risk insurance, and must be located a minimum of 300 metres of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader.

A map showing the 300 metre buffer is included as Attachment 2.

POLICY IMPLICATIONS

There are no known Policy implications associated with the proposal.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

The Shire has previously supported a number of trading areas on the beach.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

16 February 2021

24 FEBRUARY 2021

ATTACHMENT # 1

Freshwater Camp Sips & Dips
ABN: 52101483937

Tegan Kay
29 Capewell Drive,
Denham,
Western Australia, 6537
Mobile: 0452 218 477
Email: tegankay@hotmail.com

1st February 2021

Shire of Shark Bay
65 Knight Terrace,
Denham,
Western Australia, 6537
Phone: (08) 9948 1218
Email: admin@sharkbay.wa.gov.au

Re: Safety & Operational Hours

Consideration for Commercial User (Shark Bay Shire) Pre-Approval

Dear Shire of Shark Bay,

In regard to application submitted to Shark Bay Shire on 16th December 2020 "Coffee & Food Van Opportunity (Shark Bay Shire)" addressed to Town Planning Innovations, further information submitted on 27th January 2021 "Consideration for Commercial User (Shark Bay Shire) Pre-Approval" and a phone call received on 28th January, I would like to request a Pre-Approval on Consideration for a Commercial User site at Netta's Beach, Denham.

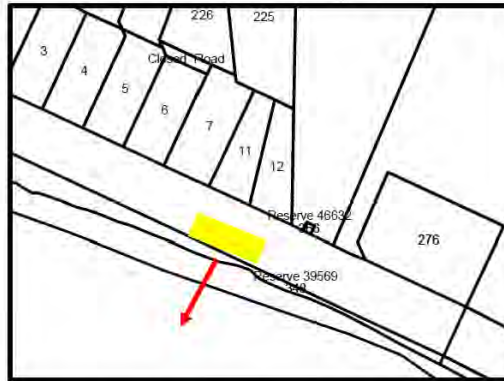
Safety

The position of the coffee and food van consideration for a commercial user site was to be clarified following a call from the Shire on 28th January 2021. The van serving window would be facing the bay as reflected in image 1 (red arrow shows direction). This ensures that customers would not be on the traffic side of the van.

24 FEBRUARY 2021

Freshwater Camp Sips & Dips

ABN: 52101483937



**Image 1 – Proposed area for consideration of commercial area showing direction of serving window
(Outside of 300 metre buffer to food traders Shire plan)**

Operational hours

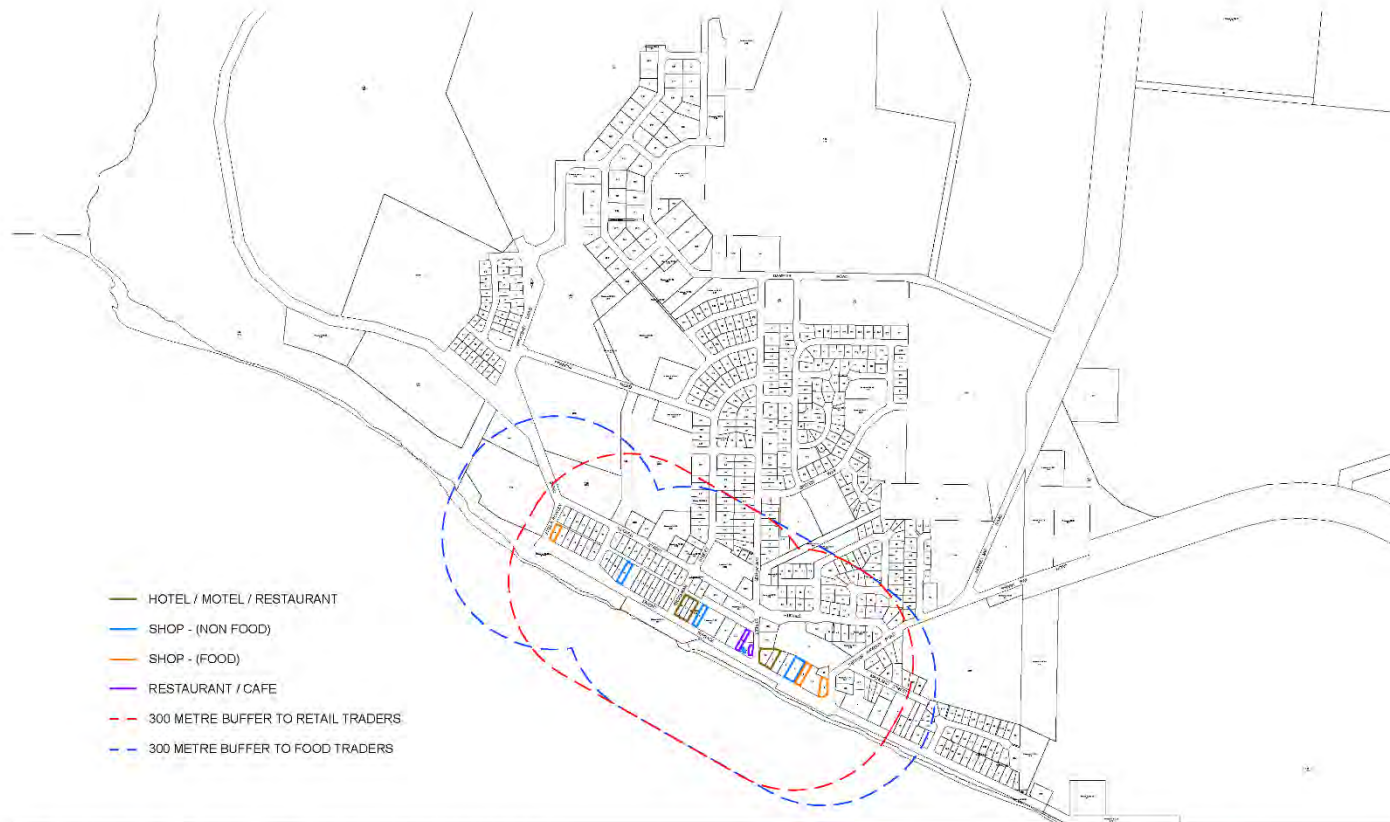
I am flexible in my operational hours, however, feel that key times of operation in the above location would be 6am-1pm, evenings for events in the town and seven days a week during the peak holiday periods. The times would be flexible based on trade.

In addition to the location of the serving window and operational hours detailed above, please find attached the Shark Bay Shire Planning Application Form enclosed in this email.

I look forward to working with the Shire of Shark Bay to progress this pre-approval.

Best regards,
Tegan Kay

ATTACHMENT # 2



STRATEGIC PLAN - TRADING PERMITS
DENHAM TOWNSITE

JOB REFERENCE: A-2017 DATE: 11th AUGUST 2017
THIS DOCUMENT MAY ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSIONER. UNAUTHORISED USE OF THIS DOCUMENT IS PROHIBITED (WHATEVER IS PROVIDED).



24 FEBRUARY 2021

12.5 PROPOSED OUTBUILDING – LOT 105 (9) OAKLEY RIDGE, DENHAM P4259

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Smith

Nature of Interest: Proximity Interest as Owner of Adjacent Property

Cr Smith left the Council Chamber at 426 pm.

Moved Cr Ridgley
Seconded Cr Cowell

Council Resolution

That Council:

1. **Note that the application for an outbuilding on Lot 105 (9) Oakley Ridge has been advertised to nearby and adjacent landowners for comment, and no submissions have been received.**
2. **Note that a Building Permit for a single house on Lot 105 (9) Oakley Ridge was issued on the 2 February 2021. It did not require planning approval as it complied with the Residential Design Codes.**
3. **Approve the application lodged for an Outbuilding on Lot 105 (9) Oakley Ridge, Denham subject to the following conditions and footnotes:**
 - (i) **The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.**
 - (ii) **Construction of the outbuilding shall only commence at the same time or after site works for construction of a single house have commenced to the satisfaction of the Chief Executive Officer.**
 - (iii) **The outbuilding shall not be used for any habitable purposes at any time.**
 - (iv) **All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.**

24 FEBRUARY 2021

- (v) If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

FOOTNOTES:

- (a) It is noted that a Building Permit for a single house on this lot was issued on the 2 February 2021. The single house did not require planning approval as it complied with the Residential Design Codes.

Please note that the single house has not been approved for short stay rental accommodation. Specific approval by the Shire Council is require for any proposed holiday house (for short stay rental).

- (b) The owner / applicant is advised that the single house proposed on the lot has to be provided with two on site carparking bays. The owner is advised to lodge a separate application to the Shire for permission to install a new crossover to Oakley Ridge. A crossover application and reimbursement pack is available on the Shire's website.

Once a crossover is constructed to the Shires requirements, an application can be lodged seeking a contribution from the Shire towards a portion of the construction cost.

- (c) Planning consent is not an approval to commence construction. A building permit must be obtained for all work. A Bushfire Attack Level assessment may still be required at the separate Building Permit application stage for outbuildings. Factors such as the distance between the outbuilding and the house, as well as whether the house has to be constructed to a higher standard to meet Bushfire Attack Level requirements are take into account.

5/0 CARRIED

Cr Smith returned to Council Chamber at 4.30 pm

BACKGROUND

• **Zoning**

The lot is zoned 'Residential' with a density code of R12.5 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme').

• **Existing retaining walls**

The lot has an approximate area of approximately 700m² and contains existing boundary retaining walls.

A report on the retaining walls was considered by Council on the 26 September 2018. Council granted delegated authority for the application to be determined by the Chief Executive Officer (after advertising).

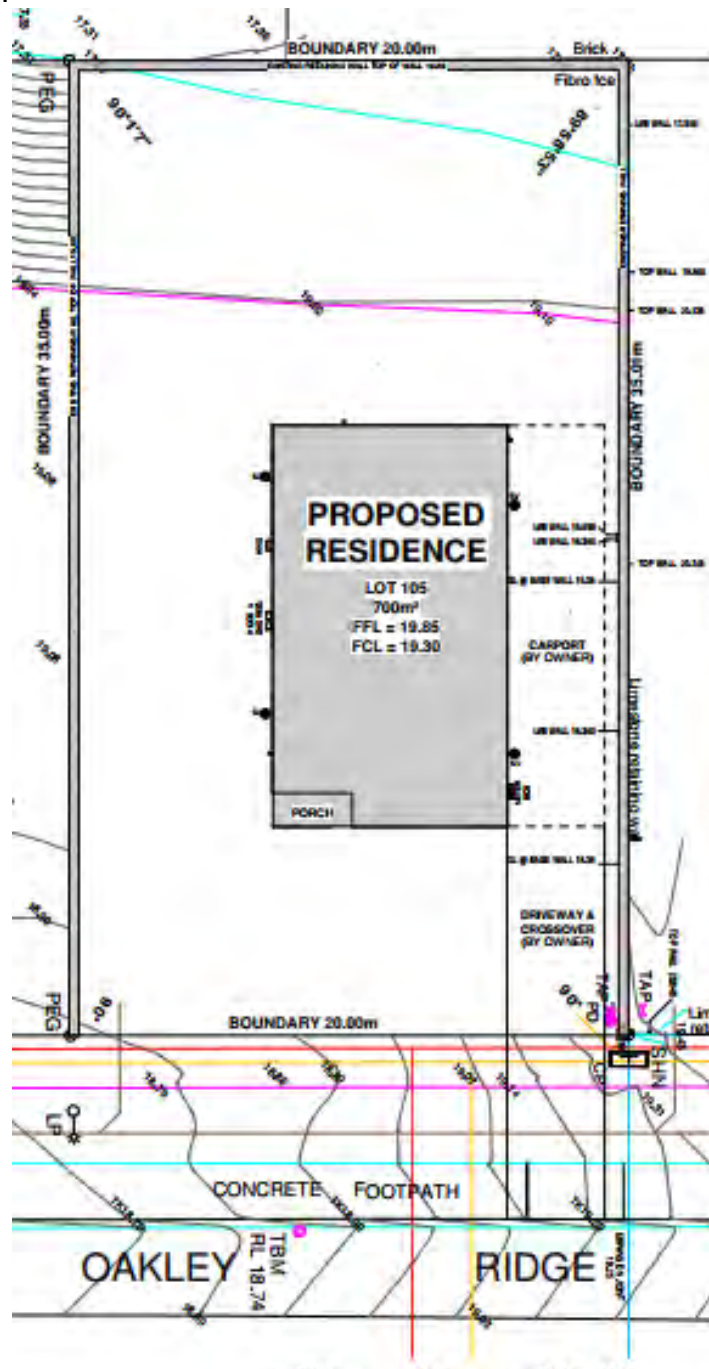
24 FEBRUARY 2021

The Shire issued planning approval for retaining walls on the 2 October 2018. A Building Permit (No 3304) for the retaining walls was issued on the 13 November 2018.

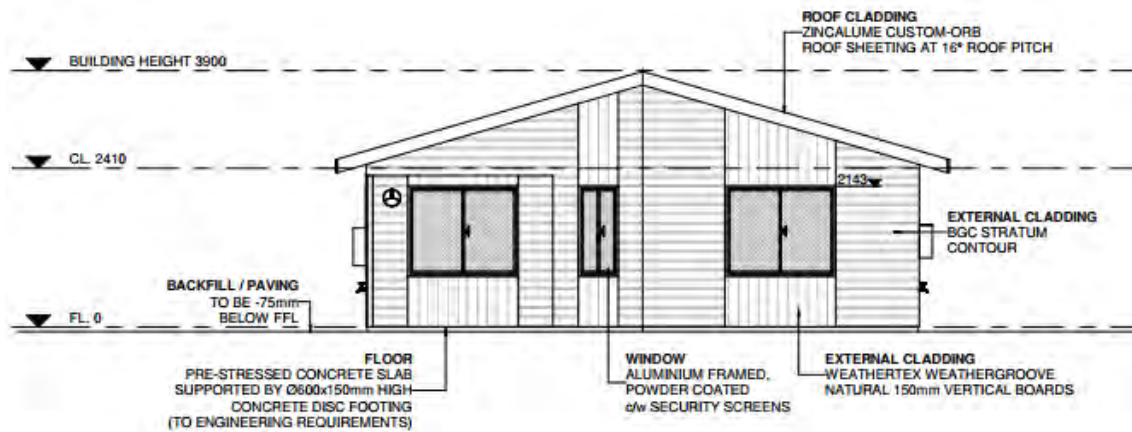
- **Proposed Single House**

A single house is proposed on Lot 105, however it did not require planning approval as it complied with the 'deemed to comply' requirements of the Residential Design Codes.

A Building Permit for the single house was issued on the 2 February 2021 – refer site plan below.



24 FEBRUARY 2021



Above: Proposed House Elevation to front Oakley Ridge

- **Surrounding Development**

It should be noted that there is an existing outbuilding on the lot to the west – refer aerial below.



COMMENT

- **Description of application**

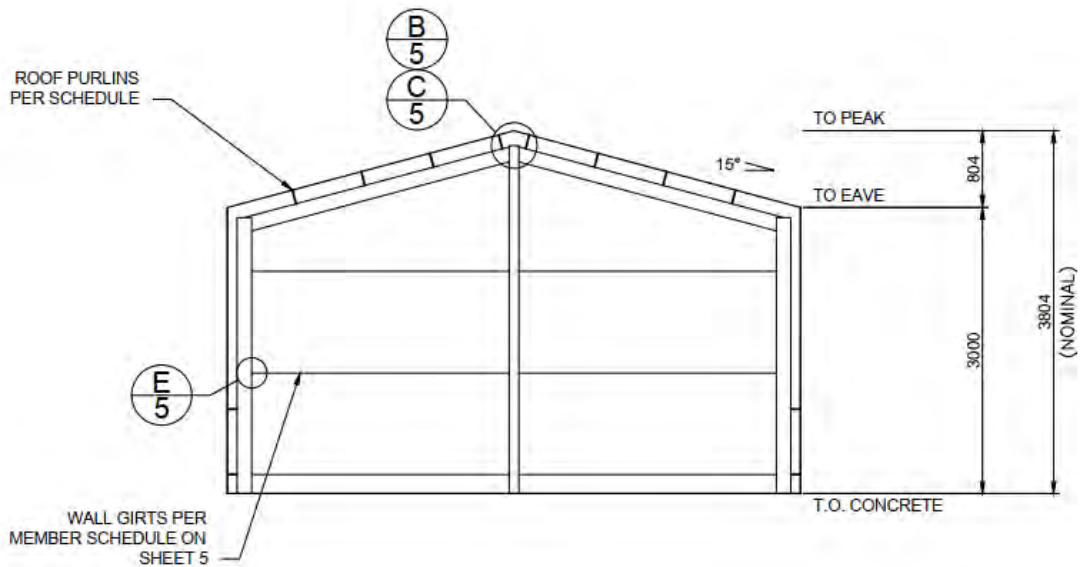
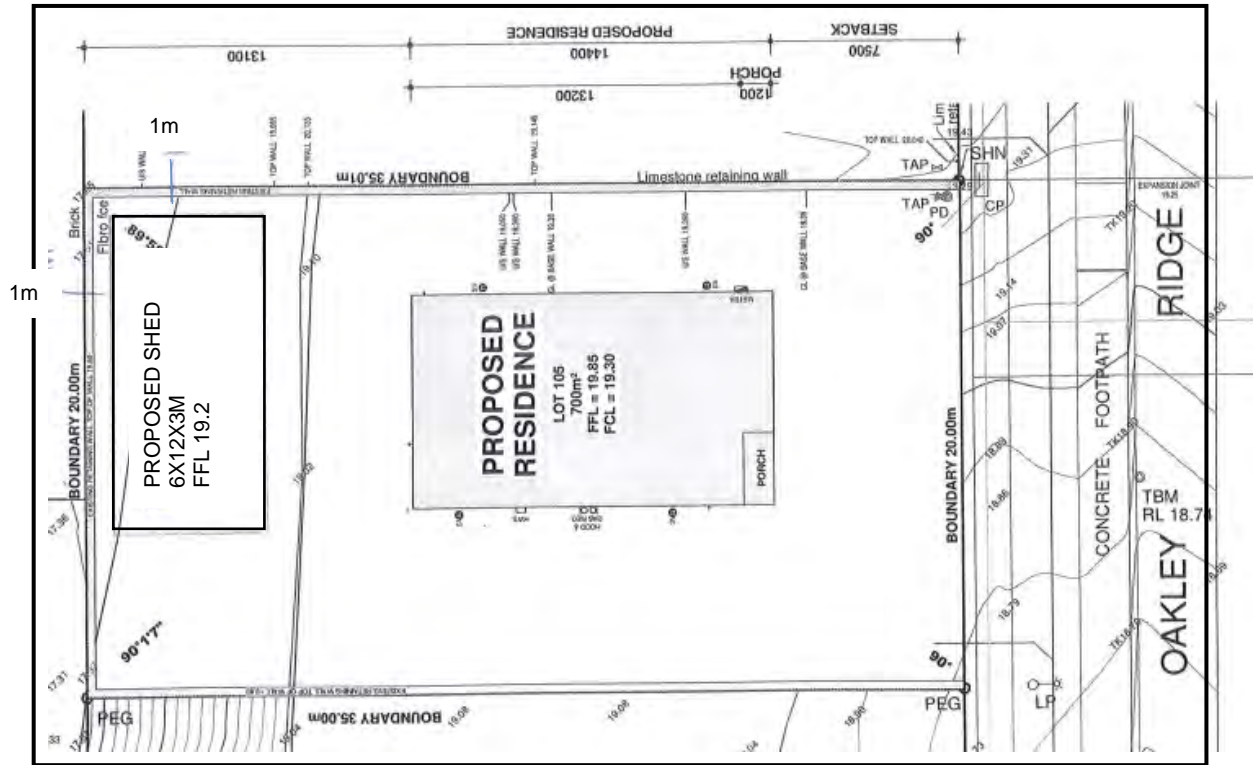
An application has been lodged for an outbuilding to be located to the rear of Lot 105, and the proposed dwelling.

MINUTES OF THE ORDINARY COUNCIL MEETING

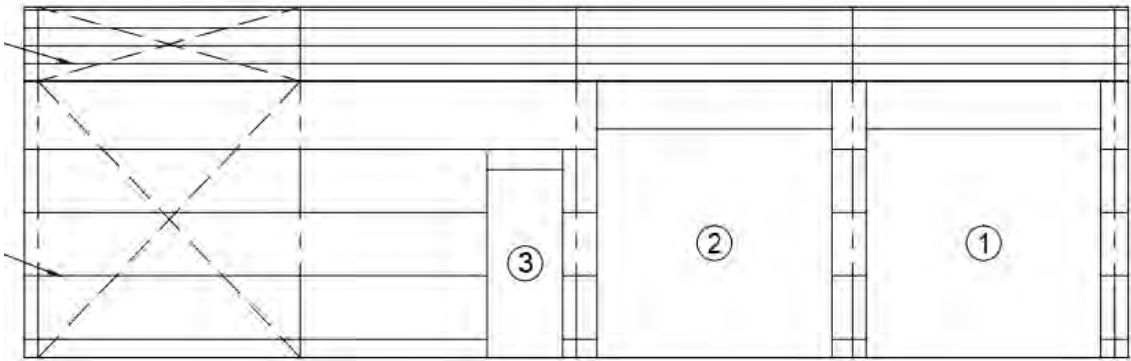
24 FEBRUARY 2021

The applicant proposes a 72m² outbuilding located 1 metres from the rear west lot boundary and 1 metre from the side north lot boundary.

The proposed plans are included in this report for convenience.



24 FEBRUARY 2021



• **Residential Design Codes**

Under the Residential Design Codes there are specific ‘Deemed to Comply’ requirements for outbuildings as summarised in the table below.

Clause 5.4.3 C3 ‘deemed to comply’ criteria / Outbuildings that:	Officer Comment (Town Planning Innovations)
(i) are not attached to the building	Complies.
(ii) are non habitable	Complies.
(iii) collectively do not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Variation. A floor area of 72m ² is proposed.
(iv) do not exceed a wall height of 2.4 metres	Variation. A wall height of 3 metres is proposed.
(v) do not exceed a ridge height of 4.2 metres	Complies. A ridge height of 3.804 metres is proposed.
(vi) are not within the primary street setback area;	Complies.
vi) do not reduce the open space required in table 1; and	Complies. There is still adequate site open space as per table 1 of the Codes.
vii) comply with the siting and design requirements but do not need to meet the rear setbacks requirements of table 1.	Complies.

The revised plan proposes variations to the ‘Deemed to Comply’ requirements therefore the Shire has to determine if the outbuilding complies with the ‘Design Principle’ of the Codes which is:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties”.

In considering visual impact it is noted that:

1. The proposed outbuilding will be partially visible from the street however has been sited behind the proposed dwelling, and will be setback approximately 28 metres from the front Oakley Ridge lot boundary;
2. Portions of the outbuilding will be adjacent to an existing outbuilding on the lot to the west.

24 FEBRUARY 2021

The application also seeks a rear setback variation of 1 metre in lieu of 1.5 metres. A higher setback applies where wall lengths exceed 9 metres. Council has discretion to vary the 'deemed to comply' setbacks. The proposed setback variation is supported at an Officer level.

- **Consultation**

The application has been referred to adjacent and nearby landowners for comment. No submissions were received during public advertising.

- **Bushfire Prone Area**

Lot 105 is within a declared bushfire prone area. Under the Western Australian Planning Commission State Planning Policy 3.7, a Bushfire Attack Level assessment does not need to be lodged with planning applications for dwellings proposed on lots less than 1100m².

A Bushfire Attack Level assessment may still be required at the separate Building Permit application stage for outbuildings. Factors such as the distance between the outbuilding and the house, as well as whether the house has to be constructed to a higher standard to meet Bushfire Attack Level requirements are taken into account.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 -

Clause 61(1)(d) only exempts outbuildings from the need for planning approval where no variation to the 'deemed to comply' provisions of the Residential Design Codes are proposed.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Shire of Shark Bay Local Planning Scheme No 4 – Explained in the body of this report.

POLICY IMPLICATIONS

There are no Policy implications associated directly with this report.

The Shire has a Local Planning Policy on Holiday Houses which applies when dwellings are proposed for short stay rentals. A footnote reference to holiday houses is recommended on any approval to:

- (a) Ensure that it is clear that the separate dwelling has not been approved for short term holiday rental use, and
- (b) As part of the process to educate owners about holiday house controls and the need for separate approvals.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

MINUTES OF THE ORDINARY COUNCIL MEETING

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STRATEGIC IMPLICATIONS

Any decision on this application may have implications for other lots in Oakley Ridge in terms of the height and sizes of outbuildings.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

12 February 2021

24 FEBRUARY 2021

13. TOURISM, RECREATION AND CULTURE REPORT

13.1 DEVELOPMENT OF WALK TRAILS AS SHOWN IN THE LITTLE LAGOON MASTER PLAN PK00001

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

1. That Council accept the \$15,000 grant from the Department of Local Government Sport and Cultural Industries through the WA State Trail Planning Program, and approve the engagement of Ecoscape (Australia) to develop the walking trails as per the Little Lagoon Masterplan, and

2a. That Council approve an additional \$10,000 towards the cost of developing the walking trails as per the quote and methodology from Ecoscape (Australia)

OR

2b. That Council does not approve an additional \$10,000 towards the cost of developing the walk trials as per the quote and methodology from Ecoscape (Australia) and instructs the administration to reduce the Scope of Work to \$15,000 as per the successful grant.

Moved Cr Stubberfield

Seconded Cr Fenny

Councillor Recommendation

1. That Council accept the \$15,000 grant from the Department of Local Government Sport and Cultural Industries through the WA State Trail Planning Program, and approve the engagement of Ecoscape (Australia) to develop the walking trails as per the Little Lagoon Masterplan, and

2. That Council does not approve an additional \$10,000 towards the cost of developing the walk trials as per the quote and methodology from Ecoscape (Australia) and instructs the administration to reduce the Scope of Work to \$15,000 as per the successful grant.

The vote was cast and resulted in a tied vote

3/3 TIED

The President exercised a casting vote and the item was recorded as

3 / 4 LOST

Moved Cr Cowell

Seconded Cr Ridgley

Council Resolution

1. That Council accept the \$15,000 grant from the Department of Local Government Sport and Cultural Industries through the WA State Trail Planning Program, and approve the engagement of Ecoscape (Australia) to develop the walking trails as per the Little Lagoon Masterplan, and

2. That Council approve an additional \$10,000 towards the cost of developing the walking trails as per the quote and methodology from Ecoscape (Australia).

The vote was cast and resulted in a tied vote

3/3 TIED

The President exercised a casting vote and the item was recorded as 4/3 CARRIED

24 FEBRUARY 2021

BACKGROUND

At the Ordinary Meeting of Council held on 29 August 2018 Council resolved

- 1. That Council note the responses from the Little Lagoon Rehabilitation Draft Master Plan's community survey held during July 2018 and incorporate the survey responses into the Draft Master Plan,**
- 2. The Draft Little Lagoon Rehabilitation Master Plan, as amended be endorsed and adopted by Council,**
- 3. The Administration be requested to seek external funding opportunities to enable the Plan to be progressively implemented in line with budget allocations and Councils priorities.**

5/0 CARRIED

Since then a number of the recommendations contained within the Masterplan have been completed including realigning the western vehicle track, developing and installing interpretive signage, and installing bollards to limit vehicle access for rehabilitation purposes.

The Masterplan also included recommendations that formalised pedestrian walk trails, away from vehicular traffic, be developed, including trails to connect Little Lagoon to the Denham townsite walk trails (see attached diagram for indicative walk trails Attachment # 1).

In October 2020 State funding for the development of formal walk trails was made available by the Department of Local Government Sport and Cultural Industries through the WA State Trail Planning Program. The Shire Administration applied for \$24,460 to undertake a Planning Process a per a quote and methodology obtained from Ecoscape (Australia) (Attachment # 2). Ecoscape (Australia) is the company that produced the current Little Lagoon Masterplan and is familiar with the proposed Walk Trails.

On 8 February 2021 the Shire was informed it has been successful in its grant application but had only been awarded \$15,000 towards the project.

COMMENT

In August 2019 The Department of Biodiversity, Conservation and Attractions, together with the Department of Local Government Sport and Cultural Industries, released a 112-page document titled "Trails Development Series". This document contains a number of guides, checklists and templates for trail development throughout Western Australia. The funding that the Shire has been awarded contains a requirement that the Little Lagoon Walk Trail development must be consistent with this Trail Development Series.

The Shire does not have the specialist skills internally to develop walk trails that meet the requirements of the Trails Development Series but the quote and methodology received from Ecoscape (Australia) includes adherence to this requirement.

It is also important to note that this funding is not for the construction of the trails, but rather for the required planning and consultation that must be undertaken prior to the construction.

MINUTES OF THE ORDINARY COUNCIL MEETING

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LEGAL IMPLICATIONS

Acceptance of the WA State Trail Planning Program grant will require adherence to the Trail Development Series.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

If Council approves the original quote and methodology from Ecoscape (Australia), a co-contribution of \$10,000 will be required.

STRATEGIC IMPLICATIONS

Shire of Shark Bay Strategic Community Plan 2020-2030

3.1 Promote reduced environmental impact within the Shire

4.1 Ongoing development, maintenance, and upgrade of infrastructure

5.2 Encourage inclusion, involvement and wellbeing.

RISK MANAGEMENT

There is a reputational risk to Council if the walk trails are not developed in line with the endorsed Little Lagoon Masterplan.

Development of the trails using the Trails Development Series will ensure the trails are sustainable and developed according to current best practice which reduces future risk for Council.

VOTING REQUIREMENTS

Simple majority required

SIGNATURES

Author

D Wilkes

Chief Executive Officer

P Anderson

Date of Report

11 February 2021

ATTACHMENT # 1



MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

ecoscape

PO Box 50 / 9 Stirling Hwy
North Fremantle WA 6159
p: (08) 9430 8955
e: mail@ecoscape.com.au
www.ecoscape.com.au
ABN: 70 070 128 675

30 October 2020

Our ref: P2038-20P

Reviewed by: N Croudace

Deborah Wilkes

Shire of Shark Bay

65 Knight Terrace

Denham WA 6537

LITTLE LAGOON TRAIL PLANNING

Thank you for the opportunity to provide the Shire of Shark Bay with a fee proposal for the Little Lagoon Trail Planning. Ecoscape previously prepared the *Little Lagoon Master Plan Report* (Shire of Shark Bay, 2018) which provides a useful starting point for the trails planning process.

FEE PROPOSAL

Ecoscape proposes to undertake the Little Lagoon Trail Planning as a lump sum fee of \$24,400.00 excluding GST. This fee has been estimated in accordance with the brief and will include the tasks set out in the methodology.

#	Tasks	FEE (ex GST)
1	Stage 1: Trails Proposal	\$1,360.00
2	Stage 2: Framework	\$4,080.00
3	Stage 3: Site Assessment	\$11,800.00
4	Stage 4: Concept Plan	\$7,160.00
	Total Fee (excluding GST)	\$24,400.00

This fee proposal is valid for a period of 90 days. Please note that major redesign or works beyond the scope outlined in the methodology may incur hourly rate charges + GST. Any such works will only be undertaken on the express approval of the Shire of Shark Bay.

NOMINATED TEAM

Details of our main team members are included below. Refer to Appendix A for copies of our detailed CVs.

Name	Title	Project Role
Patrick Jordan	Director	Project manager
Nikki Storey	Landscape Architect	Project team and production support
Sonya Bateman	Spatial Planner	Mapping & GIS support
Nicky Croudace	Managing Director	QA review

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

METHODOLOGY

#	Description	Deliverables
1.0	Stage 1: Trails Proposal	
1.1	<p>Inception Meeting</p> <p>Upon engagement, an inception teleconference / video-call will be undertaken with the client. The inception meeting will be used to confirm the following:</p> <ul style="list-style-type: none"> • Project budget and scope • Key milestones and deliverables • Lines of communication between client and consultants • Project Reference Group (PRG) members and key stakeholders • Timing of the site visits. 	
1.2	<p>Document Review</p> <p>Ecoscape will undertake a review of any reports, data or existing documents relevant to the project. This process will identify any information/data gaps and required actions to resolve them.</p>	
2.0	Stage 2: Framework	
2.1	<p>Draft Framework</p> <p>Upon acceptance of the Trails Proposal prepared by the Shire of Shark Bay, Ecoscape will prepare a Framework for the proposed walk trail. The Framework will follow the template set out in the DBCA/DLGSC <i>Trail Development Process</i> and address the following issues:</p> <ul style="list-style-type: none"> • Background – how the project area has been identified and why it is being considered • Project Reference Group (PRG) – key agencies/groups and persons who will form the PRG, and interested stakeholders to keep informed on the trail development process • Meetings – Schedule for ongoing meetings throughout the development process • Project objectives – overall aim and outcomes of the project, what the project is trying to achieve and why • Management model – Identifying the trail owner/operator relationship, monitoring of visitor use, trail maintenance responsibilities. • Scope and scale – Level of significance, trail size/length, associated infrastructure requirements, development staging, type of use • User types and trail types – define the target users to ensure the trails meet their needs and expectations • Trail system model – define trail type (linear or looped), trail style and direction, and connections to other existing trails • Agreed standards – agree with PRG the required standards for design, planning, construction and maintenance • Funding and resources – outline of how the project will be funded for design, construction and maintenance • Project delivery – agree with PRG who will deliver the project and how it will be delivered • Project evaluation – define how the PRG will evaluate the completed project to assess if the project has met its objectives and to improve future trail developments • Consultation and approval – the completed framework will be submitted to the PRG for review and approval. 	<i>Draft Framework</i>

MINUTES OF THE ORDINARY COUNCIL MEETING

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*	Description	Deliverables
2.2	<p>PRG Meeting</p> <p>Ecoscape will hold a tele-conference / video-call with the members of the PRG to discuss the project progress and upcoming works.</p>	
2.3	<p>PRG Review Period</p> <p><i>The draft Framework will be provided in PDF format for review and comment. The PRG is to provide one set of collated comments for consideration.</i></p>	<i>Review Period</i>
2.4	<p>Final Framework</p> <p>Amendments to the Framework will be made based on the PRG's comments. The final document will be issued to the PRG for sign-off.</p>	<i>Final Framework</i>
3.0	<p>Stage 3: Site Assessment</p>	
3.1	<p>Desktop Site Assessment</p> <p>Prior to undertaking on-site investigations, Ecoscape will prepare a desktop assessment of the Little Lagoon Walk Trail site, with the aim of identifying opportunities and constraints within the project area. The following will be investigated:</p> <ul style="list-style-type: none"> ▪ Potential legislative and planning approvals required ▪ Land use, activities and management considerations ▪ Exclusion zones ▪ Potential fauna and flora considerations. <p>The site assessment undertaken as part of the <i>Little Lagoon Master Plan Report</i> (Shire of Shark Bay, 2018) will be revisited as part of this process.</p>	
3.2	<p>Site Visit #1</p> <p><i>On-site Assessment</i></p> <p>Ecoscape will visit the site to assess the on-site conditions of the Little Lagoon Walk Trail area. It is suggested a representative from the PRG be present to discuss the project and identify any issues not obvious from walking the site. The on-site assessment will investigate:</p> <ul style="list-style-type: none"> • Opportune landscapes/topography/natural features • Important heritage or reflection locations • Access and circulation • Site usage patterns. <p>Ecoscape will take this opportunity to walk the proposed trail routes and record key points using a GPS unit. This data will be used to inform the planning of the project.</p>	
3.3	<p>Stakeholder Meeting</p> <p>As part of the site visit, Ecoscape will hold a meeting with key stakeholders. The location for this meeting will be determined in liaison with the client and be dependent on the availability of attendees. This meeting is an opportunity to add depth to the site assessment process through gathering the local knowledge of stakeholders and identifying their aspirations for the design and use of the trails.</p> <p>Ecoscape will record and prepare minutes of the meeting, to be distributed to the PRG and attendees.</p>	<i>Meeting minutes</i>
3.4	<p>Draft Impact Evaluation Checklist</p> <p>The results of the desktop and on-site assessment process will be documented in an Impact Evaluation Checklist (IEC) as recommended by the <i>DBCA/DLGSC Trail Development Process</i>.</p>	<i>Draft IEC</i>
3.5	<p>PRG Review Period</p> <p><i>The IEC will be provided in PDF format for review and comment. PRG to provide one set of collated comments for consideration.</i></p>	<i>Review Period</i>

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MINUTES OF THE ORDINARY COUNCIL MEETING

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*	Description	Deliverables
3.6	Final Impact Evaluation Checklist Amendments to the IEC will be made based on the client's comments.	Final IEC
4.0	Stage 4: Concept Plan	
4.1	Concept Plan Based on the site assessment and stakeholder input, Ecoscape will prepare a preliminary concept design for the Little Lagoon Walk Trails. The concept will illustrate what the trails may look like, address key strategic priorities and identify trail corridor alignments. A rough alignment of the walk trail has been provided in the <i>Little Lagoon Master Plan Report</i> (Shire of Shark Bay, 2018) which will be used as a starting point for the planning process. The concept plan will contain the following elements: <i>Project Area Overview</i> <ul style="list-style-type: none"> • Description of project area • Project objectives • Scope and scale • Opportunities and Constraints • Proposed target market and user types • Proposed trail system. <i>Trail Network Concept Description</i> <ul style="list-style-type: none"> • Individual trail summaries for guided and self-guided walks • Proposed infrastructure requirements and locations • Sign plan for trailheads, interpretative opportunities, markers etc. <i>Proposed Development Process</i> <ul style="list-style-type: none"> • Proposed development staging, priority and construction sequencing (where applicable). 	Draft Concept Plan
4.2	PRG Review Period The IEC will be provided in PDF format for review and comment. PRG to provide one set of collated comments for consideration. Any comments will be incorporated during the following stages of works.	Review Period
4.3	Final Concept Plan Amendments to the Concept Plan will be made based on the client's comments.	Final Concept Plan

TERMS OF CONTRACT

If Ecoscape's fee proposal is acceptable, please complete the Formal Acceptance of Proposal form and return a signed copy to Ecoscape prior to the commencement of work.

Meeting Allowances

The following meeting allowances are included in the lump sum fee; should additional meetings or site visits be required these will be conducted at Hourly Rates.

- One three-day site visit to Denham, including site assessment and meeting with stakeholders.
- All other meetings to be tele/video-conference.

Assumptions & Exclusions

- Shire of Shark Bay will provide all relevant base information including site survey and reports.
- No allowance for costing advice is included in this lump sum fee.
- All deliverables will be provided in PDF format. No allowance is made for hard copy deliverables. Reprographics and couriers incur charges at cost + 10%.

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Hourly Rates

The rates below are to be applied should the scope of works change, or further work be required. The rates exclude GST.

Managing Director	\$240.00
Director	\$220.00
Principal	\$200.00
Associate.....	\$185.00
Senior.....	\$170.00
Landscape Architect.....	\$130.00

QUALITY OF DOCUMENTATION

Ecoscope implements a comprehensive set of quality control measures across all aspects of the Company's operation and has maintained Quality Assurance ISO 9001 certification since 2007. Ecoscope's certification covers the Quality Management System for the provision of consulting services in:

- environmental sciences - biological services, environmental impact assessments, management plans and expert witness
- landscape architecture - site and visual analysis, landscape planning, urban design, contract management and expert witness.

Prior to issuing, each deliverable undergoes an internal design, technical and editorial review process by a senior staff member.

INSURANCE DETAILS

Insurance type	Insurer	Policy no.	Cover	Renewal date
Workers Compensation	AAI Limited trading as GIO	WCW001034187	\$50 000 000	31 January 2021
Public Liability	Zurich Australia Insurance Limited	2376952PZBI	\$20 000 000 - any one occurrence	31 January 2021
Professional Indemnity	AAI Limited trading as Vero Insurance	LPP010091053	\$10 000 000 - any one claim	31 January 2021
Motor Vehicle	Allianz Australia Insurance Limited	24C6958742	\$30 000 000	31 January 2021

OCCUPATIONAL HEALTH AND SAFETY

Ecoscope recognises its obligations and responsibilities for health and safety and is fully committed to:

- providing a safe and healthy working environment with the aim of eliminating work related injury and illness
- complying with all relevant health, safety and environmental legislative requirements
- adopting a risk management approach to the resolution of safety issues and ensuring effective measures are in place to control hazards and risks
- providing sufficient information, instruction, supervision and training to enable all employees to work in a healthy, safe and effective manner
- providing adequate facilities, equipment and protective clothing
- working in partnership with clients and contractors to deliver safe and successful projects
- avoiding, reducing, controlling or managing the environmental impact of our operations.

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To meet these commitments Ecoscape has implemented, and maintains, an ongoing occupational health and safety program including accident reporting and regular inspections of the workplace aimed at preventing accidents and incidents.


CERTIFICATION AND MANUALS

Copies of all our certificates of insurance, qualifications, quality assurance and occupation health and safety manual are available on request.

We trust that the above information is acceptable to the requirements of the Shire of Shark Bay. Please contact me if you wish to discuss further.

Yours sincerely

Ecoscape (Australia) Pty Ltd



PATRICK JORDAN
Director AILA

MINUTES OF THE ORDINARY COUNCIL MEETING

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Ecoscope Australia Pty Ltd – Terms & Conditions of Trade

1.	Definitions	3.3
1.1	"Ecoscope" means Ecoscope Australia Pty Ltd, its successors and assigns or any person acting on behalf of and with the authority of Ecoscope Australia Pty Ltd.	3.4
1.2	"Client" means the persons or any person acting on behalf of and with the authority of the Client requesting Ecoscope to provide the Services as specified in any proposal, quotation, order, invoice or other documentation, and:	3.5
(a)	if there is more than one Client, is a reference to each Client jointly and severally; and	(a)
(b)	if the Client is a part of a Trust, shall be bound in their capacity as a trustee; and	(b)
(c)	includes the Client's executors, administrators, successors and permitted assigns.	(c)
1.3	"Incidental Documents" means any goods, documents, designs, drawings, models or materials supplied, consumed, created or deposited incidentally by Ecoscope in the course of it conducting, or applying to the Client, any Services.	(d)
1.4	"Services" means all Services supplied by Ecoscope to the Client at the Client's request from time to time.	(e)
1.5	"Trust" means the price payable (plus any GST where applicable) for the Services as agreed between Ecoscope and the Client in accordance with clause 9 of this contract.	(f)
1.6	"GST" means Goods and Services Tax as defined within the "New Tax System (Goods and Services Tax) Act 1999" ("39").	(g)
2.	Acceptance	3.7
2.1	The Client is taken to have exclusively accepted and it is irrevocably deemed, jointly and severally, by these terms and conditions if the Client places an order for, or accepts Services provided by Ecoscope.	3.8
2.2	These terms and conditions may only be amended with the consent of both parties in writing, and shall prevail to the extent of any inconsistency with any other document or contract between the Client and Ecoscope.	3.9
2.3	These terms and conditions may be made to be read in conjunction with Ecoscope's Form and	(a)
(a)	where the contract so provides the terms "Incidental Items" or "Services" shall include any supply of Equipment, as defined therein; and	(b)
(b)	if there are any inconsistencies between the two documents then the terms and conditions contained herein shall prevail.	(c)
2.4	Electronic signatures shall be deemed to be made by the Client by other party providing that the parties have complied with Section 10 of the Electronic Transactions Act 2011 in any other applicable provisions of that Act or any Regulations referred to in those provisions.	3.10
2.5	Regardless of whether the contract between the parties has been terminated or completed, the Client shall not offer to employ any employee of Ecoscope (past or present) until the end of one (1) year from the date of termination or completion of the Services. The Client shall also be required to gain the written consent of Ecoscope before offering to employ any of Ecoscope's employees (past or present).	3.11
3.	Errors and Omissions	3.2
3.1	The Client acknowledges and accepts that Ecoscope shall, without prejudice, accept no liability in respect of any alleged or actual errors (and/or omissions):	(a)
(a)	resulting from an inadvertent mistake made by Ecoscope in the formation and/or administration of this contract; and/or	(b)
(b)	contained in information from any third party (third party and/or information) supplied by Ecoscope in respect of the Services.	(c)
3.2	In the event such an error and/or omission occurs in accordance with clause 3.1, it is not attributable to Ecoscope and Ecoscope will not be liable for any loss or damage suffered by the Client as a result of such error and/or omission.	3.5
4.	Change in Control	4.1
4.1	The Client shall give Ecoscope not less than fourteen (14) days prior written notice of any proposed change of ownership of the Client and/or any other change in the Client's details (including but not limited to, changes in the Client's name, address, contact phone or fax number, change of trustee or business practice). The Client shall be liable for any loss incurred by Ecoscope as a result of the Client's failure to comply with this clause.	4.2
5.	Role of Ecoscope	10.1
5.1	Ecoscope shall exercise reasonable skill, care and diligence in the performance of the Services.	10.2
5.2	Ecoscope is required to exercise their professional judgment between the Client and a third party when the Client enters a contract then they shall do so independently and as required by the terms of that contract.	11.1
5.3	Ecoscope shall use all reasonable efforts to be informed of the Client's requirements for the project and for that purpose shall consult with the Client throughout the performance of the Services.	11.2
5.4	Ecoscope considers that the information, documents and other particular materials made available by the Client are not sufficient to enable Ecoscope to provide the Services in accordance with this contract, (b) Ecoscope may advise the Client that they provide such information, assistance, information, or other particulars as necessary in the circumstances.	(a)
5.5	If Ecoscope becomes aware of any matter which will change or which has changed the scope or timing of the Services then Ecoscope will give notice to the Client and the notice will contain, as far as practicable, the circumstances, particulars of the change.	(b)
5.6	Ecoscope shall perform the Services in a timely manner to the extent that is practicable under the circumstances.	11.3
6.	Role of the Client	(a)
6.1	The Client shall, as soon as practicable, make available to Ecoscope all information, documents and other particulars relating to the Client's requirements for the project.	(b)
6.2	The Client shall, as soon as practicable, make arrangements to enable Ecoscope to enter upon the site and other lands as necessary to enable Ecoscope to perform the Services.	(c)
6.3	Unless the parties specifically agree otherwise, the Client shall as soon as practicable obtain all approvals, authorities, licences and permits which are required for the project, municipal or other responsible authorities for the lawful implementation and completion of the project.	(d)
6.4	The Client agrees that the Services do not include any services which are properly carried out by other professions such as legal or accountants and if other such professional services are required the Client shall obtain these services at the Client's own cost.	(e)
6.5	The Client shall not avoid, frustrate, impair, or otherwise hinder the performance of the Services or the project in any way.	(f)
6.6	The Client shall carry out the additional special obligations set out in the proposal or quotation.	(g)
6.7	The Client shall cooperate with Ecoscope and shall not interfere with or obstruct the proper performance of the Services.	(h)
7.	Notwithstanding Consultants	12.1
7.1	Ecoscope shall engage consultants, as specified in the quotation, acting solely as agent on behalf of the Client and the following shall apply:	12.2
(a)	Ecoscope shall be entitled to enter into contracts with such consultants in the name of the Client; and	(a)
(b)	The Client shall be responsible for all payments to such consultants; and	(b)
(c)	where Ecoscope pays the consultant's account on behalf of the Client, the Client shall reimburse Ecoscope for the payment of the consultant's account together with an account handling fee within seven (7) days (unless specified otherwise) from the date of submission of the account by Ecoscope to the Client; and	(c)
(d)	if the Client does not reimburse Ecoscope within seven (7) days from the date of submission of the account in accordance with sub-clause (c) above, Ecoscope shall be entitled to:	(d)
(i)	charge interest and any other fees as per clause 16.1; and/or	(i)
(ii)	enforce any other rights Ecoscope may have under clause 16.	(ii)
7.2	Ecoscope does not warrant the accuracy or quality of the consultant's work or warrant that their recommendations are appropriate or adequate or fit for their intended purpose or that they are not given negligently. The Client agrees that they shall not make any demand on Ecoscope or commence any legal proceedings against Ecoscope, and Ecoscope shall have no liability, whether in negligence or otherwise, to the Client in relation to any work performed by the consultant.	12.3
8.	Price and Payment	12.4
8.1	At Ecoscope's sole discretion the Price shall be either:	(a)
(a)	as indicated on any invoice provided by Ecoscope to the Client; or	(b)
(b)	Ecoscope's proposed Price (provided to clause 8.2) which will be valid for the period defined in the quotation or otherwise for a period of ninety (90) days.	(c)
8.2	Ecoscope reserves the right to change the Price if a variation to the Services or specifications is requested. Any variation from the original quotation or specifications (including, but not limited to, any variation as a result of additional Services requested due to unforeseen circumstances such as changes to the scope of the Services, changes of the development parameters, etc.) will be charged for on the basis of Ecoscope's proposal and will be shown as variations on the invoice. The Client shall be required to consent to any variation submitted by Ecoscope within ten (10) working days. Failure to do so will entitle Ecoscope to add the cost of the variation to the Price. Payment for all variations shall be made in full at the time of their completion.	12.5
8.3	The hourly rates quoted in Ecoscope's proposal are subject to review on the first (1st) day of both January and July of each year. At Ecoscope's sole discretion a non-refundable deposit may be required.	12.6
8.4	Time for payment for the Services being the essence, the Price will be payable by the Client on the dates determined by Ecoscope, which may be:	12.7
(a)	before the commencement of the Services;	12.8
(b)	by way of instalments/progress payments in accordance with Ecoscope's payment schedule. Such payment dates may be submitted at intervals as specified on Ecoscope's proposal or at intervals of not less than one (1) month for Services performed or completed in each month; and	12.9
(c)	the specified or any invoice or other document as being the date for payment; or	13.1
(d)	any other notice to the contrary, thirty (30) days following the date of any invoice or other document as being the date for payment. Payment may be made by cash, cheque, bank cheque, electronic funds banking, credit card, or by any other method of payment, or by any other method agreed to between the Client and Ecoscope.	13.2
8.5	The Client shall not be entitled to set off or deduct from the Price, any sums owed or claimed to be owed to the Client by Ecoscope nor to withhold payment of any invoice because part of that invoice is in dispute.	13.3
8.6	Unless otherwise stated the Price does not include GST. In addition to the Price, the Client must pay for Ecoscope an amount equal to any GST Ecoscope must pay for Ecoscope by Ecoscope under this contract for providing Ecoscope's Services. The Client must pay GST without deduction or set off of any other amounts, at the same time as the payment of the Price. In addition, the Client must pay any other taxes and duties that may be applicable in addition to the Price except where they are expressly excluded in the Price.	14.1
8.7	The Client acknowledges and agrees that the Client's obligations to Ecoscope for the provision of Services performed shall include the reasonable value of additional variations, (b) the Client shall not be entitled to set off or deduct from the Price, any sums owed or claimed to be owed to the Client by Ecoscope nor to withhold payment of any invoice because part of that invoice is in dispute.	14.2
8.8	Unless otherwise stated the Price does not include GST. In addition to the Price, the Client must pay for Ecoscope an amount equal to any GST Ecoscope must pay for Ecoscope by Ecoscope under this contract for providing Ecoscope's Services. The Client must pay GST without deduction or set off of any other amounts, at the same time as the payment of the Price. In addition, the Client must pay any other taxes and duties that may be applicable in addition to the Price except where they are expressly excluded in the Price.	14.3
8.9	The Client acknowledges and agrees that the Client's obligations to Ecoscope for the provision of Services performed shall include the reasonable value of additional variations, (b) the Client shall not be entitled to set off or deduct from the Price, any sums owed or claimed to be owed to the Client by Ecoscope nor to withhold payment of any invoice because part of that invoice is in dispute.	14.4
9.	Delivery of Services	14.5
9.1	Ecoscope's sole discretion delivery of the Services shall take place when:	14.6
(a)	the Services are supplied to the Client at Ecoscope's address; or	14.7
(b)	the Services are supplied to the Client at the Client's nominated address.	14.8
9.2	At Ecoscope's sole discretion the Client may be charged for delivery costs (including, but not limited to, courier charges).	14.9
9.3	Where the Services to a third party nominated by the Client are to be delivered to the Client for the purpose of this contract, Ecoscope shall deliver the Services to the third party nominated by the Client in accordance with the provisions in these terms and conditions.	14.10
9.4	Ecoscope shall deliver the Services to the Client at the Client's nominated address and Ecoscope shall be liable for any loss or damage incurred by the Client as a result of such error and/or omission. However both parties agree that they shall make every endeavour to enable the Services to be supplied to the time and place as specified in the contract. In the event that Ecoscope is unable to supply the Services as agreed solely due to any action or inaction of the Client then Ecoscope shall be entitled to charge a reasonable fee for re-supplying the Services at a later time and place.	14.11
9.5	However both parties agree that they shall make every endeavour to enable the Services to be supplied to the time and place as specified in the contract. In the event that Ecoscope is unable to supply the Services as agreed solely due to any action or inaction of the Client then Ecoscope shall be entitled to charge a reasonable fee for re-supplying the Services at a later time and place.	14.12
10.	Client's Responsibilities	14.13
10.1	The Client shall provide Ecoscope with all relevant information, documents, maps and other necessary materials as soon as reasonably practical prior to Ecoscope's engagement by the Client. Ecoscope shall have with the authorised representative, specified in the contract, and shall be obliged to accept responsibility for any instructions given by another employee of the Client.	14.14
10.2	Ecoscope and the Client agree that where it is intended that the ownership of Incidental Documents is to pass to the Client that the Client has paid Ecoscope all amounts owing for the Services; the Client has met all other obligations due by the Client to Ecoscope in respect of all contracts between Ecoscope and the Client.	14.15
10.3	Receipt by Ecoscope of any form of payment other than cash shall not be deemed to be payment until the Services have been received, deemed or recognised and until then Ecoscope's ownership or rights in respect of the Incidental Documents shall continue.	14.16
10.4	It is further agreed that, until ownership of the Incidental Documents has passed to the Client, Ecoscope shall retain the ownership of the Client's Incidental Documents and must retain the Incidental Documents to Ecoscope immediately upon receipt by Ecoscope.	14.17
10.5	The Client holds the benefit of the Client's insurance of the Incidental Documents on trust for Ecoscope until payment for Ecoscope the proceeds of any insurance in the event of the Incidental Documents being lost, damaged or destroyed.	14.18
10.6	The Client must not sell, dispose, or otherwise part with possession of the Incidental Documents. If the Client sells, disposes or otherwise part with possession of the Incidental Documents then the Client must provide the proceeds of sale of the Incidental Documents on trust for Ecoscope and must pay or deliver the proceeds to Ecoscope on demand.	14.19
10.7	The Client should not convert or process the Incidental Documents or otherwise part with possession of the Client's Incidental Documents. If the Client does the resulting product on trust for the benefit of Ecoscope.	14.20
10.8	The Client shall not grant or grant an encumbrance over the Incidental Documents nor grant or otherwise give away any interest in the Incidental Documents while they remain the property of Ecoscope.	14.21
10.9	The Client irrevocably authorises Ecoscope to enter any premises where Ecoscope believes the Incidental Documents are kept and recover possession of the Incidental Documents.	14.22
11.	Personal Property Securities Act 2009 ("PPSA")	14.23
11.1	In this clause financial instrument, financing charge, statement, security agreement, and security interest has the meaning given to it by the PPSA.	(a)
11.2	Upon assenting to these terms and conditions in writing the Client acknowledges and agrees that these terms and conditions constitute a security agreement for the purposes of the PPSA and creates a security interest in:	(b)
(a)	the Incidental Documents previously supplied by Ecoscope to the Client; and	(c)
(b)	all Incidental Documents will be supplied in the future by Ecoscope to the Client; and	(d)
(c)	all the Client's present and after acquired property being a charge, including anything in respect of which the Client has at any time a sufficient right, interest or power to grant a security interest in for the purposes of securing repayment of all monetary obligations of the Client to Ecoscope by Services that have previously been provided and that will be provided in the future by Ecoscope to the Client.	(e)
11.3	The Client undertakes to:	(f)
(a)	promptly sign any further documents and/or provide any further assistance (such information to be complete, accurate and up-to-date in all respects) which Ecoscope may reasonably require;	(g)
(b)	register a financing statement or financing charge statement in relation to a security interest on the Personal Property Securities Register;	(h)
(c)	(i) register any other document required to be registered by the PPSA; or	(i)
(d)	(ii) correct a defect in a statement referred to in clause 12.3(a) or 12.3(b)(i);	(j)
(e)	indemnify and upon demand reimburse Ecoscope for all expenses incurred in registering a financing statement or financing charge statement on the Personal Property Securities Register established under the PPSA or releasing the Incidental Documents; and	(k)
(f)	thereby, not register a financing charge statement in respect of a security interest, or prior to being registered, a financing statement or a financing charge statement, if such registration is in favour of a third party without the prior written consent of Ecoscope.	(l)
11.4	Ecoscope and the Client agree that sections 96, 115 and 125 of the PPSA do not apply to the security agreement created by these terms and conditions.	(m)
11.5	The Client waives their rights to receive notices under sections 96, 115, 121(4), 130, 132(3)(b) and 132(4) of the PPSA.	12.5
11.6	The Client waives their rights as a creditor under a debtor under sections 142 and 143 of the PPSA.	12.6
11.7	Unless otherwise agreed to in writing by Ecoscope, the Client waives their right to receive a verification statement in accordance with section 167 of the PPSA.	12.7
11.8	The Client must unconditionally ratify any actions taken by the Client under clauses 12.3 to 12.5.	(a)
11.9	Subject to any express provisions to the contrary (including those contained in this clause 12), nothing in these terms and conditions is intended to have the effect of contracting out of any of the provisions of the PPSA.	(b)
12.	Security and Charge	(c)
12.1	The Client agrees to supply Services the Client charges all of its rights, title and interest (whether joint or several) in and over all real or personal assets capable of being charged, whether by the Client either now or in the future, to secure the performance by the Client of its obligations under these terms and conditions.	(d)
12.2	The Client irrevocably authorises Ecoscope from and against all Ecoscope's costs and disbursements including legal costs of a solicitor and own costs to take any action to enforce Ecoscope's rights under this clause.	(e)
12.3	The Client irrevocably appoints Ecoscope and each director of Ecoscope as the Client's true and lawful attorneys to perform all necessary acts to give effect to the provisions of this clause 12 including, but not limited to, signing any document on the Client's behalf.	(f)
12.4	Default, Warranties and the Competition and Consumer Act 2010 (CCA)	(g)
12.5	The Client must inspect Ecoscope's Services on completion of the Services and must within thirty (30) days notify Ecoscope in writing of any defect identified in the Services or Incidental Documents provided by Ecoscope. Ecoscope will not be liable for any defect identified by Ecoscope to comply with the description of or quote for, the Services or Incidental Documents (including any non-excluded warranty) alleged defect identified in the Services or Incidental Documents as soon as is reasonably possible after any such defect is identified. Upon receipt of the defect identified, Ecoscope shall allow Ecoscope to review the Services or Incidental Documents that were provided by Ecoscope.	(h)
12.6	Under applicable State, Territory and Commonwealth law including, without limitation the CCA, certain statutory implied warranties and conditions (including any non-excluded warranty) guaranteed under the CCA may be implied into these terms and conditions. Ecoscope acknowledges that nothing in these terms and conditions purports to modify or exclude the Non-Excluded Guarantees.	(i)
12.7	The Client expressly sets out in these terms and conditions or in any other document or contract, any other implied or express conditions including, but not limited to, the quality or suitability of the Services, that are in addition to the implied or express warranties implied into this contract permitted by law.	(j)
12.8	If the Client is a consumer within the meaning of the CCA, Ecoscope's liability is limited to the extent permitted by section 64(2) of the CCA.	(k)
12.9	If the Client is not a consumer within the meaning of the CCA, Ecoscope is required to rectify, re-supply, or pay the cost of rectifying the Services if the Services do not conform to the description of the Services and the Client has paid the cost of the Services and the Client has not received the Services or the value of the Services and Incidental Documents which have been provided to the Client and which were not defective. Ecoscope shall be liable to:	(l)
(a)	rectify the Services; or	(m)
(b)	re-supply the Services; or	(n)
(c)	pay the cost of rectifying the Services; or	(o)
(d)	pay the cost of rectifying the Services; or	(p)
(e)	pay the cost of rectifying the Services; or	(q)
(f)	pay the cost of rectifying the Services; or	(r)
(g)	pay the cost of rectifying the Services; or	(s)
(h)	pay the cost of rectifying the Services; or	(t)
(i)	pay the cost of rectifying the Services; or	(u)
(j)	pay the cost of rectifying the Services; or	(v)
(k)	pay the cost of rectifying the Services; or	(w)
(l)	pay the cost of rectifying the Services; or	(x)
(m)	pay the cost of rectifying the Services; or	(y)
(n)	pay the cost of rectifying the Services; or	(z)
(o)	pay the cost of rectifying the Services; or	(aa)
(p)	pay the cost of rectifying the Services; or	(ab)
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MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

FORMAL ACCEPTANCE OF ECOSCAPE PROPOSAL



Project: **Little Lagoon Trail Planning**

Our reference: **P2038-20P**

Proposed Fee: **\$24,400.00 ex GST**

Prior to commencing work on this project, Ecoscape requests that the below sections be completed, and the form returned by email: patrick@ecoscape.com.au

ACCEPTANCE OF PROPOSAL

I accept Ecoscape's proposal and Terms and Conditions of Trade.

Signature	
Name	
Position	
Company	
Date	

TAX INVOICE PARTICULARS

Invoicee	
ABN	
Address	
Postal Address	
Contact Name	
Contact Telephone	
Contact Fax	
Contact Email	
Invoice Email	

APPENDIX A – ECOSCAPE CURRICULUM VITAE





PATRICK JORDAN

DIRECTOR

B.LA, Registered Landscape Architect (no. 1972) AILA

PROFILE

Patrick has been working in private practice as a landscape architect since 2003, joining Ecoscape in early 2008. He gained qualification from the University of Western Australia and completed further studies in 3D modelling and animation at the Film and Television Institute of WA. Patrick has worked on projects throughout the state in both the public and private realm, with a focus on coastal regions and urban design. He has honed his 3D visualisation skills through projects for the mining and resources sector. In recent years, Patrick has drawn on his extensive project experience to provide an advisory role for landscape architecture on some of Perth's most significant public works, including the New Perth Stadium, Perth Children's Hospital and Northlink WA. This role entails the review of the appointed landscape consultant's design documents for compliance with the project brief, provision of advice on landscape architectural and urban design matters, and inspection of constructed landscapes. Patrick prefers to take a collegial approach to this role, working with both the client and consultant to achieve the best possible outcome for the project. Patrick brings to his position an enthusiasm for the design, detailing and visualisation of landscapes that combine urban design with Western Australia's unique flora.

EXPERIENCE

2020 – Present	Ecoscape, Director
2013 – 2020	Ecoscape, Principal Landscape Architect
2010 – 2013	Ecoscape, Associate Landscape Architect
2008 – 2009	Ecoscape, Senior Landscape Architect
2003 – 2008	Blackwell & Associates, Landscape Architect

AWARDS

2013	First Prize, 2013 CAPITheticAL International Design Competition
2012	AILA National Landscape Architecture Award for Design (Mueller Park Playground)
2009	UDIA WA Environmental Excellence Award (The Islands, North Coogee)

QUALIFICATIONS + MEMBERSHIPS

- Bachelor of Landscape Architecture, UWA
- Diploma of Animation, Film & Television Institute of WA
- WorkSafe Blue Card – Construction Awareness Training Card
- Registered Landscape Architect

PROJECT HIGHLIGHTS

ADVISORY ROLES

- New Perth Stadium Landscape Architecture States Advisory, Department of Finance
- NorthLink Stage 1 Landscape Architecture States Advisory, APP
- NorthLink Stage 3 Landscape Architecture States Advisory, APP
- Perth Children's Hospital Landscape Architecture States Advisory, Thinc Health



PROJECT HIGHLIGHTS

INFRASTRUCTURE

- Wildflower Capital Initiative 2019, Main Roads
- NorthLink Stage 1 Landscape Architecture States Advisory, APP
- NorthLink Stage 3 Landscape Architecture States Advisory, APP
- NBN Tower Screening, Daly International
- Horizon Power VIA, Stratagen
- Pinjar to Eneabba VIA, Western Power
- Nilgen Windfarm Landscape, Shore of Gingin

ABORIGINAL ENGAGEMENT

- Millstream Chichester National Park Ecotourism Bid - Landscape Architecture Role, Icon Tourism
- Cockburn Central West Interpretation Vision Plan, City of Cockburn
- The Islands North Coogee, Stockland/LandCorp
- Kununurra Land Development, LandCorp

VISUAL IMPACT ASSESSMENT

- Hardwick Road VIA, City of Swan
- Southwest Road Options VIA, DPaW
- Gracetown Redevelopment VIA, LandCorp
- Hardwick Road VIA, City of Swan
- Singleton VIA Review, Aigle Royal
- Nickol Bay VIA, Holcim
- Horizon Power VIA, Stratagen
- Pinjar to Eneabba VIA, Western Power

URBAN DEVELOPMENT

- Cockburn Central West, LandCorp
- Brookleigh Estate, Qube Property
- Hammond Rise Estate, Qube Property
- Craigie High School Redevelopment, LandCorp
- Eleventh Road Hilbert, Blokk Property
- Wattleup Road Development, Evans & Gianoli

RECREATIONAL PLANNING AND DEVELOPMENT

- Millstream Chichester National Park Ecotourism Bid - Landscape Architecture Role, Icon Tourism
- Cantonment Hill Stage 1, City of Fremantle
- Oxford Street Playground, City of Vincent
- Kadidjiny Parkland, City of Melville
- Mueller Park Universal Playspace, City of Subiaco
- Cockburn Central West, LandCorp
Yanchep Active Open Space District Playground, Lycopodium
- Baldivis Fenced Dog Park, City of Rockingham
- North Coogee Foreshore POS, City of Cockburn
- Narma Kularck Bird Walk, City of Cockburn
- Governor Stirling SHS Oval, BMW
- Bill Hemsley Nature Play, Shire of Chapman Valley

FACILITIES / INSTITUTIONS / EDUCATION

- Office & Customer Centre, Water Corporation
- Perth Children's Hospital Child Care Facility, Department of Finance
- Churchlands SHS Major Additions, Bateman Architects
- St John Bosco College, Santelli Architects
- CIT Green Skills Building, Woodhead
- Age Appropriate Housing, Fratelle Group
- Karrakatta Mausoleum and Chapel, Metropolitan Cemeteries Board
- Osborne Park Hospital, BG&E



NICOLA STOREY

LANDSCAPE ARCHITECT

B.LA
B.Sc (Hons)

PROFILE

Nikki joined Ecoscape in 2019 after graduating from the University of Western Australia in 2017 with a Bachelor of Design. In 2020 she also received a Bachelor of Science with Honours. Her honours project assessed the impact of groundwater intrusion into living streams and the role of the littoral zone in modifying water quality and enhancing ecosystem health. Nikki is passionate about sustainable, environmentally and ecologically sensitive design, having always found interest in both the creative design and scientific fields and how they interact. She has experience working at Wetland Research and Management sorting macroinvertebrates for use as biological indicators of wetland health. Nikki is excited by the opportunity to develop her multi-disciplinary skillset and gain experience in both areas of design and science at Ecoscape.

QUALIFICATIONS + MEMBERSHIPS

- Bachelor of Science (Hons), UWA
- Bachelor of Design in Landscape Architecture, UWA

EXPERIENCE

2019 – Present	Ecoscape, Landscape Architect
2016 – 2019	Wetland Research and Management, Laboratory Assistant
Aug-Sept 2018	UBU Design Landscape Architects, UK, Paid Internship
Sept-Nov 2018	Landscape Architectural Services, Graduate Landscape Architect

PROJECT HIGHLIGHTS

LANDSCAPE ARCHITECTURE

- Etwell Street Revitalisation | Town of Victoria Park
- Living Lakes | Wheatbelt Natural Resource Management
- Preston Beach Boardwalk | Shire of Waroona
- Northlink WA Stage 2 | Main Roads WA
- Kalbarri PAW | Shire of Northampton
- Cranbrook Playground | Shire of Cranbrook

ENVIRONMENTAL

- Booragoon and Blue Gum Lakes Flora and Fauna Survey
- Vegetation Health Monitoring, Fortescue

SONYA BATEMAN

ASSOCIATE SPATIAL PLANNER

B.Sc. (Hons)



PROFILE

Sonya has 13 years environmental consulting experience and has worked as a project manager and team member on a diverse range of spatial planning, environmental science and landscape architecture projects. As a spatial planner, Sonya's role is to communicate the relationships between the biophysical and social characteristics for a wide range of service areas including; natural resource management, urban development, infrastructure, mining and tourism. Her key areas of expertise are visual landscape planning, visual impact assessment and environmental planning which she regards as a vital consideration for any development project in WA. She has also presented visual assessment techniques to those in the planning industry. Her proficiency using Geographic Information Systems (GIS) to interpret and present spatial relationships between the social and biophysical environment, provide innovative and high quality results to Ecoscape's project work.

QUALIFICATIONS + MEMBERSHIPS

- BSc (Geography) First Class Hons, University of Western Australia

EXPERIENCE

2019 – Present Ecoscape, Associate Spatial Planner
 2010 – 2018 Ecoscape, Senior Spatial Planner
 2005 – 2010 Ecoscape, Spatial Planner
 2004 Natural Area Management and Services, Environmental Project Assistant

AWARDS

2013 First Prize, 2013 CAPITheticAL International Design Competition

PROJECT HIGHLIGHTS

- Thaduna, Enigma and Old Highway Flora and Vegetation Surveys, Sandfire Resources
- Wheatbelt Pipeline Biological Surveys and Preliminary EIA, Water Corporation
- Argyle to Savannah Biological Surveys, Pacific Hydro
- Butcherbird Manganese Project Biological Surveys, Element 25
- WESROC Greening Plan 2020-2025, WESROC
- Urban Forest Plan, City of Fremantle
- Mapping Tweed Scenic Landscapes, Tweed Shire Council
- Blue Hills Visual Landscape Evaluation and Impact Assessment, Sinosteel
- Nickol Bay Quarry Visual Impact Assessment, Holcim
- Mapping Carbon Sequestration Opportunities in the Avon Region, Wheatbelt NRM
- Solar Farm Visual Impact Assessment, Verve Energy
- South West Marra Mamba Project, Visual Impact Assessment, Rio Tinto
- Western Tumer Syncline Stage 2 Visual Impact Assessment, Rio Tinto
- Life of mine expansion project Visual Impact Assessment, Newmont
- Turee Syncline Iron Ore Mine Visual Impact Assessment, Rio Tinto
- Strategic Borrow Pit Visual Impact Assessment, Rio Tinto
- Cape Lambert Power Station Visual Impact Assessment, Rio Tinto
- Solomon Project Visual Impact Assessment, Fortescue
- Dongara to Cape Burney Coastal Planning Strategy Visual Landscape Evaluation, Department of Planning
- Geraldton Regional Flora and Vegetation Survey, Department of Planning
- Transmission line and Substation Visual Impact Assessments, Western Power
- Nilgen Wind Farm Visual Impact Assessment, Pacific Hydro



24 FEBRUARY 2021

NICKY CROUDACE

MANAGING DIRECTOR

BBE (LARCH), FAILA



PROFILE

Nicky joined Ecoscape in 2003 and is the Managing Director at Ecoscape. She plays a key role in the strategic direction and management of the practice, facilitating cross disciplinary collaboration across our team in landscape architecture, environmental science and spatial planning. She provides mentoring, technical advice and design leadership to the team.

Over the past twenty years Nicky has worked as a landscape architect, both interstate and in Perth on major national and international projects involving large consultancy teams and comprising a wide range of disciplines. Her specialist expertise lies in her ability to promptly establish core principles and distinguishing characteristics within any project. Nicky graduated from the Queensland University of Technology where she was awarded the annual Neville Lund Memorial Prize for Integrated Environmental Design. Nicky is an accomplished designer and an award-winning Registered Landscape Architect with an exceptional ability to work from the strategic level to the fine detail. Her distinctive design approach is based on local 'language' and design integrity matched with best practice environmental principles. Nicky was made a Fellow of the Australian Institute of Landscape Architects in 2018, in recognition of her contribution to the landscape architecture profession and work associated with reconciliation and Connection to Country. Nicky currently sits on a number AILA committees and panels.

EXPERIENCE

2020 – Present Ecoscape, Managing Director
 2015 – 2020 Ecoscape, Associate Director
 2008 – 2015 Ecoscape, Associate
 2005 – 2008 Ecoscape, Senior Landscape Architect
 2003 – 2005 Ecoscape, Landscape Architect
 2002 – 2003 Hames Sharley WA, Landscape Architect
 2000 – 2002 Context Landscape Design NSW, Landscape Architect
 1999 – 2000 Clouston NSW, Landscape Architect

QUALIFICATIONS + MEMBERSHIPS + COMMITTEES

- Bachelor of the Built Environment - Landscape Architecture, QUT (1998)
- Registered Landscape Architect, Australian Institute of Landscape Architects (2005)
- Fellowship of the Australian Institute of Landscape Architects (2018)
- WorkSafe White Card – Construction Awareness Training Card
- AILA Registration Interview Panel (2016 – Current)
- AILA WA Advocacy Committee (2019 - Current)
- AILA WA Reconciliation Action Plan Committee (2019 - Current)
- AILA National Connection to Country Committee (2019- Current)

AWARDS

2020 St Joseph's Nature Play Master Plan, Community Contribution Award of Excellence (AILA WA)
 2018 Fremantle Urban Forest Plan, Landscape Planning Award (AILA WA)
 2017 Bilya Kard Boodja Lookout, Cultural Heritage Award (AILA National)
 2017 Bilya Kard Boodja Lookout, Cultural Heritage Award (AILA WA)
 2017 Minor Urban Interventions, Small Projects Award (AILA WA)
 2014 ANEC, Research and Communication Award (AILA WA)
 2013 First Prize, 2013 CAPThecAL International Design Competition
 2008 Rottnest Island Coastal Walk Trail, National Planning Award (AILA)
 2008 Rottnest Island Coastal Walk Trail, State Award (AILA WA)
 2008 Rottnest Island Coastal Walk Trail, Planning Award (AILA WA)
 2008 Beachridge Estate, Excellence in Water Sensitive Urban Design (UDIA)
 2006 Beachridge Estate, Excellence in Water Sensitive Urban Design (UDIA)
 2005 Beachridge Estate, Special Commendation (WA Env Awards)
 2005 Minim Cove, Award for Excellence (UDIA)
 2003 Cape Cabarita, National Project Award for Medium Density Developments (UDIA)
 2002 Centennial Parklands Tree Masterplan, AILA Project Award (AILA NSW)
 1989 Neville Lund Memorial Prize for Integrated Environmental Design (QUT)

PROJECT HIGHLIGHTS

EDUCATION

- St Joseph's Nature Play Master Plan, St Joseph's PS
- John Curtin College of the Arts, JCY Architects
- Angazi Court, Curtin University, JCY Architects
- Clarkson TAFE Workshops, JCY Architects
- Banksia Grove Primary School, Woods Bagot

INFRASTRUCTURE

- Swan River Crossings Bid, Laing O'Rourke, Arup & WSP
- Congdon Bridge, Main Roads
- NorthLink Stage 1 Landscape Architecture States Advisory, APP
- NorthLink Stage 3 Landscape Architecture States Advisory, APP
- Wildflower Capital Initiative 2019, Main Roads
- West End Amenity, Port Hedland RFF / BHP
- CBD Revitalisation Detailed Design Geraldton, Porters / City of Greater Geraldton
- Tonkin Gap Bid, Laing O'Rourke
- Albany Ring Road Bid, Arcadis / CPB
- Wanneroo Road / Joondalup Road Intersection Landscape Architecture Role, WSP / CPB
- Wanneroo Road / Joondalup Road Intersection Bid, DECMIL
- NorthLink Stage 2 Landscape Architecture Role, Great Northern Connect
- Kwinana Freeway Widening Bid Landscape Architecture Role, Arcadis/Downer
- Gateway WA Bid Landscape Architecture Role, John Holland
- Perth Freight Link Stage 1 Bid, Laing O'Rourke
- Roe Highway Stage 7, Clough/ Roe 7 Alliance
- Brisbane Gateway Upgrade Bid, Coastlink
- Far North Coast Scenic Highway, Roads and Traffic Authority NSW

INSTITUTION

- New Perth Stadium Landscape Architecture States Advisory, Department of Finance
- Perth Children's Hospital Landscape Architecture States Advisory, Thinc Health
- Swan Care Aged Care, CCN Architects
- Disability Justice Centre, Peter Hunt Architects
- Wooree Miya Women's Refuge, Dept. of Housing
- Midland Cemetery, Metropolitan Cemeteries Board
- Guildford Cemetery, Metropolitan Cemeteries Board
- Fremantle Cemetery, Metropolitan Cemeteries Board

LANDSCAPE PLANNING

- Western Suburbs Greening Plan 2020-2025, WESROC
- Moresby Ranges Visitor Management Plan, DBCA
- Fremantle Urban Forest Plan, City of Fremantle
- Locality Street Tree Master Plan, City of Mandurah
- Rottneet Island Coastal Walk Trail, RIA
- Mary Carroll Park Vision Plan, City of Gosnells
- Strategic Trails Overview, Shire of Kalamunda
- Mid-West Trails, Shire of Carnamah
- Kwinana Freeway Foreshore Management Plan, MP Rogers & Associates
- Trails Master Plan, City of Wanneroo
- Alexandra Canal Cycle & Pedestrian Path, South Sydney Development Corporation NSW

PARKS & PLAYGROUNDS

- Malabar BMX Park, City of Cockburn
- Bina Parkland (Princess Wallington Reserve), City of Stirling
- Oxford Street Playground, City of Vincent
- Kadidjiny Park, City of Melville
- Cantonment Hill, City of Fremantle
- Walliabup Skate Park, MG Group / City of Cockburn

RECREATION

- Centennial Parkland Central Precinct, City of Albany
- Millers Pool, City of South Perth
- Kalbarri Skywalk, Department of Parks and Wildlife
- Alkimos Interpretive Signage Trail, Lend Lease
- Charles Court Foreshore, City of Nedlands / MP Rogers & Associates
- Golden Bay and Baldivis District Sporting Complex Master Plans, City of Rockingham
- Toodyay Showgrounds Master Plan, Shire of Toodyay
- Percy Doyle Master Plan, City of Joondalup
- Hilton Reserve Recreation Planning and Consultation, City of Fremantle

URBAN

- Minor Urban Interventions, City of Perth
- Corimbia Estate, Stockland
- Beachridge Estate, Ardross Estates
- Sienna Wood, Stockland / DoH Joint Venture
- Knutsford, LandCorp
- Ranford Road, Harley Dykstra
- Minim Cove, LandCorp
- Denham, LandCorp
- Cape Cabarita



24 FEBRUARY 2021

13.2 ACCREDITATION OF THE SHIRE OF SHARK BAY AS A FILM FRIENDLY LOCATION
RC00037

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Fenny
Seconded Cr Ridgley

Council Resolution

That Council note the work undertaken by the administration to secure Film Friendly status and endorses ongoing compliance with the requirements needed to maintain the accreditation.

6/0 CARRIED

BACKGROUND

Screenwest is Western Australia's lead screen funding and development organisation, supporting film, television and digital production.

In 2020 Screenwest launched a "Film Friendly" program designed to encourage film makers to film in location across WA by introducing standardised streamline procedures to speed up the required approval processes.

Local governments that expressed interest in becoming Film Friendly locations were required to attend a series of workshops to understand the Film Friendly process and what the needs of Film Production companies are when they are looking for suitable locations and when filming on location.

The process to become Film Friendly included

- Nominating a staff member to be the sole point of contact between potential film makers, Screenwest and community/government organisations. Film Friendly Officer to be added to that staff member's Job Description.
- Creating a Film Friendly Location page on the Shire website with information about timelines, contact lists, application forms and other relevant information.
- Uploading photos that showcase the area and identify potential film locations to the Screen west gallery.
- Speaking with other organisations (eg Department of Biodiversity Conservation and Attraction, Malgana Aboriginal Corporation), who may require permits/procedures for filming to occur were aware of the Film Friendly status and would prioritise the approval of any such permits

It is important to note that the Film Friendly status does not give potential film makers unlimited and unrestricted access to any area within the region, but rather establishes a clear process for them to understand where they can and can't film and an expedited process to obtain the required permits that will be needed to film in the areas they have been approved to use.

24 FEBRUARY 2021

COMMENT

When Screenwest initially launched the Film Friendly process they contacted the regional Development Commissions to work with them to advocate across the regions for Local Governments to become involved. The Gascoyne Development Commission approached the Shire of Shark Bay in July 2020, to see if the Shire was interested.

Data from Screenwest shows that there is a significant tourism and economic benefit to the region if a company comes to site to film part, or all, of a production. Not only do the cast and crew use local services such as accommodation, meals and fuel, but cast members also receive prodium's to spend in the town, local trades are engaged for all repair or minor build work, and if needed local residents may have an opportunity to participate in crowd scenes. The Shire also has the ability to negotiate testimonials and/or film footage to be used as a promotional avenue for the region. A full-length feature movie can generate a local spend in excess of \$500,000.

Recognising the opportunity for economic development across the region, Shire staff attended the workshops and commenced the process to become accredited.

On Friday 12 February 2021 the Shire of Shark Bay successfully completed all aspects of the program and was awarded accreditation.

A logo has now been placed on our website recognising our accreditation. A Screenwest Media Release will go live on Monday 22 February recognising the Shire of West Arthur and the Shire of Shark Bay who are currently the only two regional Shires to gain accreditation. Accreditation also means Screenwest and the Gascoyne Development Commission will actively promote this region to film makers both domestically and internationally.

The accreditation is valid for two years and at the end of that time the Shire will be invited to reapply to maintain the status as a Film Friendly Location.

LEGAL IMPLICATIONS

There are no legal implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications to this item.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2020 – 2030

2.2 Promote and support our tourism industry

6.1. Effectively represent and promote the Shire of Shark Bay.

RISK MANAGEMENT

Adoption of and adherence to the Film Friendly processes reduces the risk from potential film makers having inconsistent practices or not complying with required policies and processes.

MINUTES OF THE ORDINARY COUNCIL MEETING

24 FEBRUARY 2021

VOTING REQUIREMENTS

Simple majority required

SIGNATURES

Author

D Wilkes

Chief Executive Officer

P Anderson

Date of Report

17 February 2021

24 FEBRUARY 2021

14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Moved Cr Fenny
Seconded Cr Smith

Council Resolution

That Council accept the tabling of urgent business and Confidential items as follows:

14.1 Presidents Report

15.2 Confidential Report – Eagle Bluff Sealing 2020/2021

6/0 CARRIED

14.1 President's Report
GV00002

Council Committee Membership

Member	Audit Committee
Member	Development Assessment Panel
Member (Chair)	Local Emergency Management Advisory Committee
Member (Chair)	Western Australian Local Government Association – Gascoyne Zone
Deputy Delegate	The Aviation Community Consultation Group
Ministerial Appointment	Gascoyne Development Commission

Meeting Attendance

25 January 2021	Minister MacTiernan visit (Shark Bay Community Resource Centre and Hydrogen Power funding)
26	Australia Day celebrations
28	Cherie Sibosado, Labor Party Candidate, North West Central
9 February	ABC North West Radio interview – Fishing Limits
10	ABC Drive Time radio interview – Fishing Limits
16	Gascoyne Development Commission - Chair Audit / Risk Committee
	Gascoyne Development commission Board
17	Engagement – Empowering Relationships
18	Shire Auditor meeting
18	Audit Committee Chairs Forum – Office of the Auditor General
19	Western Australian Local Government Association – Gascoyne Zone Meeting held in Carnarvon
24	Councillor workshop – Act amendments
24	Shire Audit Committee
24	February Shire Council meeting

Signatures

Councillor	<i>Councillor Cowell</i>
Date of Report	18 February 2021

Moved Cr Fenny
Seconded Cr Bellottie

Council Resolution

That the President's activity report for February 2021 be received.

6/0 CARRIED

24 FEBRUARY 2021

15. **MATTERS BEHIND CLOSED DOORS**

Moved Cr Fenny
Seconded Cr Ridgely

Council Resolution

That the meeting be closed to members of the public in accordance with section 5.23(2) of the Local Government Act 1995 for Council to discuss matters of a confidential nature at 4.55 pm.

6/0 CARRIED

Council Staff Ms Pears and Ms Wilkes left the Council Chamber at 4.55 pm.

15.1 **PURCHASE OF NEW SHIRE WORKS VEHICLES**
PL00003

AUTHOR

Works Manager

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Bellottie
Seconded Cr Fenny

Council Resolution

That Council consider the Officers Recommendation contained within the body of the report.

6/0 CARRIED

Moved Cr Fenny
Seconded Cr Bellottie

Council Resolution

That Council accept the quotation from Carnarvon Toyota for the supply of two new Dual Cab Toyota Hilux vehicles and the trade of the following Council vehicles:

- a. Toyota Hilux Dual Cab 2.8 Four Cylinder Turbo Diesel, Registration 1GXG 707**
- b. Toyota Hilux Dual Cab 2.8 Four Cylinder Turbo Diesel, Registration 1GXG 708**

6/0 CARRIED

24 FEBRUARY 2021

15.2 EAGLE BLUFF SEALING 2020/2021
RD00009, RD00029

Author
Works Manager

Disclosure of Any Interest
Nil

Moved Cr Fenny
Seconded Cr Ridgley

Council Resolution

That Council consider the officers recommendation as contained within the confidential report.

6/0 CARRIED

Moved Cr Fenny
Seconded Cr Bellottie

Council Resolution

- 1. That the Council note the four responses from the Western Australian Local Government preferred suppliers list for PS 2020/2021-06.**
- 2. That Council note and endorse that as a result of the Evaluation Panel determining the compliance, qualitative and pricing structures offered it was considered that Colas has provided the most advantageous quote based on the information supplied under Eagle Bluff Sealing 2020/2021.**
- 3. That Council appoint Colas as the winning quote based upon the assessment of the compliance, qualitative and pricing structures offered under PS 2020/2021-06 Eagle Bluff Sealing.**

6/0 CARRIED

Moved Cr Ridgley
Seconded Cr Smith

Council Resolution

That the meeting be reopened to the members of the public at 5.00 pm .
6/0 CARRIED

16. DATE AND TIME OF NEXT MEETING

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 31 March 2021, commencing at 3.00 pm.

17. CLOSURE OF MEETING

As there was no further business the President closed the Ordinary Council meeting at 5.01 pm.