

SHIRE OF SHARK BAY MINUTES

25 March 2020

ORDINARY COUNCIL MEETING



CLEAN UP AUSTRALIA DAY – SHARK BAY



25 MARCH 2020



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MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

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 25 March 2020 commencing at 3.02 pm.

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1.0 DECLARATION OF OPENING

The President declared the meeting open at 3.02 pm.

2.0 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	Leave of Absence approved at Item 5.1
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VISITORS

1 visitor in the gallery
Senior Sergeant Graham Bond from 3.02pm to 3.35pm
Constable Richard Butterworth from 3.02pm to 3.35pm

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

There are no previous public questions on notice.

4.0 PUBLIC QUESTION TIME

The President opened Public Question Time at 3.03 pm.

Mr Nick Pedrocchi spoke about Council's ability to close the main road at the Overlander turnoff, restricting visitors to Shark Bay.

The President advised that Council does not have the authority to close the main road into Shark Bay as the road is controlled by the State and it would be up to the Premier or Commissioner of Police to make this directive.

The President closed Public Question Time at 3.04 pm.

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5.0 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 Ridgely
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 25 March 2020.

6/0 CARRIED

Background

Councillor Burton has applied for leave of absence from the ordinary meeting of Council scheduled for Wednesday 25 March 2020. 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 25 March 2020 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.
- (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 –

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- 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 19 March 2020

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6.0 PETITIONS

There were no petitions presented to the March 2020 Ordinary Council meeting.

7.0 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 FEBRUARY 2020

Moved Cr Ridgley
Seconded Cr Smith

Council Resolution

That the minutes of the Ordinary Council meeting held on 26 February 2020, as circulated to all Councillors, be confirmed as a true and accurate record.

6/0 CARRIED

8.0 ANNOUNCEMENTS BY THE CHAIR

President asked Senior Sargent Bond to address the council in regard to actions taken by the police service in regard to the COVID-19 virus.

Senior Sargent Bond advised that he has instigated a incident management group who have met three times, the group comprises of Silver chain, local business shire and volunteer services representatives and has instigated plans and measures to address any foreseeable matters. He also advised council of local action in regard to closures to business and alcohol outlets. He is working with all state agencies as the situation evolves throughout the State and local district.

The President announce that Bushfire Service Medallion and National Medal awards had been received from the Department of Fire and Emergency Services.

Mr Brian Galvin was presented with the 15 years diligent service award and also the national Medal award.

Mrs Francesca Hault and Mr Matthew James both have received the Bushfire Service Medallion for five years of diligent service and they will be presented to both staff members at a later stage when they return to work.

Mr Paul Anderson was presented with the 5 years of diligent service award.

9.0 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

24 February 2020

25

25

Business Local Regional Service Managers
Sharon Hearn's, Silver Chain Manager
Kylie Mayo, Health Professional consultant

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26	Elected Members Executive workshop – Strategic Plan – Moore Stephens
26	Kylie Mayo presentation to Councillors
28	Western Australian Local Government Association Gascoyne Zone meeting – Carnarvon
4 March	Western Australian Local Government Association State Council meeting – Perth
6	Kalbarri Skywalk presentation
8	Clean up Australia Day activities
10	Gascoyne Development Board teleconference
12	Councillor mandatory training – Meeting Procedures
16	Ministers for Local Government and Health, plus Chief Medical Officer – Webinar, Corona virus
17	Local Emergency Management Committee meeting
20	Minister for Local Government and medical officers Webinar – Corona virus
23	Gascoyne Development Commission – RED Grants
25	March Council meeting

Signatures

Councillor

Councillor Cowell

Date of Report

Moved Cr Ridgley
Seconded Cr Smith

Senior Sergeant Graham Bond and Constable Richard Butterworth left Council Chamber at 3.35pm

Council Resolution

That the President's activity report for March 2020 be received.

6/0 CARRIED

10.0 COUNCILLORS' REPORTS

10.1 CR RIDGLEY GV00008

Committee Membership

Member	Audit Committee
Member	Shark Bay Business and Tourism Association
Deputy Delegate	Local Emergency Management Advisory Committee

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Meeting Attendance

10 March 2020 Attended the Shark Bay Business and Tourism Association Inc meeting
12 March Attended Councillor Training – Meeting Procedures
13 March Attended Councillor Training – Understanding Financial Reports and Budgets
25 March Ordinary Council meeting

Signatures

Councillor *Councillor Ridgley*
Date of Report 12 March 2020

Moved Cr Fenny
Seconded Cr Bellottie

Council Resolution

That Councillor Ridgley's March 2020 report on activities as Council representative be received.

6/0 CARRIED

10.2 CR FENNY
GV00017

Nil Report for the March 2020 Ordinary Council meeting

10.3 CR SMITH
GV000

Committee Membership

Member Audit Committee
Member Gascoyne District health Advisory Council
Member Shark Bay Bowling, Sporting and Recreation Club Inc.

Meeting Attendance

18 & 19 February 2020 Councillor Training Serving on Council
25 February Shark Bay Bowling, Sport & Recreation Club
26 February Executive Strategic Plan Workshop
26 February Ordinary Council Meeting
5 March Western Australian Local Government Grants Commission
12 March Councillor Training Meeting Procedures
13 March Councillor Training Understanding Financial Report and Budgets
25 March Ordinary Council meeting

Signatures

Councillor *Councillor Smith*
Date of Report 17 March 2020

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Moved Cr Bellottie
Seconded Cr Fenny

Council Resolution

That Councillor Smith's March 2020 report on activities as Council representative be received.

6/0 CARRIED

10.4 CR STUBBERFIELD
GV000

Nil Report for the March 2020 Ordinary Council meeting

10.5 CR BURTON
GV00018

Nil Report for the March 2020 Ordinary Council meeting

10.6 CR BELLOTTIE
GV00010

Nil Report for the March 2020 Ordinary Council meeting

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11.0 ADMINISTRATION REPORT

Item 11.1 was withdrawn from the agenda due to the cancellation of the conference.

11.1 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE
- 2020 (LOCAL GOVERNMENT WEEK)
CM00053

Author

Executive Assistant

Disclosure of Any Interest

Nil

Officers Recommendation

Option 1

That the Council's administration report back to the May 2020 Ordinary Council meeting with further details of the Western Australian Local Government Association's 2020 Convention, where Councillors can nominate to attend.

OR

Option 2

1. That the following Councillor's be nominated to attend the 2020 Western Australian Local Government Association Annual Conference to be held in Perth on Wednesday 5 to Friday 7 August 2020:

Cr

Cr

Cr

Cr

Cr

Cr

Cr

2. That the Chief Executive Officer be authorised to attend the Western Australian Local Government Association Annual Conference to be held in Perth on Wednesday 5 to Friday 7 August 2020.

Background

The annual 2020 Western Australian Local Government Association Conference (Local Government Week) is scheduled for 5 to 7 August 2020. In conjunction with the program on Thursday 6 August 2020 there is the Local Government Officers Forum.

The conference normally attracts over 400 delegates from Local Governments around Western Australia as well as various exhibitors and guest speakers.

Comment

The Western Australian Local Government Association Annual conference is a significant event in the Local Government in Western Australia.

This is an opportune time to arrange other meetings with Ministers and Government Agencies if required while in Perth.

Advice from the Western Australian Local Government Association has been received earlier than normal advising of the dates that the conference will be held.

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The theme for the 2019 WA Local Government Convention is LEADING THE WAY.

The theme for the 2020 WA Local Government Convention is **LEADING THE WAY**, taking place against the backdrop of generational change for the sector with the implementation of the new Local Government Act and ongoing review. The new Act is the first significant revision of the legislation in 25 years and the Convention program has been developed to expand on this theme to explore ways in which the Local Governments can positively embrace and influence change to benefit their communities.

The full Program and Registration will be available in April 2020.

This item is to advise Council of the upcoming dates giving Councillors time to think about whether they wish to attend the conference.

Previous attendance to the Conference is as follows:

YEAR	NOMINATED	NOTES
2019	All Councillors Nominated	Cr Laundry and Cr Bellottie attended
2018	Cr Fenny Cr Burton Cr Cowell	Cr Cowell did not attend
2017	Cr Bellottie Cr Laundry	
2016	Cr Ridgley Cr Capewell Cr Cowell	
2015	Cr Laundry Cr Bellottie	
2014	Cr Ridgley Cr Wake Cr Prior	Cr Ridgley did not attend
2013	Cr Cowell Cr Prior	
2012	Cr Wake Cr Capewell	
2011	Cr Cowell Cr Wake	
2010	Cr Cowell	

Legal Implications

There are no legal implications relative to this report

Policy Implications

There are no policy implications relative to this report

Financial Implications

The total cost of the two Councillors attending the 2019 Conference was \$7,183.23 ex GST. This includes flights, accommodation, meals and conference fees.

Costing for the conference is not yet advertised by the Western Australian Local Government Association and will be advised in the next report as it becomes available.

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The Council can then incorporate the costs associated with the conference into the 2020/2021 budget.

Strategic Implications

Civic Leadership 4.2.2 – Implement effective training programs for administration and Councillors

Risk Management

This is a low risk item for Council.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

3 March 2020

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11.2 PROPOSED NEW COUNCIL POLICY GIFTS ATTENDANCE AT EVENTS AND FUNCTIONS
CM00037

AUTHOR

Chief Executive Officer

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Stubberfield
Seconded Cr Ridgley

Council Resolution

That Council adopt Council Policy 1.21 Gifts - Attendance at Events and Functions as attached.

6/0 CARRIED BY ABSOLUTE MAJORITY

BACKGROUND

On 20 October 2019, the revised gifts framework contained within the Local Government Legislation Amendment Act 2019 (the Amendment Act) came into operation across Western Australia.

As a result, the revised gift framework has been simplified, with a focus on transparency and accountability. The nature of the relationship between the recipient and the donor of the gift has been reconsidered with a stronger focus on the disclosure requirements on why the individual has received the gift, and the possible influence the receipt of that gift may have on Council business.

With the introduction of the Amendment Act, Local Governments across Western Australia have received notification from the Department of Local Government, Sport and Cultural Industries to prepare and adopt an "Attendance at Events" policy that relates to the attendance of Elected Members and Chief Executive Officers' at events such as concerts, conferences and functions as a representative of Council.

In light of the above, a draft Policy has been prepared for Council's consideration with a view to adoption. A copy of the draft Council Policy Gifts - Attendance at Events and Functions (the Policy) is attached.

COMMENT

With the introduction of the Amendment Act, a new section (5.90A(2)) has now been included in the Local Government Act 1995 (the Act) to specify that:

"A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the Chief Executive Officer at events, including — (a) the provision of tickets to events; and (b) payments in respect of attendance; and (c) approval of attendance by the local government and criteria for approval; and (d) any prescribed matter."

* Absolute majority required.

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This section of the Act now clearly outlines that Council is to adopt a policy by Absolute Majority to provide guidance on event attendance. The Policy attached has been prepared in accordance with the legislative change brought about by the Amendment Act and the Local Government (Rules of Conduct) Regulations 2007 (the Regulations). Policy content is discussed below.

Policy Content

The intent of the Policy is to provide Council and the Chief Executive Officer guidance on the appropriate disclosure and management of invitations to events, functions and other occasions where hospitality is offered free of charge, regardless of whether they are acting in accordance of their official duties or not. The Policy does not apply to tangible gifts (i.e. receipt of goods or services), money, travel or accommodation which must be dealt with and recorded through other sections of Division 6 of the Act within the prescribed timeframe.

Exemptions

The Policy also outlines what situations/organisations are specifically excluded where an invitation for attendance at an event is received. However, the event ticket or any gift received in relation to the event must still be recorded in the Shire's gifts register.

Policy Measures

This section of the Policy identifies the key considerations in identifying whether attendance at an event is a gift for the purposes of the Act, and guidance on the management of perceived or real conflicts of interest. The measures have been segregated to address the following circumstances in which an Elected Member/Chief Executive Officer may receive a gift:

Community/Local Business Events;
Commercial Entertainment Events;
Non-Entertainment Commercial Events; and
Gifts received through event sponsorship.

These sections have been developed to address the provision of tickets to events, payments in respect of attendance, and approval of attendance at events in accordance with section 5.90A of the Act.

This proposed new Policy has been prepared in light of the changes brought about by the Local Government Legislation Amendment Act 2019, and is now a legislative compliance requirement for local government. It is recommended that Council adopt Council Policy 1.21 Gifts - Attendance at Events and Functions as attached at the end of the report and requires voting by Absolute Majority.

LEGAL IMPLICATIONS

Local Government Act 1995, Local Government Legislation Amendment Act 2019
Local Government (Rules of Conduct) Regulations 2007.

POLICY IMPLICATIONS

Adoption of a new policy

FINANCIAL IMPLICATIONS

There are no financial implications relative to this report

STRATEGIC IMPLICATIONS

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The proposed new Policy address the Shire of Shark Bays Strategic Community Plan 2019-2023:

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

Failure to adopt an "Attendance at Events" policy by Absolute Majority will place Council in breach of the amended Local Government Act 1995.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

24 February 2020

25 MARCH 2020

Our Ref: E1931176

TO ALL LOCAL GOVERNMENTS

CIRCULAR N^o 11-2019

NEW GIFTS FRAMEWORK

On 20 October 2019, the new gifts framework contained within the *Local Government Legislation Amendment Act 2019* will come into operation.

The *Local Government Regulations Amendment (Gifts) Regulations 2019* are being gazetted on 18 October. These amend the *Local Government (Administration) Regulations 1996*, the *Local Government (Audit) Regulations 1996* and the *Local Government (Rules of Conduct) Regulations 2007*. The proclamation of the associated sections of the *Local Government Legislation Amendment Act 2019* is also being gazetted on that day.

This new gift framework has been simplified, with the focus on transparency and accountability. This has been achieved by considering the nature of the relationship between the recipient and the donor of the gift and focusing the disclosure requirements on why the person has received the gift and dealing with possible influence created by the gift via the conflict of interest provisions.

Receipt of Gifts

In accordance with sections 5.87A and 5.87B of the Act, council members and CEOs are required to disclose gifts that are received in their capacity as a council member (or CEO) and –

- are valued over \$300; or
- are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period.

Additionally, a gift given by two or more related bodies corporate (as defined in the *Corporations Act 2001* (Cth)) is considered to have been given by a single corporation (donor).

Contributions to travel costs, whether financial or otherwise, will no longer be treated separately. These are now incorporated within the definition of gift.

The decision on whether a gift is received in the capacity of a council member or CEO must be made by the recipient of the gift. The question is whether the gift would have been given (or a gift of that value given) if the recipient were not a member of the council (or CEO). If the answer is no, it must be disclosed if the value of the gift (or aggregated value) is over \$300. The onus is on the recipient to prove that it was not received in that capacity (and that the value of the gift(s) is not greater than \$300).

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Real time reporting of gifts is achieved through requirements to disclose all gifts within 10 days of receipt, for the CEO to update the register within 10 days, and for an up-to-date version of the register to be published on the local government's official website.

To assist council members and CEOs with complying with the new gift framework, a flowchart has been prepared and is attached to this circular (**Attachment A**).

To remove complexity from the gift disclosure framework, the minor breach provisions that relate to the declaration of gifts (which set two different thresholds in addition to the gift declaration thresholds above) have been removed. That is, Regulation 12 of the *Local Government (Rules of Conduct) Regulations 2007* has been deleted. The removal of these provisions does not prevent a council member from being prosecuted for failing to disclose a gift or the Departmental CEO referring a serious breach of the Act (related to gifts) to the State Administrative Tribunal. The maximum penalty for failure to disclose a gift is a fine of \$10,000 or imprisonment for two years.

Conflicts of Interest – Interests relating to a gift

Receipt of a gift – any gift, whether or not in a person's capacity as council member or CEO – will create a relationship of a closely associated person and therefore an interest (sections 5.60 and 5.62).

The following situations are specifically excluded from the interest provisions:

- where the gift (or gifts over a 12-month period from the one donor) do not exceed \$300 in value;
- where the gift is a ticket to, or otherwise relates to attendance at an event and the local government approves the person's attendance in accordance with their Attendance at Events policy (see below); or
- where the gift is received from one of the following organisations:
 - WALGA (but not LGIS)
 - Local Government Professionals Australia (WA)
 - Australian Local Government Association
 - A department of the public service
 - A government department of another State, a Territory or the Commonwealth
 - A local government or regional local government.

(The gifts referred to in the second and third dot points must still be disclosed in accordance with sections 5.87A and 5.87B as described above.)

This interest creates a perceived or actual conflict which prevents the council member from participating in the meeting or the CEO from providing advice or a report on the matter to be discussed (sections 5.67 and 5.71A), unless approval has otherwise been given.

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If the amount of the gift(s) is less than \$1,000, under section 5.68 the council may allow the disclosing council member to participate if:

- The council member discloses the extent of the interest they have; and
- Council decides that the interest is so trivial or insignificant as to be unlikely to influence the disclosing person's conduct in relation to the matter; or
- The interest is common to a significant number of other electors or ratepayers.

The interest, the council's decision and the reasons for that decision must be recorded in the minutes.

If an interest valued at over \$1,000 is disclosed, under section 5.69 the council or CEO may apply to the Minister to allow the disclosing member to participate in meetings or parts of meetings relating to that matter. In this case, the Minister must consider that it is in the best interests of the electors or ratepayers for this to happen, or that approval is necessary to provide a quorum. The Minister's decision and the reasons for that decision must be recorded in the minutes of the meeting where the matter is discussed.

Similar provisions are contained in sections 5.71A and 5.71B in relation to the CEO providing advice or a report, directly or indirectly, to the council or a committee.

To assist council members and CEOs with understanding how the interests relating to gifts operate, a flowchart is attached to this circular (**Attachments B and C**).

Attendance at Events policy

Local governments must prepare and adopt a policy that relates to the attendance of council members and CEOs at events such as concerts, conferences and functions. This policy must address the provision of tickets to events, payments in respect of attendance and approval of attendance by the local government and criteria for approval. New section 5.90A relates.

In essence, the policy deals with a council member's or CEO's attendance at events as a representative of the council. Tickets or the invitation to the event must be made to the council directly, not to the council member or CEO personally. If a council member or CEO attends an event in accordance with the local government's policy, then no conflict of interest arises.

Guidance material to support the development of the Attendance at Events policy is being prepared and will be available on the Department's website at www.dlgsc.wa.gov.au/lgareview.

Local Government Operational Guidelines are being updated to include these provisions.

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For further information, please contact the Strategic Initiatives team via email at actreview@dlqsc.wa.gov.au.

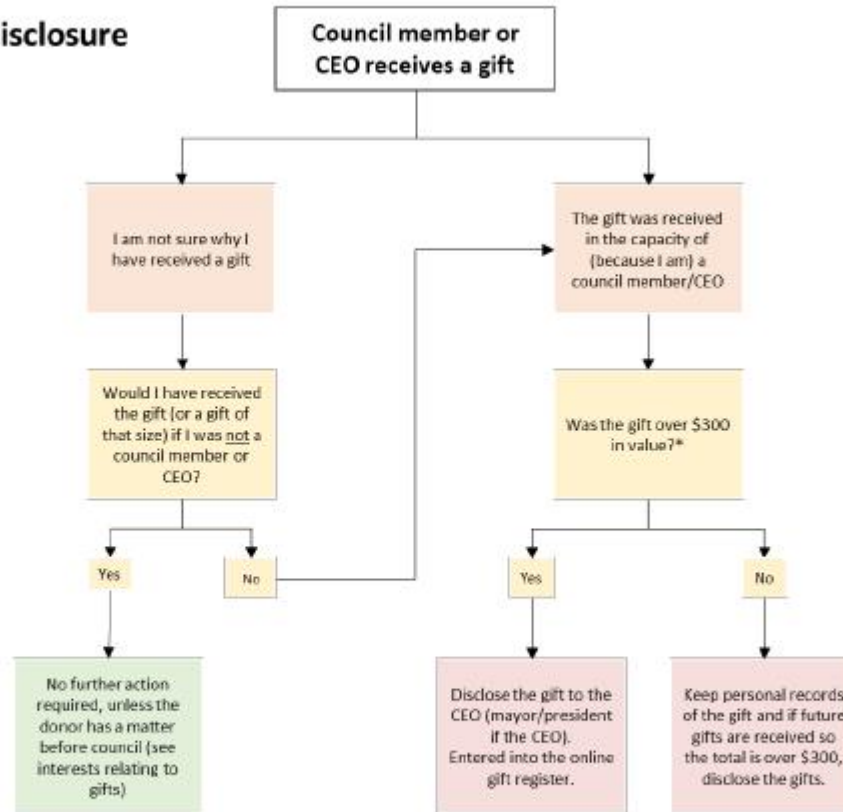


Duncan Ord OAM
DIRECTOR GENERAL

October 2019

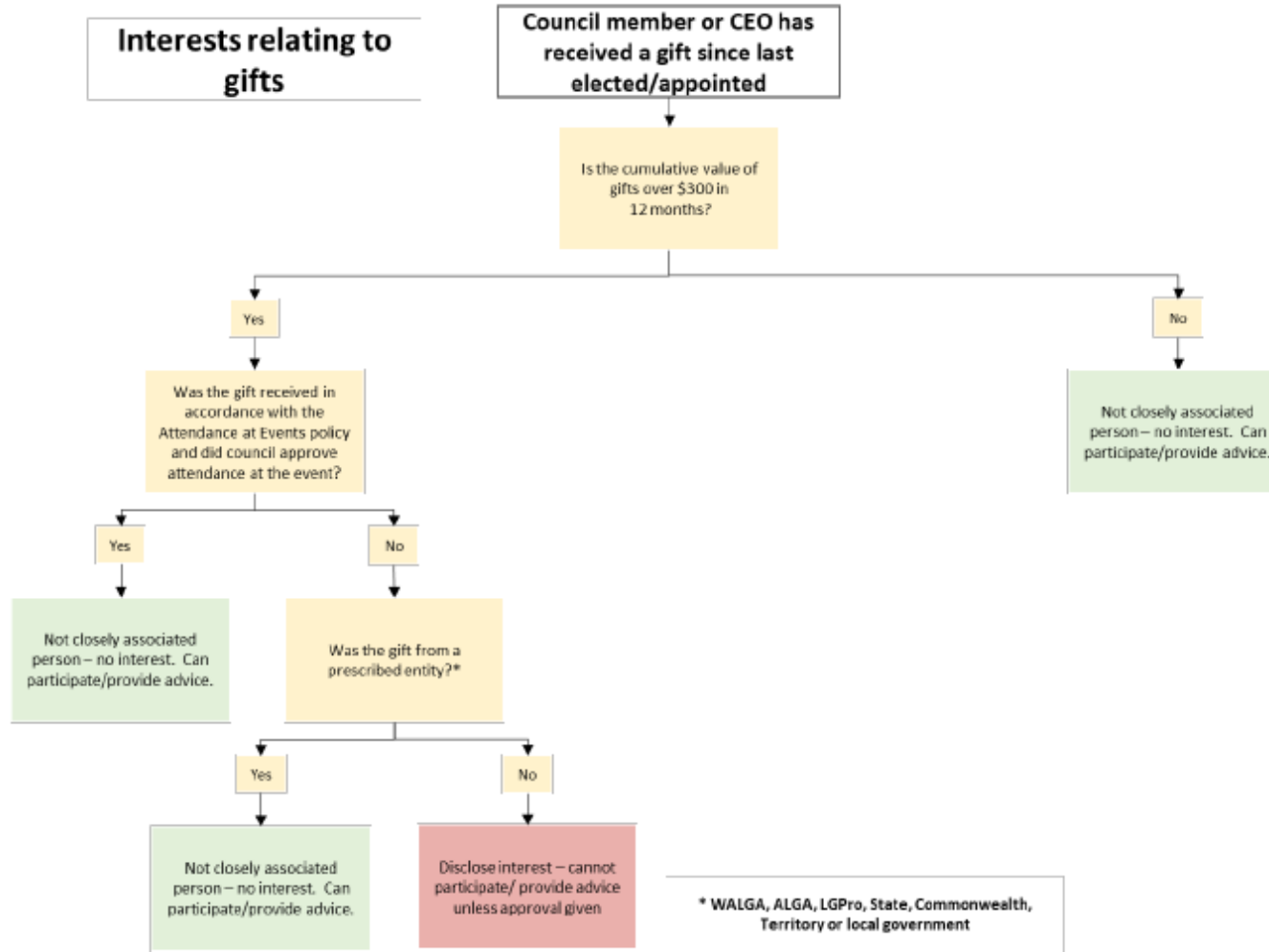
Attachment A

Gift framework - disclosure

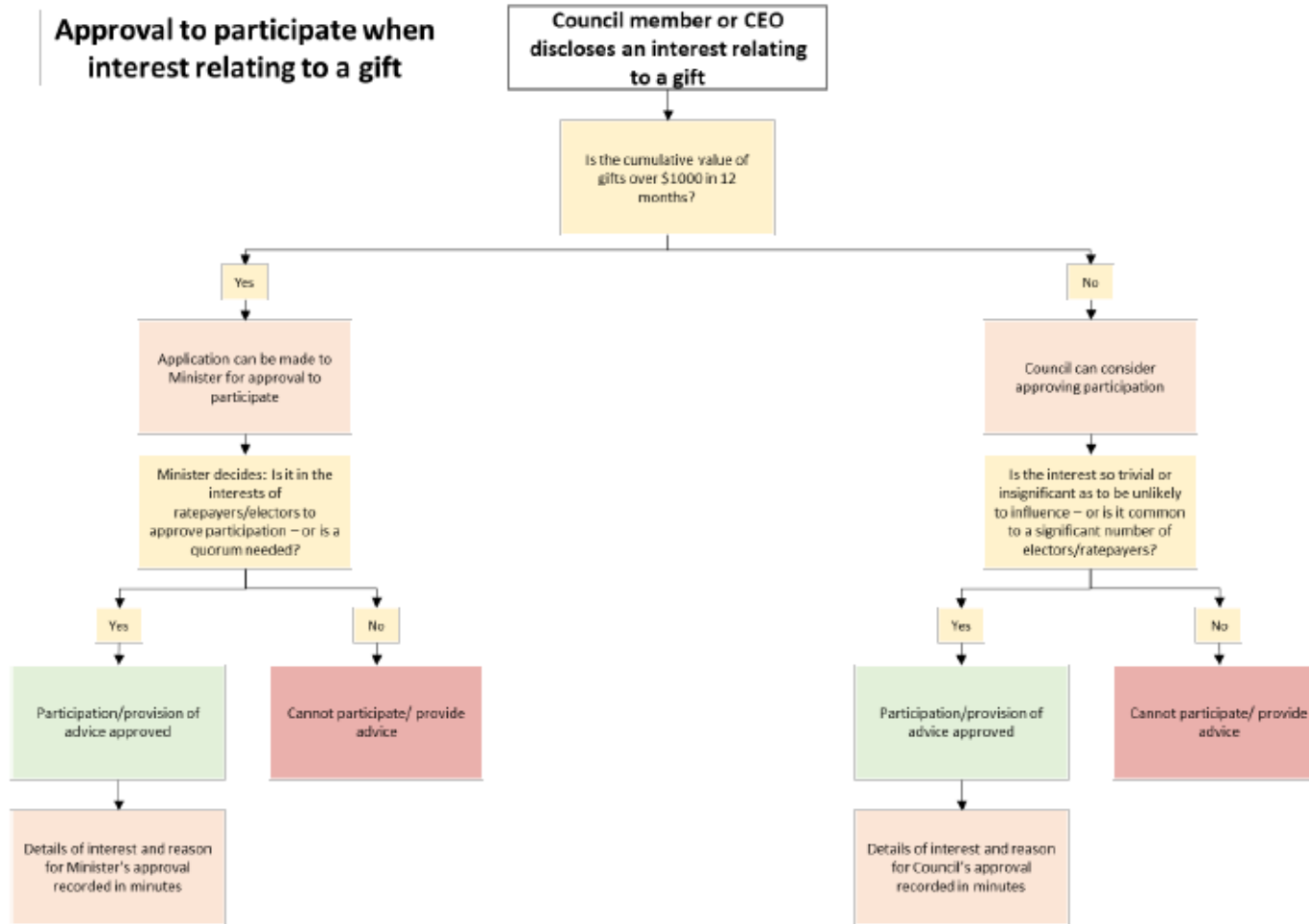


* Or a series of gifts from that person in a 12 month period was over \$300 in value

Attachment B



Attachment C





Gifts and Conflicts of Interests Frequently Asked Questions

Council members, Chief Executive Officers (CEOs) and other local government employees occasionally receive gifts. As part of the Local Government Act Review it was recognised that a new gift framework should be developed to provide a transparent system of accountability where members of the community can have confidence in the decision-making of their elected representatives.

The recent changes to gifts outlined below has not changed the current code of conduct gift provisions relating to employees (regulation 34B of the *Local Government (Administration) Regulations 1996*). These provisions will be reviewed when section 5.51A (Code of conduct for employees) of the *Local Government Legislation Amendment Act 2019* is proclaimed in 2020.

Gifts

What changes are being made?

- The former gift exemption categories no longer apply, and council members and CEOs must declare any gift received in their capacity as a council member or CEO valued at \$300 or above (or the cumulative value of gifts from the one donor exceeds \$300 in a 12-month period). See sections 5.87A and 5.87B.
- If a council member receives *any* gift (or a series of gifts in a 12-month period) valued at \$300 or above and the donor has a matter before council, the council member must disclose an interest and remove themselves from the meeting (unless approval is granted by the council or the Minister, depending on the value of the gift). The donor becomes a closely associated person in accordance with section 5.62.
- Similarly, gifts received by the CEO will exclude them from involvement in a matter requiring a local government decision (unless approval is granted by the council or the Minister, depending on the value of the gift).

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- Gifts that will not create an interest are those involving attendance at events as approved by council in accordance with the attendance at events policy and those from specified entities.
- Local governments are required to develop and publish a policy covering council member and CEO attendance at events, and addressing who will pay for the tickets.
- The former definition of a gift has been deleted, and a new definition of gift in the Act now includes contributions to travel.
- CEOs are responsible for publishing and maintaining a gift register on the local government's official website which now needs to be updated within ten days of a disclosure being made.

Why are these changes being made?

- It is important that council members and CEOs make decisions – and are seen to be making decisions – free from influence.
- The changes increase transparency while recognising that gifts received in their personal lives, such as wedding presents, are not matters of public interest.
- The amendments also recognise that there is a valid role for council members in attending events, but makes this a decision of council in accordance with a published policy.

What are the obligations on Council members and CEOs when receiving a gift?

- Disclose all gifts valued over \$300 received in their capacity as council member or CEO. This threshold includes cumulative gifts over a 12-month period from the one donor that add up to the value of \$300 or above.
- Disclose these gifts within 10 days of receipt.
- A failure to comply with requirements is an offence.

What is a gift received in their capacity as a council member mean?

- The question is, would the gift have been given if the person was not a member of the council (or CEO), if the answer is no, then it must be disclosed if the value of the gift (or the cumulative value of gifts from the same donor), is over \$300.
- Attendance at an event, whether as a representative of the local government or otherwise as a councillor or CEO, where the council member or CEO has not paid for the ticket or hospitality is a gift and must be disclosed.

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- Gifts that generally wouldn't have to be disclosed would include:
 - wedding gifts,
 - birthday gifts,
 - gifts received through a will,
 - gifts (or travel) received through their ordinary course of outside employment, or
 - the temporary loan of personal property belonging to a relative, acquaintance, neighbour etc.
- Care should still be taken when receiving a gift through the pathways listed above, as an assessment on the nature of the relationship between the recipient and the donor must still be made.

How can a council member or CEO decide if the gift was received in that capacity?

- Each member will need to make their own assessment.
- The test is — if I was not a council member/CEO would this person have given me a gift (or a gift of that size)?
- If the answer is no, it must be disclosed.
- If in doubt, disclose.

How do you determine the value of a gift?

- The value of a gift is its market value at the time it is given.
- It will be up to the council member or CEO to establish the cost of the gift.
- If challenged, the onus is on the recipient to prove the value.

If I am away how can I make a disclosure in writing within 10 days?

- It is sufficient to email the CEO (or mayor or president if a CEO).
- The following details must be provided:
 - a description of the gift,
 - the name and address of the donor,
 - the date of receipt,
 - the estimated value of the gift,

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- the nature of the relationship between the donor and yourself, and
- if the gift relates to travel, a description of the travel and the date of the travel.

How soon after a disclosure is made will it be available on the local government's website?

- The CEO must update the register within 10 days of a disclosure being made.
- The version on the local government's website must be up-to-date.

What new information is required in the gift register?

- Where the gift is in accordance with the Attendance at Events policy and that attendance has been approved by council, the entry must also include:
 - the date of council approval, and
 - the reasons for the decision.
- Approval cannot be given for tickets that are provided directly to the council member (or CEO).

Why are the publication of address details being changed?

- The full address of the donor still needs to be disclosed, but to balance privacy with transparency, only the town or suburb of the donor's address will be published online.

How do election gifts work with the new framework?

- Amendments have not been made to election gifts.
- Election gifts are being reviewed in Phase 2.

Conflicts of Interest

What is an interest relating to a gift?

- It is a type of interest which recognises that a relationship is created between the donor and a recipient of a gift which could be perceived to affect decision-making.

What is the purpose of the interest provisions?

- These ensure that decision-making is free from influence and so decisions can be made in the best interests of the community.

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What types of gifts could create an interest?

- Any gift (or a series of gifts in a 12 month period) valued at over \$300 creates an interest as the donor becomes a closely associated person (section 5.62).
- An interest can be created from gifts that do not have to be disclosed in accordance with sections 5.87A and 5.87B.
- For a council member, the interest is created from any gifts since they were last elected (although election gifts also creates an interest).
- For a CEO, the interest is created from any gifts received since the CEO was last employed or appointed to act.

Are any gifts excluded from creating an interest?

- Yes, section 5.62(1B) provides that the following gifts are considered not to have created an interest:
 - Attendance at events which have been approved by the council in accordance with the Attendance at Events policy
 - Gifts from the following entities:
 - WALGA (note: this does not include LGIS)
 - ALGA
 - Local Government Professionals WA
 - A State public service department
 - A Commonwealth, State or Territory government department
 - Another local government or regional local government.
- Note: these still have to be disclosed and entered on the gifts register if received in the capacity of council member or CEO.

When does this interest become important?

- When the donor has a matter before council.

What does this mean for the council member or CEO?

- A council member must not participate in any part of a council or committee meeting relating to that matter without approval.
- A CEO must not provide advice or a report in relation to the matter, either directly or indirectly, unless otherwise approved.

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- If advice or a report is being provided by another employee, the CEO must disclose the nature of the interest they have in the matter.

What do I do if a matter comes before council affecting the donor?

- A council member must disclose this interest in writing to the CEO before the meeting or immediately before the matter is discussed. (If disclosure is made to the CEO, the CEO must bring this to the attention of the presiding member before the meeting and the presiding member must bring this to the attention of the attendees immediately before the matter is discussed).
- A CEO who has an interest must disclose the nature of the interest in a written notice given to council.

When can approval be given to participate or provide advice or a report?

- If the interest is from a gift valued at up to \$1,000 and full disclosure has been made, the council, by absolute majority, can approve participation (section 5.68) but only in the following circumstances:
 - those members decide that the interest is so trivial or insignificant as to be unlikely to influence the disclosing member or CEO's conduct in relation to the matter; or
 - the interest is common to a significant number of electors or ratepayers in the case of disclosure by a council member.
- The council can decide to allow the CEO to provide advice or a report if they decide that the nature of the interest is unlikely to influence the CEO (section 5.71B).
- The decisions and the council's reasons for making that decision must be recorded in the minutes of the meeting.

Why is the council deciding on whether another council member can participate in consideration of a matter in which they have an interest?

- Council is in the best position to judge whether the receipt of the gift is likely to affect the person's decision-making.
- If the council agrees, the council member will be able to be present during and participate in the discussions and decision-making in relation to that matter.
- Council will need to record the reason for making that decision in the minutes so there is accountability.
- A cap is being placed on this so that for gifts over \$1,000, an application will need to be made to the Minister for approval to participate.

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Can a committee make the decision or does the member have to go to the full council for permission to participate?

- The council can give power to a committee to decide if they feel it is appropriate.

What if the gift is over \$1,000?

- Only the Minister can make a decision to allow participation or the provision of advice or a report (section 5.69).
- The Minister can only decide to allow a council member to participate if:
 - a quorum is needed, or
 - the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.
- The Minister can decide to allow the CEO to provide advice or a report if the Minister is of the opinion that the interest is unlikely to influence the CEO in the provision of the advice or report (section 5.71B).
- The Minister's decision and the reasons for it must be recorded in the council's minutes when the matter is considered by council.

Will the CEO have to make an application to council for approval to be involved in matters affecting the donor of a gift from whom the CEO has received a gift?

- Yes. A CEO must, when proposing to provide any advice or report to the council or a committee, disclose the nature of any interest (section 5.70).
- This must be in writing and be provided to the council.
- The advice or report could be one that will be provided directly by the CEO or indirectly through another employee.
- A CEO that has an interest relating to a gift and authorises another employee to provide advice or a report must disclose the nature of their interest when the advice or report is provided (section 5.71A).

Who is responsible for liaising with the Minister to get approval for the CEO to be involved in a matter where the CEO has received a gift over \$1,000?

- It is the council's responsibility.
- It would be practical for the Mayor or President to be authorised by Council to do so.

Attendance at Events policy

What is the purpose of an Attendance at Events policy (section 5.90A)?

- For council to actively consider the purpose of and benefits to the community from council members attending events.
- To provide a framework for the acceptance of invitations to such events.
- To clarify who pays for tickets to events.
- To provide transparency to the community on the acceptance of tickets to events.

What should a council consider in developing and endorsing an Attendance at Events Policy?

- What benefit will there be to the community or local government in having council member(s) or the CEO (or staff) attend?
- What role will the person attending the event be taking: for example, speaker, giver of awards, member of the audience?
- How many people should appropriately be authorised to attend?
- Is the event to be held within the district?
- Who is bearing the costs of attending and is this appropriate?
- Should the person attending contribute to the costs?
- Who provides the tickets: the organiser of the event or a third party.

What matters should be contained in the Attendance at Events Policy?

- The criteria that the council will use in deciding whether attendance is appropriate.
- How many people should be approved to attend as representatives of the council.
- How tickets to events will be distributed.
- How much a councillor or CEO will have to contribute to the costs of attending.

Does the policy cover all events that a council member attends?

- No, a council member may attend an event outside the policy, or without the council's authorisation.

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- If they do so, they must not use a ticket that has been given to the council or that has been funded by another person.
- Unless attendance has been paid for in full by the council member, they must disclose the value of the tickets or hospitality to the CEO within ten days of receipt.
- The council member will also have an interest in any matter involving the donor that comes before council.
- The policy should cover all events that the council member attends as representative of the council.

Does the policy have to detail actual events and who will attend?

- No, but if council members traditionally attend certain events, these could be detailed in the policy so that further approval is not needed.
- The policy must clearly outline on what basis the decision to approve attendance at any other events will be made.

As a council member can I attend an event if I believe it is in accordance with the policy?

- You must have council approval to attend – this will either be explicitly stated in the council approved policy or a council decision will be required.

What if tickets or an invitation is given directly to a council member?

- These will not be covered by the policy.
- The recipient must disclose receipt of the tickets (and any other associated hospitality) within ten days.
- The recipient will also have an interest in any matter involving the donor of the tickets that comes before council.

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DRAFT POLICY

Background

This policy is required under the Local Government Legislation Amendment Act 2019, which has introduced a number of changes to the gift framework and improve transparency within local governments.

This policy provides guidance to Elected Members and employees when an invitation to an event or function, or other hospitality occasion, ticketed or otherwise, is offered free of charge. It does not provide guidance on the acceptance of a tangible gift or travel contribution.

Objectives

The purpose of this policy is to establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where Elected Members and employees are invited free of charge, whether as part of their official duties as council or Shire representatives or not.

Legislative and Strategic Context

The legislative framework within which this Policy operates and needs to comply is as follows: Local Government Act 1995 (the Act).

Receipt of Gifts

In accordance with sections 5.87A and 5.87B of the Act, council members and CEOs are required to disclose gifts that are received in their capacity as a council member (or CEO) and

–
are valued over \$300; or

are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period.

Local Government (Rules of Conduct) Regulations 2007 (the Regulations)

Department Of Local Government Circular No 11-2019 – New Gifts Framework (See Appendix)

Area of Application

This Policy applies to all Councillors and employees of the Shire of Shark Bay.

Exemptions

This policy does not apply to tangible gifts or money, travel or accommodation. Any contribution to travel, subject to the exceptions in section 5.83 of the Local Government Act 1995, must be disclosed in writing to the CEO within 10 days of receipt of the contribution. Contributions to travel costs, whether financial or otherwise are now incorporated within the definition of gift.

The following situations are specifically excluded where the event ticket (gift) is received from one of the following organisations:

- WALGA (but not LGIS);
- Local Government Professionals Australia (WA);
- Australian Local Government Association;
- A department of the public service;
- A government department of another State, a Territory or the Commonwealth; or
- A local government or regional local government.

The gift is still required to be recorded on the local governments' gift register.

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Policy Measures

1. Key Issues/Considerations

In considering whether a benefit such as an invitation to an event or hospitality given to an Elected Member or an employee is a gift for the purposes of the Act and Regulations, the key issues include: Who is a donor, the person who is offering or giving the benefit?

What is the value of the benefit?

Does the Elected Member or employee of the benefit contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards?

If so, does the value of that contribution outweigh the value of the benefit? If so, it will not be a gift for the purposes of the Act and Regulations.

2. Perceived or actual conflict of interest

Event attendance may create a perceived or actual conflict of interest, which may preclude council members participating or employees providing advice at a future meeting.

If the amount of an event ticket (gift) is less than \$1,000, and relates to a matter before Council, under section 5.68 of the Act, Council may allow the disclosing council member to participate on the condition that the interest, the council's decision and the reasons for that decision are recorded in the minutes.

If the amount gift is above \$1,000 the council or Chief Executive Officer must apply to the Minister for Local Government for permission to allow the member or employee to participate.

3. Community/local business events

Acceptance of reasonable and modest hospitality by an Elected Member or employee at an unpaid event run by a local community group for local business would not generally be classified as a 'gift' where the contribution by the Elected Member or employee to the event is reasonably considered to outweigh the value of the hospitality.

This is more likely where the Elected Member or employee attends the event in his or her capacity as an Elected Member or employee - preferably where the attendance has been specifically authorised by the Shire, but otherwise where the person is performing his or her functions as an Elected Member or employee.

4. Commercial entertainment events

Any tickets accepted by an Elected Member or employee without payment for any commercial entertainment event, for which a member of the public is required to pay whether sponsored by the Shire or not will generally be classified as a gift for the purposes of the Act and Regulations.

An exception to this is where the Shire President or his / her representative attends the event in an official capacity to perform a civic or presidential function.

Where there is a commercial entertainment event that, in the opinion of the Chief Executive Officer, it is in the interests of the Shire for one or more Elected Members or employees to attend in order to assess and understand first-hand the impacts on the community or business, then one or more tickets for that event will be purchased for the relevant Elected Member or employee by the Shire at full cost.

5. Non-entertainment commercial events

For other commercial (non-entertainment) events, such as a conference or seminar, for which a member of the public is required to pay, where the Chief Executive Officer is of the opinion that it is in the interests of the Shire for one or more Elected Members or employees to attend (such as for their professional development or to undertake a function as an Elected Member or employee), then one or more registrations or other benefits for that event will be purchased for the relevant Elected Member or employee by the Shire at full cost to enable attendance.

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If the Shire does not pay for the event, free registration or any other benefit (such as hospitality) given to an Elected Member or employee would be classified as a 'gift' unless the contribution of the Elected Member or employee to the event (such as by way of a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the Elected Member or employee.

6. Gifts received through event sponsorship

Any tickets received through the local government's sponsorship of an event by Elected Members or employees, are to be considered by Council as to how and who they are to be disbursed to prior to the event.

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11.3 ADOPTION OF STRATEGIC RESOURCE PLAN AND CORPORATE BUSINESS PLAN
CM00020, CM00001 & FM00006

This item was deferred until the end of the Ordinary Council meeting.
Refer Page 187

11.4 POLICY – REVIEW OF ALLOCATION CRITERIA FOR HERALD DENHAM CENTRE UNITS
CP00002

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Declaration of Interest:

Nature of Interest:

Moved Cr Ridgely
Seconded Cr Smith

Council Resolution

Council endorse the reviewed Policy for the Allocation Criteria for Herald Denham Centre Units (as attached).

6/0 CARRIED

BACKGROUND

Herald Denham Centre Units consist of thirteen, one-bedroom independent living homes located at 23 Hughes Street, Denham. The Shire of Shark Bay manages the units by administering the tenant applications and undertaking maintenance associated with the properties.

The current Allocation Criteria for Herald Denham Centre Units Council Policy was adopted by Council on 27 August 2014 (Item 11.1). The reviewed Policy recognises some additional considerations.

COMMENT

Those wishing to apply for a unit are required to complete a Herald Denham Centre Application Form, which is returned to and assessed by the Community Development Officer. If the applicant is assessed as eligible, the Community Development Officer places them on the waiting list. An eligible applicant remains on the waitlist until a unit becomes available, or they request to be removed from the list. The Community Development Officer contacts those on the wait list annually to confirm if the applicant is still interested in being waitlisted and/or to discuss any changes to their eligibility criteria.

The existing Policy states that applicants are prioritised solely by in the order in which the applications are received. The reviewed Policy suggests that while the length of time an applicant has been on the waiting list is certainly an important criterion, consideration should also be given to other factors such as personal, family and/or

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social connection to the Shire of Shark Bay and current housing status (for example, an applicant who is considered to be homeless may be given a higher priority than an applicant in stable accommodation).

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

The amended policy reflects the Department of Housing policies and guidelines.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community.

RISK MANAGEMENT

Good governance requires Council to review its policies on a regular basis.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Executive Manager Community Development	<i>D Wilkes</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	13 March 2020

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DRAFT POLICY

Allocation Criteria for Herald Denham Centre Units

Purpose

The Herald Denham Centre Units are located at 23 Hughes Street, Denham. They consist of thirteen, one-bedroom independent living homes. The units are administered by the Shire of Shark Bay in line with the Department of Housing Guidelines.

This Policy aims to provide an equitable and transparent process for the allocation of available units.

Detail

- The eligibility criteria for accommodation is as adopted by Council.
- Eligible applications will be assessed according to the selection criteria and ranked in order of priority (*one point is given to each criterion met*). Therefore, the applicant with the highest total ranking will be placed in highest position on the waiting list.
- Where applicants are of equal standing, preference will be given to long term residents of Shire of Shark Bay.
- A person who is deemed homeless and/or living in temporary accommodation may be placed at the highest total ranking, depending on their current living situation.

Eligibility Criteria

- Applicants must be capable of caring for themselves under independent living conditions and/or with support from family and community care agencies.
- The Herald Denham Centre provides accommodation for those that do not have the financial resources to access similar accommodation in the private market.
- It is preferred that applicants have an association with the Shire of Shark Bay, either by having lived in the area, having family in the area, or social contacts in the area.

Application Process

- Applicants are required to complete and return the Herald Denham Centre Application Form with relevant documentation to support the selection criteria.
- Applications are accepted either in person or by mail. An applicant's listing date will be the date that the application was received with all relevant supporting documentation. Please note if the supporting documentation is not completed and/or not attached to the application, the listing date will become the date the completed documentation is received.
- Community Development Officer is responsible for the management of the waiting list and applicants will be contacted on an annual basis, to confirm their continued need for housing and/or discuss any changes to their selection criteria.

Ineligibility

- If the applicant is deemed ineligible, the Community Development Officer must record the applicant's ineligibility and provide a reason for this decision to the applicant. This will be recorded in the Shire's record keeping system.
- Ineligible applicants are encouraged to re-apply when they do meet the selection criteria.

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Where there is a vacancy in the Herald Denham Centre Units, and no current applicants meet the full selection criteria, the Chief Executive Officer shall refer the matter to Council for consideration.

Applicable legislation

Act	
Regulation	
Local Law	
Other	Department of Housing Guidelines

Adopted by Council on:	25 March 2020

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12.0 FINANCE REPORT

12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any Interest

Nil

Moved Cr Fenny
Seconded Cr Ridgely

Council Resolution

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$405,712.13 be accepted.

6/0 CARRIED

Comment

The schedules of accounts for payment covering -
Municipal fund credit card direct debits for the month of February 2020 totalling \$5,913.48

Municipal fund account cheque numbers 26917 to 26918 totalling \$11,734.28

Municipal fund direct debits to Council for the month of February 2020 totalling \$20,122.67

Municipal fund account electronic payment numbers MUNI 26290 to 26368 totalling \$214,316.16

Municipal fund account for February 2020 payroll totalling \$113,460.10

No Trust fund account cheque numbers were issued for February 2020

Trust fund Police Licensing for February 2020 transaction number 192008 totalling \$18,799.20 and

Trust fund account electronic payment numbers 26369 to 26388 totalling \$21,366.24

The schedule of accounts submitted to each member of Council on 20 March 2020 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.

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.

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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

12 March 2020

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**SHIRE OF SHARK BAY – CREDIT CARD
PERIOD – FEBRUARY 2020**

CREDIT CARD TOTAL \$ 5,913.48

CEO

DATE	NAME	DESCRIPTION	AMOUNT
20/01/2020	REGIONAL EXPRESS DIRECT	AIRFARE L.SOUNNESS – LGIS OHS CONSULTANT – PO 9023	504.78
28/01/2020	ROSE AND CROWN HOTEL	LOCAL DEVELOPMENT PLANNING MEETING ON DIRK HARTOG ISLAND REFRESHMENTS	22.00
28/01/2020	ROSE AND CROWN HOTEL	LOCAL DEVELOPMENT PLANNING MEETING ON DIRK HARTOG ISLAND REFRESHMENTS	44.00
3/02/2020	REGIONAL EXPRESS DIRECT	AIRFARE G.CLARK WALGA TRAINER – PO 9055	639.70
3/02/2020	REGIONAL EXPRESS DIRECT	AIRFARE M.CHESTER WALGA TRAINER – PO 9053	890.38
3/02/2020	OPENPAY PTY LTD MELBOURNE	TRANSACTION IN DISPUTE	53.95
10/02/2020	1300 FLOWERS PTY LTD	FLOWERS E.CRAIG – PO 9073	126.85
13/02/2020	REGIONAL EXPRESS DIRECT	AIRFARE C.COWELL WALGA STATE COUNCIL MEETING – PO 9077	639.70
14/02/2020	MONKEY MIA BOUGHSHED	STRATEGIC PLANNING MEETING REFRESHMENTS	152.10

\$3,073.46

EMFA

DATE	NAME	DESCRIPTION	AMOUNT
17/01/2020	DEPARTMENT OF TRANSPORT	JINKER PERMIT #3797576 VALID FROM 3/4/2020 TO 3/4/2021	128.10
28/01/2020	SAGE PERTH	ACCOMMODATION K.KNOTT WALGA TRAINING – PO 8978	373.70
28/01/2020	SHIRE OF SHARK BAY	NUMBER PLATE CHANGE – PRIME MOVER	27.70
30/01/2020	BELONG MOBILE	MONTHLY 1GB TELEVISION DATA WITH N-COM	10.00
30/01/2020	SHIRE OF SHARK BAY	NUMBER PLATE CHANGE SEMI TRAILER	27.70
5/02/2020	HARVEY NORMAN	REPLACEMENT TELEVISION FOR RECREATION CENTRE – INSURANCE CLAIM	1569.00
11/02/2020	CALTEX CARNARVON	FUEL FOR EMFA VEHICLE	30.88
13/02/2020	SHIRE OF SHARK BAY	NUMBER PLATE CHANGE FOR RIDE ON MOWER	16.75
14/02/2020	PLASTRAL HILLSDALE	ROD FOR FORESHORE PLAYGROUND	66.00

\$2,249.83

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EMCD

DATE	NAME	DESCRIPTION	AMOUNT
28/01/2020	CARROLL & RICHARDSON	VISITOR CENTRE FLAG AND POLE KIT – PO 9037	110.96
3/02/2020	KMART	CHROME CAST FOR DISPLAY TV IN OFFICE – PO 9067	55.00
3/02/2020	KMART	KITCHEN ITEMS FOR OFFICE – PO 9067	30.00
4/02/2020	REBEL MORLEY	REPLACEMENT ITEMS FOR GYM – PO 9067	20.98
4/02/2020	REBEL MORLEY	REPLACEMENT ITEMS FOR GYM – PO 9067	89.96
4/02/2020	PUMA TARCOOLA	FUEL FOR EMCD VEHICLE	61.94
4/02/2020	RED DOT STORE	EVACUATION KIT ITEMS – PO 9067	10.00
4/02/2020	WOOLWORTHS	EVACUATION KIT ITEMS – PO 9067	36.40
4/02/2020	KMART	EVACUATION KIT ITEMS – PO 9067	57.00
4/02/2020	OFFICEWORKS	EVACUATION KIT ITEMS – PO 9067	24.88
4/02/2020	OFFICEWORKS	HDMI CABLES FOR OFFICE – PO 9067	74.64
4/02/2020	OFFICEWORKS	EVACUATION KIT ITEMS – PO 9067	12.95
4/02/2020	OFFICEWORKS	EVACUATION KIT ITEMS – PO 9067	5.48

\$590.19

SHIRE OF SHARK BAY – MUNI CHQ

DECEMBER 2019 - FEBRUARY 2020

CHEQUE # 26917, 26918

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
26917	12/02/2020	WATER CORPORATION - OSBORNE PARK	WATER AND SERVICE CHARGES FOR SHIRE PREMISES	11,651.16
26918	27/02/2020	WATER CORPORATION – OSBORNE PARK	WATER CHARGES FOR COMMUNITY STANDPIPE	83.12
			TOTAL	\$11,734.28

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

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15335.1	02/02/2020	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	SUPERANNUATION CONTRIBUTIONS	-3629.99
DD15335.2	02/02/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1608.94
DD15335.3	02/02/2020	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-213.76
DD15335.4	02/02/2020	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-434.17
DD15335.5	02/02/2020	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-232.44
DD15335.6	02/02/2020	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-433.86
DD15335.7	02/02/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-314.43
DD15335.8	02/02/2020	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-603.72
DD15335.9	02/02/2020	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-397.89
DD15344.1	02/02/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-65.44
DD15344.2	16/02/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-25.17
DD15348.1	21/02/2020	VIVA ENERGY AUSTRALIA	VIVA FUEL ACCOUNT JANUARY 2020	-112.25
DD15361.1	16/02/2020	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	SUPERANNUATION CONTRIBUTIONS	-3641.52
DD15361.2	16/02/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1611.56
DD15361.3	16/02/2020	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-213.77
DD15361.4	16/02/2020	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-434.15
DD15361.5	16/02/2020	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-258.66
DD15361.6	16/02/2020	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-444.35
DD15361.7	16/02/2020	THE TRUSTEE FOR REYNOLDS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-118.56
DD15361.8	16/02/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-405.03
DD15361.9	16/02/2020	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-603.72
DD15365.1	28/02/2020	EXETEL PTY LTD	INTERNET CHARGES FOR SHIRE OFFICE AND ACCOMMODATION	-374.97
DD15335.10	02/02/2020	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-696.18
DD15335.11	02/02/2020	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-182.04
DD15335.12	02/02/2020	REST	SUPERANNUATION CONTRIBUTIONS	-443.78
DD15335.13	02/02/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-409.77

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15335.14	02/02/2020	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-191.62
DD15361.10	16/02/2020	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-397.89
DD15361.11	16/02/2020	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-519.67
DD15361.12	16/02/2020	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-89.31
DD15361.13	16/02/2020	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-22.75
DD15361.14	16/02/2020	REST	SUPERANNUATION CONTRIBUTIONS	-389.91
DD15361.15	16/02/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-409.78
DD15361.16	16/02/2020	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-191.62
			TOTAL	\$20,122.67

SHIRE OF SHARK BAY – MUNI EFT

FEBRUARY 2020
EFT 26290-26368

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26290	06/02/2020	BUNNINGS BUILDING SUPPLIES PTY LTD	PAINT FOR RECORDS ROOM, WELDING GLOVES & TERMITE SPRAY FOR DEPOT	-291.47
EFT26291	06/02/2020	BOC LIMITED	MONTHLY GAS BOTTLE HIRE JANUARY 2020	-86.82
EFT26292	06/02/2020	DENHAM IGA X-PRESS	MONTHLY SHIRE ACCOUNT	-1186.08
EFT26293	06/02/2020	EMU TRACKS	SBDC MERCHANDISE	-695.09
EFT26294	06/02/2020	SHARK BAY SUPERMARKET	MONTHLY SHIRE ACCOUNT	-195.82
EFT26295	06/02/2020	REFUEL AUSTRALIA (formerly GERALDTON FUEL COMPANY)	MONTHLY FUEL ACCOUNT JANUARY 2020, BULK FUEL AND VEHICLE FUEL	-10638.19
EFT26296	06/02/2020	ATOM-GERALDTON INDUSTRIAL SUPPLIES	WHEELIE BINS FOR SALE VIA DEPOT	-1002.90
EFT26297	06/02/2020	THINK WATER GERALDTON	SLIP JOINERS FOR TOWN OVAL MAINTENANCE	-102.25
EFT26298	06/02/2020	HORIZON POWER	SHIRE STREET LIGHTING - JANUARY 2020	-3726.55
EFT26299	06/02/2020	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	FULL BOARD LODGING MAIN ROADS WESTERN AUSTRALIA ROAD CREW	-4455.00

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26300	06/02/2020	MONKEYMIA WILDSIGHTS	ACCOMMODATION WILL EDGE - WATER TECHNOLOGY PRESENTATION - MARCH 2020	-278.00
EFT26301	06/02/2020	PROFESSIONAL PC SUPPORT	SHIRE OFFICE COMPUTER SOFTWARE ISSUES	-38.50
EFT26302	06/02/2020	PAPER PLUS OFFICE NATIONAL	LASER TONER CARTRIDGES FOR SHIRE PRINTERS	-546.59
EFT26303	06/02/2020	R & L COURIERS	FREIGHT ACCOUNT - JANUARY 2020 (OFFICE NATIONAL, GERALDTON MOWERS, PURCHER INTERNATIONAL, TRUCKLINE, WINC, ATOM SUPPLIES, STATEWIDE BEARINGS AND THINK WATER	-411.40
EFT26304	06/02/2020	LYONS ENTERPRISES-SHARK BAY CAR HIRE	JANUARY 2020 CAR HIRE FOR CARNARVON MEDICAL STAFF	-797.35
EFT26305	06/02/2020	STATEWIDE BEARINGS	PARTS FOR P151 & P155 MAINTENANCE	-185.86
EFT26306	06/02/2020	SHARK BAY SKIPS	MONTHLY ACCOUNT FOR: LOOP TURN OFF SKIP BINS (PARKS AND WILDLIFE AND MAIN ROADS) AND JETTY CARPARK (DOT) JANUARY 2020	-3410.00
EFT26307	06/02/2020	SUNNY INDUSTRIAL BRUSHWARE	DIGGA BROOM FOR P161 – JOHN DEERE SKID	-869.44
EFT26308	06/02/2020	TELSTRA CORPORATION LTD	SHIRE MOBILE PHONE ACCOUNT	-130.65
EFT26309	06/02/2020	TRUCKLINE PARTS CENTRE	SERVICING PARTS FOR PP097 (SIDE TIPPER) & P163 (KOMATSU 5 WHEELER LOADER), GREASE FOR WORKSHOP	-346.21
EFT26310	06/02/2020	TOWN PLANNING INNOVATIONS	TOWN PLANNING SERVICES JANUARY 2020	-2021.25
EFT26311	06/02/2020	SHARK BAY SEAFRONT APARTMENTS	ACCOMMODATION WALGA TRAINER - MARK CHESTER - FEBRUARY 2020	-747.00
EFT26312	06/02/2020	URL NETWORKS PTY LTD	JANUARY 2020 SHIRE OFFICE TELEPHONE CALL COSTS	-180.59
EFT26313	06/02/2020	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	eLEARNING SUBSCRIPTION - COUNCILLOR TRAINING	-1750.00
EFT26314	06/02/2020	AFGRI EQUIPMENT	REARVIEW MIRROR FOR P156 (JOHN DEERE GRADER)	-164.49
EFT26315	21/02/2020	AUSTRALIAN TAXATION OFFICE	BAS FOR JANUARY 2020	-26998.00
EFT26316	12/02/2020	SHIRE OF NORTHAMPTON	JULY TO DECEMBER 2019 HEALTH SERVICES PROVIDED BY WENDY DALLYWATER	-6985.00
EFT26317	12/02/2020	AUSTRALIA POST	SHIRE POSTAGE COSTS JANUARY 2020	-209.19

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26318	12/02/2020	BUNNINGS BUILDING SUPPLIES PTY LTD	MARKING PAINT, SCREWS, TAP HANDLES & TAP TIMER FOR SHARK BAY ROAD MAINTENANCE AND PARKS AND GARDENS	-408.91
EFT26319	12/02/2020	BATTERY MART	NEW BATTERIES FOR PP021 (FLOCON) & P168 (HINO TRUCK)	-721.60
EFT26320	12/02/2020	BRIDGESTONE SERVICE CENTRE	NEW TYRES FOR P174 (PRIME MOVER) & P155 (SEMI TRAILER)	-4214.00
EFT26321	12/02/2020	DEBORAH ANN WILKES	REIMBURSEMENT FOR FUEL FOR EMCD VEHICLE	-42.93
EFT26322	12/02/2020	FAR WEST ELECTRICAL	REPAIRS TO AERIAL AND CABLE SOCKETS AT SHARK BAY RECREATIONAL CENTRE AND REPLACE THERMOSTAT TO HOT WATER SYSTEM PENSIONER UNIT 13	-404.25
EFT26323	12/02/2020	GERALDTON AUTO WHOLESALERS	NEW DMAX CREW CAB 4X4 - RANGERS VEHICLE (LESS TRADE IN)	-16459.40
EFT26324	12/02/2020	C.M & G.D BELL	LABOUR HIRE FOR SHARK BAY ROAD SHOULDER MAINTENANCE	-4317.50
EFT26325	12/02/2020	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES - MATTER 45344 HAMELIN POOL AND PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE	-983.05
EFT26326	12/02/2020	TRUE VALUE HARDWARE	MONTHLY HARDWARE ACCOUNT - JANUARY 2020	-593.45
EFT26327	12/02/2020	PROFESSIONAL PC SUPPORT	JANUARY BILLING - AGREEMENT PPS AGENT, ANTIVIRUS, BACKUP SERVICE ONLINE, 3CX PHONE SYSTEM MANAGEMENT AND COMPUTER SOFTWARE LICENCES	-1757.25
EFT26328	12/02/2020	PAULS TYRES	TYRES & REPAIRS TO P161 (TRACTOR), P133 (LOW LOADER), P193 (WORKS MANAGER UTE), P156 (GRADER) & P190 (HILUX UTE)	-2184.75
EFT26329	12/02/2020	SHARK BAY COMMUNITY RESOURCE CENTRE	DECEMBER 2019 AND JANUARY 2020 MANAGEMENT OF RECREATION CENTRE	-10484.88
EFT26330	12/02/2020	SHARK BAY CLEANING SERVICE	MONTHLY CLEANING OF SHIRE PREMISES JANUARY 2020, CLEANING OF GYMNASIUM FLOOR, VACATE CLEAN 65 BROCKMAN STREET, MOP AND BUCKET FOR DEPOT, BIN LINERS FOR LITTER COLLECTION, TOILET ROLL DISPENSER FOR TOWN OVAL, CPI INCREASE FOR 2018/2019 AND 2019/2020	-29277.30

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26331	12/02/2020	AFGRI EQUIPMENT	SERVICE FILTERS FOR P156 (GRADER)	-309.03
EFT26332	12/02/2020	DENHAM DIESEL SERVICES	YANMAR FIRE FIGHTING ENGINE FOR SHARK BAY DISCOVERY CENTRE FIRE SYSTEM	-9652.50
EFT26333	21/02/2020	ALLIGHT PTY LTD	THERMOSTAT HOUSING FOR PP005 (GENERATOR)	-355.39
EFT26334	21/02/2020	ART ON THE MOVE	PUJIMAN EXHIBITION SBDC - ART ON THE MOVE	-3650.00
EFT26335	21/02/2020	BATAVIA COAST TRIMMERS	REPAIRS TO SHADE SAILS ON TOWN OVAL PLAYGROUND AND FORESHORE PLAYGROUND	-1240.00
EFT26336	21/02/2020	BOOKEASY AUSTRALIA PTY LTD	JANUARY 2020 COMMISSION ON BOOKEASY BOOKINGS	-306.80
EFT26337	21/02/2020	CANDICE USZKO	SALARY SACRIFICE COMMUNICATIONS - 80 DURLACHER STREET	-79.00
EFT26338	21/02/2020	CDH ELECTRICAL	REPLACEMENT OF 3 AIRCONDITIONING ACTUATORS FOR SHARK BAY DISCOVERY CENTRE	-940.50
EFT26339	21/02/2020	FAR WEST ELECTRICAL	RUN ELECTRICAL CIRCUIT TO NEW RECORDS ROOM AT DEPOT	-4976.77
EFT26340	21/02/2020	GERALDTON AUTO WHOLESALERS	NEW DMAX CREW CAB - TOWN GARDENERS UTE - WITH TRADE IN OF P177 (ISUZU TRAYTOP)	-15459.40
EFT26341	21/02/2020	HARDINGHAM PTY LTD	COMMENCE DRAFT REPORT - GASCOYNE SPORTS MODELLING AND ACTIVATION PLANNING	-1650.00
EFT26342	21/02/2020	HORIZON POWER	ELECTRICITY CHARGES FOR SHIRE PREMISES - JANUARY 2020	-9577.00
EFT26343	21/02/2020	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	SUPPLY FULL BOARD AND LODGING MAIN ROAD WORKS CREW- 10-20 FEBRUARY 2020	-5775.00
EFT26344	21/02/2020	TOLL IPEC PTY LTD	FREIGHT PARTS FROM SUNNY INDUSTRIAL FOR P161 (JOHN DEERE SKID TRAILER)	-214.57
EFT26345	21/02/2020	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	LOCAL GOVERNMENT FINANCE PROFESSIONALS CONFERENCE - A.PEARS	-1720.00
EFT26346	21/02/2020	PEST-A-KILL	ANNUAL PEST MAINTENANCE FOR SHIRE PROPERTIES AND PREMISES	-4579.30
EFT26347	21/02/2020	PROFESSIONAL PC SUPPORT	FEBRUARY AND MARCH BILLING - AGREEMENT PPS AGENT, ANTIVIRUS, BACKUP SERVICE ONLINE, 3CX	-2984.39

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
			PHONE SYSTEM MANAGEMENT AND COMPUTER SOFTWARE LICENCES	
EFT26348	21/02/2020	PAPER PLUS OFFICE NATIONAL	SHIRE OFFICE STATIONERY	-52.42
EFT26349	21/02/2020	RYCO HYDRAULICS PTY LTD	HYDRAULIC PARTS FOR P151 (SEMI TRAILER) & P155 (SEMI TRAILER)	-1414.52
EFT26350	21/02/2020	SHARK BAY HOTEL MOTEL	CATERING FOR SPECIAL COUNCIL MEETING	-233.00
EFT26351	21/02/2020	SCAMPER DESIGN	REDESIGN AND PRINTING OF SHARK BAY VISITOR MAP	-2684.00
EFT26352	21/02/2020	TELSTRA CORPORATION LTD	REFUSE SITE MOBILE PHONE CHARGES	-25.00
EFT26353	21/02/2020	AFGRI EQUIPMENT	REAR VIEW MIRROR FOR P156 (GRADER) DIFFERENCE IN PRICE – PREVIOUS ONE PURCHASED ON 06/02/2020 RETURNED FOR CREDIT	-69.73
EFT26354	21/02/2020	HOLIDAY GUIDE PTY LTD (FORMERLY WEST-OZ WEB SERVICES)	COMMISSION FOR BOOKINGS THROUGH BOOKEASY JANUARY 2020	-174.10
EFT26355	21/02/2020	SHARK BAY YOUTH GROUP	CONTRIBUTION TOWARDS NATIONAL YOUTH WEEK 2020	-1650.00
EFT26356	27/02/2020	BUNNINGS BUILDING SUPPLIES PTY LTD	FLUORESCENT TUBES FOR SHARK BAY DISCOVERY CENTRE AND CEMENT FOR TOWN STREETS	-642.20
EFT26357	27/02/2020	DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS	4 WEEK HOLIDAY PARK PASSES FOR SALE AT SHARK BAY DISCOVERY CENTRE	-540.10
EFT26358	27/02/2020	FAR WEST ELECTRICAL	INSTALLATION OF TWO NETWORK POINTS INTO RECREATION CENTRE MEETING ROOM	-372.28
EFT26359	27/02/2020	GREAT NORTHERN RURAL SERVICES	MATERIALS FOR TOWN STREET MAINTENANCE	-189.42
EFT26360	27/02/2020	TOLL IPEC PTY LTD	FREIGHT FOR HINO TRUCK BOX	-53.33
EFT26361	27/02/2020	LODESTONE INDUSTRIES	DEPOT OFFICE WALL MAGNETS	-127.38
EFT26362	27/02/2020	SHARK BAY BAKERY	CATERING FOR WALGA COUNCILLOR TRAINING 18-19 FEBRUARY 2020	-256.00
EFT26363	27/02/2020	SHARK BAY HOTEL MOTEL	CATERING FOR ORDINARY COUNCIL MEETING 26 FEBRUARY 2020	-233.00
EFT26364	27/02/2020	SHARK BAY MECHANICAL & TOWING SERVICES	PUMP OUT OF TOWN ENTRY DUMP POINT	-750.00
EFT26365	27/02/2020	ST JOHN AMBULANCE ASSOC. - SHARK BAY SUB CENTRE	FIRST AID SUPPLIES FOR DEPOT FIRST AID KITS	-279.37

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26366	27/02/2020	TELSTRA CORPORATION LTD	SHIRE MONTHLY MOBILE PHONE ACCOUNT AND SMS MESSAGES - FEBRUARY 2020	-530.75
EFT26367	27/02/2020	WA RANGERS ASSOCIATION INC	RANGER SHOULDER BADGES AND REFLECTIVE DOOR DECALS	-70.00
EFT26368	27/02/2020	WURTH AUSTRALIA PTY LTD	DEPOT SAW BLADES AND ADHESIVES	-200.95
			TOTAL	\$214,316.16

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

DATE	NAME	DESCRIPTION	AMOUNT
4/02/2020	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 2 FEBRUARY 2020	56,976.00
18/02/2020	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 16 FEBRUARY 2020	56,484.10
		TOTAL	\$113,460.10

**SHIRE OF SHARK BAY – TRUST TRANSACTION
FEBRUARY 2020
TRUST POLICE LICENSING TRANSACTION # 192008**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
192008	29/02/2020	COMMISSIONER OF POLICE	POLICE LICENSING FEBRUARY 2020	-18799.20
			TOTAL	\$18,799.20

SHIRE OF SHARK BAY – TRUST EFT

**FEBRUARY 2020
EFT 26369-26388**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26369	29/02/2020	SHARK BAY AVIATION	BOOKEASY FEBRUARY 2020	-1342.00
EFT26370	29/02/2020	BLUE DOLPHIN CARAVAN PARK	BOOKEASY FEBRUARY 2020	-535.50

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26371	29/02/2020	BAY LODGE MIDWEST OASIS	BOOKEASY FEBRUARY 2020	-79.20
EFT26372	29/02/2020	SHARK BAY COASTAL TOURS	BOOKEASY FEBRUARY 2020	-1372.80
EFT26373	29/02/2020	DENHAM SEASIDE CARAVAN PARK	BOOKEASY FEBRUARY 2020	-39.60
EFT26374	29/02/2020	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY FEBRUARY 2020	-107.10
EFT26375	29/02/2020	HERITAGE RESORT	BOOKEASY FEBRUARY 2020	-580.80
EFT26376	29/02/2020	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	FAREHARBOUR FEBRUARY 2020	-348.48
EFT26377	29/02/2020	MONKEYMIA WILDSIGHTS	WILDSIGHTS FEBRUARY 2020	-5592.40
EFT26378	29/02/2020	NANGA BAY RESORT AND CARAVAN PARK	BOOKEASY FEBRUARY 2020	-216.75
EFT26379	29/02/2020	DENHAM NATURETIME - 4WD TOURS/PHOTOGRAPHY TOURS	BOOKEASY FEBRUARY 2020	-844.80
EFT26380	29/02/2020	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY FEBRUARY 2020	-534.16
EFT26381	29/02/2020	SHARK BAY CARAVAN PARK	BOOKEASY FEBRUARY 2020	-155.76
EFT26382	29/02/2020	SHARK BAY 4WD TOURS	FAREHARBOUR FEBRUARY 2020	-1443.20
EFT26383	29/02/2020	SHARK BAY HOLIDAY COTTAGES	BOOKEASY FEBRUARY 2020	-319.20
EFT26384	29/02/2020	SHIRE OF SHARK BAY	SBDC BOOKING COMMISSION FEBRUARY 2020	-2027.85
EFT26385	29/02/2020	SHARK BAY SEAFRONT APARTMENTS	BOOKEASY FEBRUARY 2020	-686.40
EFT26386	29/02/2020	CONSTRUCTION TRAINING FUND	BCITF PERMIT 3329 LOT 131 MONKEY MIA RD MONKEY MIA	-2997.50
EFT26387	29/02/2020	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL PERMIT 3329 LOT 131 MONKEY MIA RD MONKEY MIA	-2111.24
EFT26388	29/02/2020	SHIRE OF SHARK BAY	CTF COLLECTION FEE PERMIT 3329	-31.50
			TOTAL	\$21,366.24

25 MARCH 2020

12.2 FINANCIAL REPORTS TO 29 FEBRUARY 2020
CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Ridgely
Seconded Cr Cowell

Council Resolution

**That the monthly financial report to 29 February 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 **29 February 2020** are attached.

VARIANCE ANALYSIS

Operating Revenue was above the year to date budget by \$111,650. The major contributor to this year to date budget surplus has been increases in fees received from the Refuse Site, Development and Structure Plans, Shark Bay World Heritage Discovery and Visitor Centre Merchandise Sales, Brickies Sand Sales and Caravan Park Leases. In addition Refunds Income, Diesel Fuel Rebate and CDP Employment Incentive Funding Scheme has exceeded year to date budget.

Operating Expenditure is under the year to date budget by \$466,604 and is due to an overall underspend in expenditure.

Capital Revenue is in line with year to date budget resulting in a nil variance.

Capital Expenditure is under the year to date budget by \$360,936. The major contributor to this variance is the Prime Mover (\$240K) which was budgeted to be purchased in February 2020 but is currently in the process of being finalised. The Town Bore project is near completion with the old bore still to be decommissioned. The Records Room relocation is underway and is due to be completed by March 2020. To date no capital works have been undertaken on Housing though the year to date budget expenditure is \$50K.

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.

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

FINANCIAL IMPLICATIONS

The financial report shows that the finances of the Shire are in line with its adopted budget.

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
Chief Executive Officer
Date of Report

A Pears
P Anderson
18 March 2020

25 MARCH 2020

SHIRE OF SHARK BAY	
MONTHLY FINANCIAL REPORT	
For the Period Ended 29 February 2020	
LOCAL GOVERNMENT ACT 1995	
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996	
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MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 29 February 2020							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Operating Revenues							
Governance		10,502	10,066	12,730	2,664	26.47%	
General Purpose Funding - Rates	9	1,446,133	1,446,133	1,446,284	151	0.01%	▲
General Purpose Funding - Other		984,171	739,869	740,467	598	0.1%	▲
Law, Order and Public Safety		109,773	71,605	76,590	4,985	7%	▼
Health		2,250	2,250	1,432	(818)	(36.36%)	▼
Housing		129,105	85,707	89,823	4,116	4.8%	▲
Community Amenities		341,446	308,534	324,815	16,281	5.28%	▲
Recreation and Culture		317,273	214,857	228,385	13,528	6.3%	▲
Transport		527,620	440,956	436,468	(4,488)	(1.0%)	▲
Economic Services		919,782	527,061	562,845	35,784	6.8%	▼
Other Property and Services		38,000	25,336	64,183	38,847	153.3%	▲
Total Operating Revenue		4,826,055	3,872,374	3,984,024	111,650	2.88%	
Operating Expense							
Governance		(288,326)	(233,420)	(165,141)	68,278	(29.3%)	▲
General Purpose Funding		(115,631)	(77,088)	(64,060)	13,028	(16.9%)	▲
Law, Order and Public Safety		(319,668)	(203,005)	(196,768)	6,237	(3.1%)	▲
Health		(80,865)	(43,242)	(36,855)	6,387	(14.8%)	▲
Housing		(231,263)	(157,796)	(144,035)	13,761	(8.7%)	▲
Community Amenities		(738,587)	(470,183)	(429,542)	40,641	(8.6%)	▲
Recreation and Culture		(2,234,519)	(1,508,737)	(1,455,701)	53,036	(3.5%)	▲
Transport		(1,853,094)	(1,143,701)	(1,038,329)	105,372	(9.2%)	▲
Economic Services		(1,117,222)	(632,451)	(526,726)	105,725	(16.7%)	▲
Other Property and Services		(37,500)	(27,582)	26,557	54,139	(196.3%)	▼
Total Operating Expenditure		(7,016,675)	(4,497,204)	(4,030,600)	466,604	(10.4%)	
Funding Balance Adjustments							
Add back Depreciation		2,015,110	1,341,550	1,290,114	(51,436)		
Adjust (Profit)/Loss on Asset Disposal	8	66,878	(8,898)	(8,898)	(0)		
Adjust in Pensioner Rates Non Current		0	0	0			
Adjust Provisions and Accruals		0	0	0			
Net Cash from Operations		(108,632)	707,822	1,234,640	526,818		
Capital Revenues							
Grants, Subsidies and Contributions	11	527,462	194,855	194,855	0	0.0%	▲
Proceeds from Disposal of Assets	8	232,636	90,000	90,000	0	0.0%	
Total Capital Revenues		760,098	284,855	284,855	0	0.0%	
Capital Expenses							
Land and Buildings	13	(360,000)	(79,992)	(16,862)	63,130	0.0%	▲
Infrastructure - Roads	13	(795,325)	(255,325)	(275,569)	(20,244)	0.0%	▼
Infrastructure - Public Facilities	13	(934,500)	(850,986)	(784,417)	66,569	0.0%	▲
Infrastructure - Footpaths	13	(50,000)	(24,913)	(24,913)	(0)	0.0%	▲
Infrastructure - Drainage	13	0	0	0	0	0.0%	▲
Plant and Equipment	13	(490,513)	(398,849)	(146,584)	252,265	0.0%	▲
Furniture and Equipment	13	(20,000)	(20,000)	(20,784)	(784)	0.0%	▼
Total Capital Expenditure		(2,650,338)	(1,630,065)	(1,269,129)	360,936	22.1%	
Net Cash from Capital Activities		(1,890,240)	(1,345,210)	(984,274)	360,936	26.83%	
Financing							
Proceeds from Loans		800,000	0	0	0	0.0%	
Transfer from Reserves	7	1,096,255	606,490	606,490	0	0.0%	
Repayment of Debentures	10	(50,599)	(25,001)	(25,001)	0	0.0%	
Transfer to Reserves	7	(1,617,002)	(5,351)	(6,068)	(717)	0.0%	
Net Cash from Financing Activities		228,654	576,138	575,422	(716)	0.1%	
Net Operations, Capital and Financing		(1,770,218)	(61,250)	825,787	887,037	1448.23%	▲
Opening Funding Surplus(Deficit)	3	1,770,218	1,770,218	1,770,218	0		
Closing Funding Surplus(Deficit)	3	0	1,708,968	2,596,005	887,037		▲

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 Plant and Equipment and end of year accounts have been finalised

MINUTES OF THE ORDINARY COUNCIL MEETING

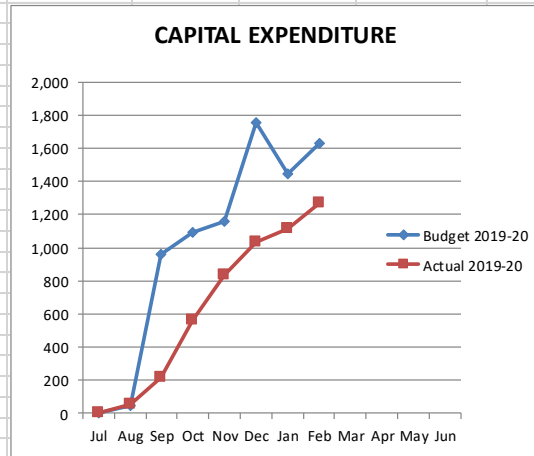
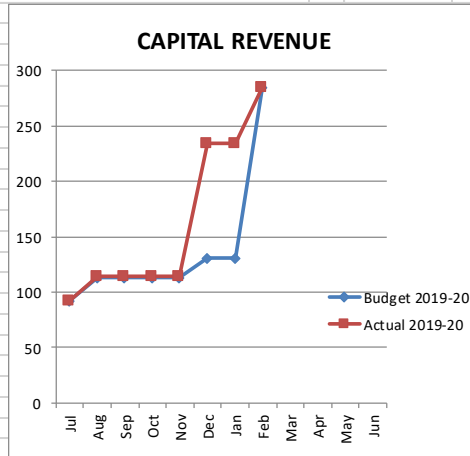
25 MARCH 2020

SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 29 February 2020				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
Operating Revenues		\$	\$	\$
Rates	9	1,446,133	1,446,133	1,446,284
Operating Grants, Subsidies and Contributions	11	1,511,795	1,180,361	1,184,629
Fees and Charges		1,691,156	1,119,584	1,192,500
Interest Earnings		26,405	17,600	17,862
Other Revenue		138,264	96,394	131,753
Profit on Disposal of Assets	8	12,302	12,302	10,995
Total Operating Revenue		4,826,055	3,872,374	3,984,024
Operating Expense				
Employee Costs		(2,277,223)	(1,471,952)	(1,345,894)
Materials and Contracts		(2,096,582)	(1,251,252)	(992,535)
Utility Charges		(187,510)	(124,546)	(103,109)
Depreciation on Non-Current Assets		(2,015,110)	(1,341,550)	(1,290,114)
Interest Expenses		(7,210)	(2,456)	(2,451)
Insurance Expenses		(156,295)	(156,294)	(153,325)
Other Expenditure		(197,565)	(141,366)	(141,075)
Loss on Disposal of Assets	8	(79,180)	(7,789)	(2,098)
Total Operating Expenditure		(7,016,675)	(4,497,204)	(4,030,600)
Funding Balance Adjustments				
Add back Depreciation		2,015,110	1,341,550	1,290,114
Adjust (Profit)/Loss on Asset Disposal	8	66,878	(8,898)	(8,898)
Adjust in Pensioner Rates Non Current		0	0	0
Adjust Provisions and Accruals		0	0	0
Net Cash from Operations		(108,632)	707,822	1,234,640
Capital Revenues				
Grants, Subsidies and Contributions	11	527,462	194,855	194,855
Proceeds from Disposal of Assets	8	232,636	90,000	90,000
Total Capital Revenues		760,098	284,855	284,855
Capital Expenses				
Land and Buildings	13	(360,000)	(79,992)	(16,862)
Infrastructure - Roads	13	(795,325)	(255,325)	(275,569)
Infrastructure - Public Facilities	13	(934,500)	(850,986)	(784,417)
Infrastructure - Footpaths	13	(50,000)	(24,913)	(24,913)
Infrastructure - Drainage	13	0	0	0
Plant and Equipment	13	(490,513)	(398,849)	(146,584)
Furniture and Equipment	13	(20,000)	(20,000)	(20,784)
Total Capital Expenditure		(2,650,338)	(1,630,065)	(1,269,129)
Net Cash from Capital Activities		(1,890,240)	(1,345,210)	(984,274)
Financing				
Proceeds from Loans		800,000	0	0
Transfer from Reserves	7	1,096,255	606,490	606,490
Repayment of Debentures	10	(50,599)	(25,001)	(25,001)
Transfer to Reserves	7	(1,617,002)	(5,351)	(6,068)
Net Cash from Financing Activities		228,654	576,138	575,422
Net Operations, Capital and Financing		(1,770,218)	(61,250)	825,787
Opening Funding Surplus(Deficit)	3	1,770,218	1,770,218	1,770,218
Closing Funding Surplus(Deficit)	3	0	1,708,968	2,596,005

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

SHIRE OF SHARK BAY								
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING								
For the Period Ended 29 February 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	0	16,862	16,862	79,992	360,000	63,130	
Infrastructure Assets - Roads	13	0	275,569	275,569	255,325	795,325	(20,244)	
Infrastructure Assets - Public Facilities	13	29,282	755,135	784,417	850,986	934,500	66,569	
Infrastructure Assets - Footpaths	13	24,913	0	24,913	24,913	50,000	(0)	
Infrastructure Assets - Drainage	13	0	0	0	0	0	0	
Infrastructure Assets - Streetscapes	13	0	0	0	0	0	0	
Plant and Equipment	13	0	146,584	146,584	398,849	490,513	252,265	
Furniture and Equipment	13	0	20,784	20,784	20,000	20,000	(784)	
Capital Expenditure Totals		54,196	1,214,934	1,269,129	1,630,065	2,650,338	360,936	



MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 29 February 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

25 MARCH 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 29 February 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 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

25 MARCH 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 29 February 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

25 MARCH 2020

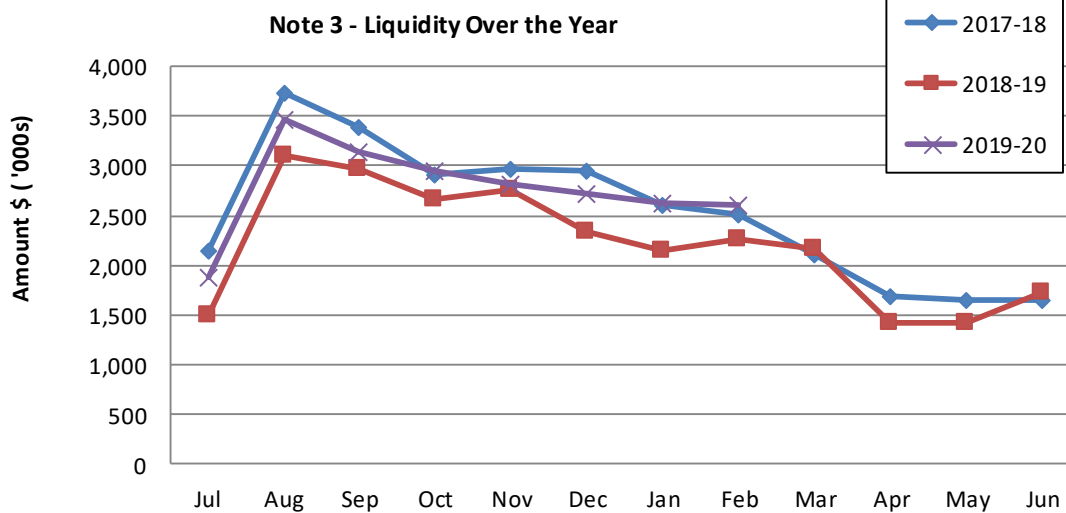
Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 29 February 2020					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	2,664	26.5%		Timing	No Reportable Variance
General Purpose Funding - Rates	151	0.0%	▲	Timing	No Reportable Variance
General Purpose Funding - Other	598	0.1%	▲	Timing	No Reportable Variance
Law, Order and Public Safety	4,985	7.0%	▼	Timing	No Reportable Variance
Health	(818)	(36.4%)	▼	Timing	No Reportable Variance
Housing	4,116	4.8%	▲	Timing	No Reportable Variance
Community Amenities	16,281	5.3%	▲	Timing	Refuse Site Fees, Development and Structure Plan Fees in excess of YTD Budget
Recreation and Culture	13,528	6.3%	▲	Timing	Sale of Merchandise in excess of YTD Budget
Transport	(4,488)	(1.0%)	▲	Timing	No Reportable Variance
Economic Services	35,784	6.8%	▼	Timing	Increase in Brickies Sand Sales and Caravan Leases compared to YTD Budget
Other Property and Services	38,847	153.3%	▲	Timing	Refunds Income, Diesel Fuel Rebate and CDP Employment Incentive Funding in excess of YTD Budget
Operating Expense					
Governance	68,278	(29.3%)	▲	Timing	Overall underspend in Strategic Planning, Elected Members Training, Administration Staff Costs and Shire Office Maintenance
General Purpose Funding	13,028	(16.9%)	▲	Timing	Underspend in Governance Overhead allocations
Law, Order and Public Safety	6,237	(3.1%)	▲	Timing	Overall underspend in Coastal Hazards Identification, Adaptation and Protection Expenses, and Emergency Management Consultant.
Health	6,387	(14.8%)	▲	Timing	Underspend in Governance Overhead allocations and Health Travel Expenses
Housing	13,761	(8.7%)	▲	Timing	Overall underspend in maintenance and governance overhead expenses
Community Amenities	40,641	(8.6%)	▲	Timing	Recycling Expenses, Refuse Site Maintenance and Governance Overhead Expenses less than YTD budget
Recreation and Culture	53,036	(3.5%)	▲	Timing	Underspend in SBDC Utilities, Travelling Exhibition Costs, Shop Equipment and Furniture under \$5K and Inventory on Hand movement to December 2019.
Transport	105,372	(9.2%)	▲	Timing	Overall underspend in expenses compared to YTD Budget
Economic Services	105,725	(16.7%)	▲	Timing	Overall underspend in expenses compared to YTD budget
Other Property and Services	54,139	(196.3%)	▼	Timing	Overall increase in Public Work Overheads and Plant Costs Recovery compared to YTD Budget
Capital Revenues					
Grants, Subsidies and Contributions	0	0.0%	▲	Timing	No Reportable Variance
Proceeds from Disposal of Assets	0	0.0%	▲	Timing	No Reportable Variance
Capital Expenses					
Land and Buildings	63,130	0.0%	▲	Timing	Staff and Pensioner Capital Works have yet to commence
Infrastructure - Roads	(20,244)	0.0%	▼	Timing	RRG Useless Loop Road is in excess of YTD Budget
Infrastructure - Public Facilities	66,569	0.0%	▲	Timing	Town Oval Bore and Little Lagoon Signs and Barriers YTD Budget in advance of YTD Actual Expenditure
Infrastructure - Footpaths	(0)	0.0%	▲	Timing	No Reportable Variance
Plant and Equipment	252,265	0.0%	▲	Timing	Prime Mover purchase is in the process of being finalised
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

25 MARCH 2020

Shire of Shark Bay			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 29 February 2020			
Note 3: NET CURRENT FUNDING POSITION			
		Positive=Surplus (Negative=Deficit)	
	Note	29 February 2020	28 February 2019
		\$	\$
Current Assets			
Cash Unrestricted	4	2,412,662	2,212,687
Cash Restricted	4	1,303,973	1,570,193
Receivables - Rates	6	252,012	186,226
Receivables -Other	6	183,098	98,946
Interest / ATO Receivable		24,944	22,281
Inventories		131,104	113,037
		4,307,793	4,203,369
Less: Current Liabilities			
Payables		(185,506)	(127,851)
Provisions		(208,068)	(252,431)
Bond Liability (Formally Trust Account)		(14,241)	0
		(407,815)	(380,283)
Less: Cash Reserves	7	(1,303,973)	(1,570,193)
Net Current Funding Position		2,596,005	2,252,894



Comments - Net Current Funding Position

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 29 February 2020							
Note 4: CASH AND INVESTMENTS							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.10%	105,918			105,918	Bankwest	At Call
Reserve Bank Account	0.00%		100,987		100,987	Bankwest	At Call
Reserve On Call Investment Acc	0.75%		1,202,986		1,202,986	Bankwest	At Call
Telenet Saver	1.10%	2,305,844			2,305,844	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		2,412,662	1,303,973	0	3,716,635		
Comments/Notes - Investments							
Surplus funds invested for terms conducive to cashflow requirements.							

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 29 February 2020				
Note 6: RECEIVABLES				
Receivables - Rates Receivable	29 February 2020	30 June 2019	Receivables - General	Current 30 Days 60 Days 90+Days
	\$	\$		\$ \$ \$ \$
Opening Arrears Previous Years	31,927	36,581	Receivables - General	179,018 2,184 242 291
Levied this year	1,782,364	1,742,151	Total Receivables General Outstanding	181,735
Less Collections to date	(1,562,279)	(1,746,805)	Amounts shown above include GST (where applicable)	
Equals Current Outstanding	252,012	31,927		
Net Rates Collectable	252,012	31,927		
% Collected	86.11%	98.21%		

Month	2018-19 (\$'000s)	2019-20 (\$'000s)
Jul	50	50
Aug	1650	1650
Sep	1100	1100
Oct	700	700
Nov	550	550
Dec	450	450
Jan	350	350
Feb	250	250
Mar	200	200
Apr	150	150
May	100	100
Jun	100	100

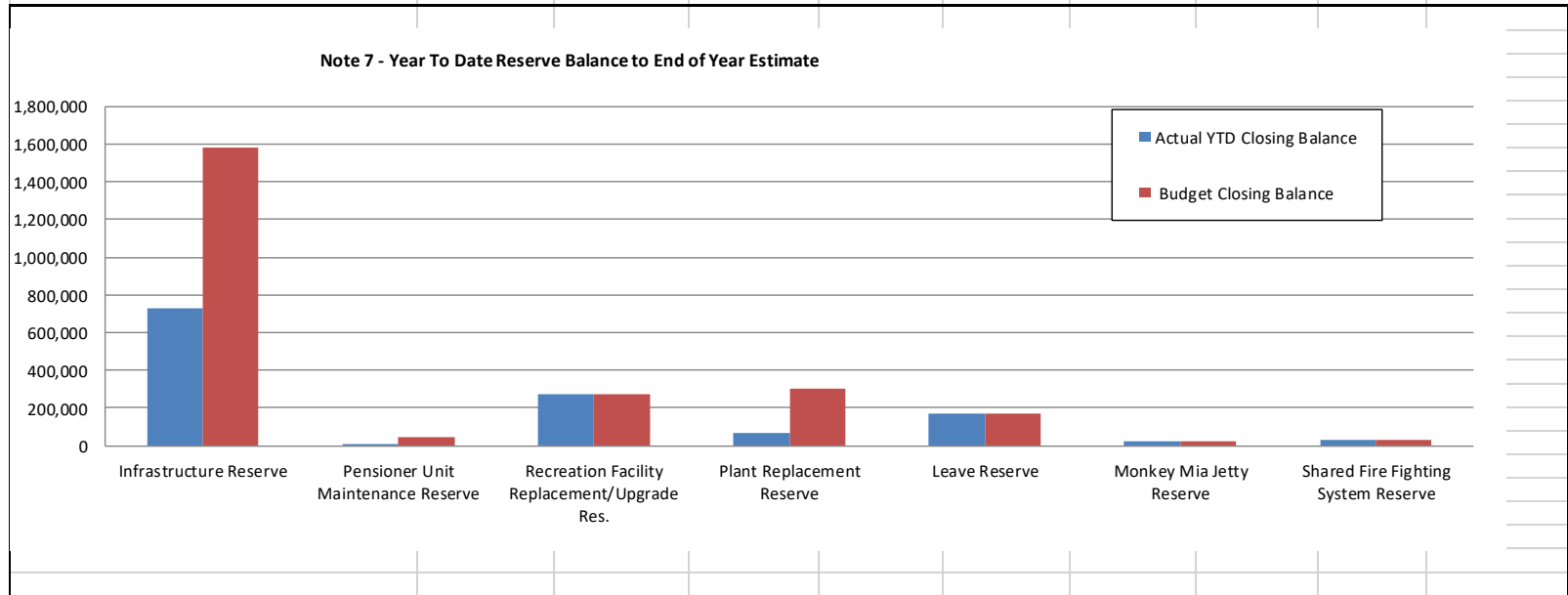
Category	Percentage
Current	99%
30 Days	1%
60 Days	0%
90+Days	0%

Comments/Notes - Receivables Rates	Comments/Notes - Receivables General
	No major issues at this time

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 29 February 2020									
Note 7: Cash Backed Reserve									
2019-20									
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	1,332,164	7,800	3,757	869,168	0	(625,255)	(606,490)	1,583,877	729,431
Pensioner Unit Maintenance Reserve	10,916	65	44	116,143	0	(85,000)	0	42,124	10,961
Recreation Facility Replacement/Upgrade Res.	269,466	1,400	1,088	52,000	0	(50,000)	0	272,866	270,554
Plant Replacement Reserve	70,302	500	284	568,636	0	(336,000)	0	303,438	70,586
Leave Reserve	170,156	1,000	687	0	0	0	0	171,156	170,843
Monkey Mia Jetty Reserve	21,977	120	89	0	0	0	0	22,097	22,066
Shared Fire Fighting System Reserve	29,413	170	119	0	0	0	0	29,583	29,532
	1,904,395	11,055	6,068	1,605,947	0	(1,096,255)	(606,490)	2,425,142	1,303,973



MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 29 February 2020							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Annual Budget		
					YTD 29 02 2020		
Cost	Accum Depr	Proceeds	Profit (Loss)		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
\$	\$	\$	\$	Plant and Equipment	\$	\$	\$
				Governance			
			0	CEO Vehicle	(3,925)	0	3,925
34,765	(17,765)	21,364	4,364	EMFA Vehicle	3,000	4,364	1,364
23,282	(3,456)	17,727	(2,098)	EMCD Vehicle	(5,141)	(2,098)	3,043
58,047	(21,221)	39,091	2,265		(6,066)	2,265	8,331
				Transport			
39,933	(17,691)	25,000	2,757	Dual Cab Ute - Ranger	4,594	2,757	(1,837)
39,252	(17,219)	25,909	3,876	Dual Cab Ute - Gardner	4,708	3,876	(832)
			0	Prime Mover	(66,250)	0	66,250
			0	Vibration Roller - Sale Proceeds	(3,864)	0	3,864
39,252	(17,219)	50,909	6,633		(60,812)	6,633	67,445
97,298	(38,440)	90,000	8,899		(66,878)	8,899	75,777
Comments - Capital Disposal/Replacements							

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 29 February 2020											
Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2019/20 Budget Rate Revenue \$	2019/20 Budget Interim Rate \$	2019/20 Budget Back Rate \$	2019/20 Budget Total Revenue \$	
NOTE 9: RATING INFORMATION											
RATE TYPE											
Differential General Rate											
GRV Residential	0.102840	316	3,761,841	386,871	1,975	1,047	389,894	386,871	1,825	1,047	389,743
GRV Commercial	0.105690	42	2,114,558	223,477			223,477	223,477			223,477
GRV Vacant	0.102840	18	360,100	37,033			37,033	37,033			37,033
GRV Rural Commercial	0.106880	5	306,280	32,736	973		33,709	32,736	973		33,709
GRV Industrial/Residential	0.113800	46	629,944	71,689			71,689	71,689			71,689
GRV Industrial/Residential Vaca	0.102840	2	10,400	1,070	-10		1,060	1,070	-10		1,060
GRV Rural Resort	0.112820	3	1,132,800	127,805	24,144	19,266	171,214	127,805	24,144	19,266	171,215
UV General	0.207090	7	827,678	171,402			171,402	171,402			171,402
UV Pastoral	0.141820	11	617,360	87,556			87,556	87,556			87,556
UV Mining	0.282450	1	7,947	2,245			2,245	2,245			2,245
UV Exploration	0.271580	2	764,435	207,605	-1,098	8,025	214,532	207,604	-1,098	8,025	214,531
Sub-Totals		453	10,533,343	1,349,490	25,983	28,339	1,403,812	1,349,488	25,834	28,338	1,403,660
Minimum Payment											
GRV Residential	876.00	52	384,173	45,552			45,552	45,552			45,552
GRV Commercial	876.00	17	93,832	14,892			14,892	14,892			14,892
GRV Vacant	876.00	83	271,090	72,708			72,708	72,708			72,708
GRV Rural Commercial	876.00	0	0	0			0	0			0
GRV Industrial/Residential	876.00	3	19,440	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	9,262	4,410			4,410	4,410			4,410
UV Pastoral	920.00	0	0	0			0	0			0
UV Mining	920.00	1	654	920			920	920			920
UV Exploration	920.00	2	4,080	1,840			1,840	1,840			1,840
Sub-Totals		164	782,531	142,950	0	0	142,950	142,950	0	0	142,950
Concessions							(139,394)				(139,394)
Amount from General Rates							1,407,367				1,407,216
Specified Area Rates							38,917				38,917
Totals							1,446,284				1,446,133

Comments - Rating Information

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 29 February 2020								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-19	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2019/20 Actual	2019/20 Budget	2019/20 Actual	2019/20 Budget	2019/20 Actual	2019/20 Budget
			\$	\$	\$	\$	\$	\$
Loan 57 Monkey Mia Bore	134,616	0	15,667	31,653	118,949	102,963	1,668	5,654
Loan 56 - Staff Housing	28,847	0	9,333	18,946	19,513	9,901	783	1,556
Loan - Town Oval Bore	0	800,000	0	0	0	800,000	0	0
	163,463	800,000	25,001	50,599	138,462	912,864	2,451	7,210

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

25 MARCH 2020

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 29 February 2020								
Note 11: GRANTS AND CONTRIBUTIONS								
Program/Details	Grant Provider	Approval	2019-20 Annual Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received/Invoiced	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING								
Grants Commission - General	WALGGC	Y	692,157	0	692,157	0	519,118	173,039
Grants Commission - Roads	WALGGC	Y	226,736	0	226,736	0	170,052	56,684
LGIS Surplus Share Dividend Distribution	LGIS	Y	16,761	0	16,761	0	16,761	0
LAW, ORDER, PUBLIC SAFETY								
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Y	8,133	0	8,133	0	8,394	0
Grant FESA - SES	Dept. of Fire & Emergency Serv.	Y	46,590	0	46,590	0	34,943	11,648
Coastal Hazard Risk Management & Adaption Plan	WA Planning Commission	Y	32,500	0	32,500	0	19,500	13,000
Coastal Adaptation and Protection	Department of Transport	Y	11,000	0	11,000	0	0	11,000
Gascoyne Sports Modelling	Department of Local Government Sport and Culture	Y	5,000	0	5,000	0	5,000	0
RECREATION AND CULTURE								
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	Y	200	0	200	0	216	0
Laser Tag	Miscellaneous revenue	Y	0	0	0	0	123	0
ECONOMIC SERVICES								
Thank a Volunteer	Dept of Communities	Y	700	0	700	0	700	0
BBRF Community Investment	Dept of Infrastructural	Y	20,000	0	20,000	0	20,000	0
TRANSPORT								
Road Preservation Grant	State Initiative - Main Roads WA	Y	113,118	0	113,118	0	113,118	0
Useless Loop Road - Mtce	Main Roads WA	Y	330,000	0	330,000	0	264,000	66,000
Contributions - Road Projects	Pipeline	Y	8,900	0	8,900	0	12,705	0
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	230,217	0	0	230,217	194,855	35,362
TOTALS			2,039,257	0	1,511,795	527,462	1,379,484	663,978
			Operating		1,511,795		1,184,629	
			Non-operating		527,462		194,855	
					2,039,257		1,379,484	
Comments - Operating and Non Operating Grants								

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 29 February 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 19	Amount Received	Amount Paid	Closing Balance 29-Feb-20
	\$	\$	\$	\$
CITF Levy	\$ -	5,687	(6,170)	-482
Library Card Bond	\$ 250	150	(300)	100
Bookeasy- Sales	\$ -	289,944	(289,944)	0
Kerb/Footpath Deposit	\$ 3,800	1,000		4,800
Bond Key	\$ 3,420	1,310	(750)	3,980
Hall Bond	\$ -	550	(275)	275
Police Licensing	\$ 997	158,526	(156,944)	2,578
Election Deposit	\$ -	800	(800)	0
Marquee Deposit	\$ -			0
Building Licence Levy	\$ -	5,794	(5,312)	482
Road Reserve - Hughes Street	\$ 2,298			2,298
Tour Sales	\$ -			0
Property Rental Bonds	\$ -			0
Rates Unidentified Deposit	\$ 210			210
	10,974	463,761	(460,494)	14,241

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

CAPITAL WORKS PROGRAM 2019/2020								
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	2.2.1	WKSM	(75,000)	0	0	0	0	
Records Room	4.2.2	CEO	(30,000)	(30,000)	(16,862)	13,138	16,862	Due to be complete in March 2020
Governance Total			(105,000)	(30,000)	(16,862)	13,138	16,862	
Housing								
Staff housing Capital Works								
Staff Housing - 5 Spaven Way	2.2.1	CEO	(10,000)	(6,664)	0	6,664	0	
Staff Housing - 65 Brockman St	2.2.1	EMCD	(10,000)	(6,664)	0	6,664	0	
Staff Housing - 51 Durlacher St	2.2.1	EMFA	(10,000)	(6,664)	0	6,664	0	
Staff Housing - 80 Durlacher St	2.2.1	EMCD	(10,000)	(6,664)	0	6,664	0	
Pensioner Units Capital	2.2.1	EMCD	(35,000)	(23,336)	0	23,336	0	
Pensioner Units Door/Water Pipe Replacement	2.2.1	EMCD	(10,000)	0	0	0	0	
Housing Total			(85,000)	(49,992)	0	49,992	0	
Community Amenities								
Buildings								
Morgue	2.2.1	CEO	(20,000)	0	0	0	0	
Community Amenities Total			(20,000)	0	0	0	0	
Recreation								
Buildings								
Asbestos Removal - Denham Town Hall/Stables	2.2.1	WKSM	(75,000)	0	0	0	0	
Recreation Centre Panel and Paint Renewal	2.2.1	WKSM	(50,000)	0	0	0	0	
Recreation Total			(125,000)	0	0	0	0	
Transport								
Buildings								
Depot - Office Awning	4.2.2	WKSM	(10,000)	0	0	0	0	
Depot - Boundary Fencing	4.2.2	WKSM	(15,000)	0	0	0	0	
Transport Total			(25,000)	0	0	0	0	
Land and Buildings Total			(360,000)	(79,992)	(16,862)	63,130	16,862	
Footpaths								
Infrastructure								
Footpath Construction-Denham Footpath Plan	1.1.1/2.2.1	WKSM	(50,000)	(24,913)	(24,913)	(0)	0	
Footpaths Total			(50,000)	(24,913)	(24,913)	(0)	0	

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Drainage								
Transport								
Drainage/Sump Construction	1.1.1	WKSM	0	0	0	0	0	
Transport Total			0	0	0	0	0	
Drainage Total			0	0	0	0	0	
Furniture & Office Equip.								
Governance								
Server and Program Upgrade	4.2.2	EMFA	(20,000)	(20,000)	(20,784)	(784)	20,784	Complete
Governance Total			(20,000)	(20,000)	(20,784)	(784)	20,784	
Furniture & Office Equip. Total			(20,000)	(20,000)	(20,784)	(784)	20,784	
Plant , Equipment and Vehicles								
Governance								
CEO Vehicle	2.2.1	CEO	(65,000)	0	0	0	0	Due May 2020
EMFA Vehicle	2.2.1	EMFA	(27,793)	(27,793)	(27,793)	0	27,793	Complete
EMCD Vehicle	2.2.1	EMCD	(27,720)	(27,720)	(27,720)	0	27,720	Complete
Total Governance			(120,513)	(55,513)	(55,512)	1	55,512	
Transport								
Major Plant Items	4.2.2	WKSM	(20,000)	(13,336)	0	13,336	0	
Excavator	4.2.2	WKSM	0	0	(11,109)	(11,109)	11,109	Capital Works to Extend Useful Life
Dual Cab Ute - Town Gardener	4.2.2	WKSM	(45,000)	(45,000)	(39,981)	5,019	39,981	Due February 2020
Dual Cab Ute - Ranger	4.2.2	WKSM	(45,000)	(45,000)	(39,981)	5,019	39,981	Due February 2020
Prime Mover	4.2.2	WKSM	(240,000)	(240,000)	0	240,000	0	Due February 2020
Transport Total			(350,000)	(343,336)	(91,072)	252,264	91,072	
Denham Marine Facilities								
Boat Jinker Brake System Upgrade	4.2.2	WKSM	(20,000)	0	0	0	0	
Denham Marine Facilities Total			(20,000)	0	0	0	0	
Plant , Equipment and Vehicles Total			(490,513)	(398,849)	(146,584)	252,265	146,584	

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	2016/17 Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Public Facilities								
Community Amenities								
Cemetery Shade	2.4.2	WKSM	(5,000)	0	0	0	0	
Hamelin Pool Carpark	2.2.1	WKSM	(10,000)	0	0	0	0	
Community Amenities Total			(15,000)	0	0	0	0	
Recreation And Culture								
West End Toilet Roof Replacement	2.2.1	WKSM	(15,000)	0	0	0	0	
Town Oval Bore	2.2.1	WKSM	(800,000)	(800,000)	(750,100)	49,900	750,100	Project underway
Town Bore Fence Extensions	2.2.1	WKSM	(7,500)	0	0	0	0	
Town Oval Fountain	2.2.1	WKSM	(7,000)	(7,000)	(5,035)	1,965	5,035	Complete
Playground Fence Replacement	2.2.1	WKSM	(8,000)	0	0	0	0	
Charlie Sappie Park Bed Removal and Replacement	2.2.1	WKSM	(20,000)	0	0	0	0	
Multi Purpose Courts Light Upgrade	2.2.1	WKSM	(10,000)	0	0	0	0	
Little Lagoon Signs and Barriers	2.2.1/1.2.2	CEO	(52,000)	(43,986)	(29,282)	14,704	0	
Recreation And Culture Total			(919,500)	(850,986)	(784,417)	66,569	755,135	
Public Facilities Total			(934,500)	(850,986)	(784,417)	66,569	755,135	

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

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 19-20 Brockman Street	1.1.1	WKSM	(450,000)	0	0	0	0	Due to commence Mar 2020
Useless Loop Road - RRG 19-20	1.1.1	WKSM	(255,325)	(255,325)	(275,569)	(20,244)	275,569	Commenced one month early
Eagle Bluff - RRG 19-20	1.1.1	WKSM	(90,000)	0	0	0	0	Due to commence April 2020
Transport Total			(795,325)	(255,325)	(275,569)	(20,244)	275,569	
Roads (Non Town) Total			(795,325)	(255,325)	(275,569)	(20,244)	275,569	
Capital Expenditure Total			(2,650,338)	(1,630,065)	(1,269,129)	360,936	1,214,934	

25 MARCH 2020

12.3 COMMUNITY BUS FEE WAIVER FOR SHARK BAY COMMUNITY RESOURCE CENTRE
GS00001

AUTHOR

EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

Council agrees to waiver \$1,000 of the Shark Bay Community Bus hire fees for the Shark Bay Community Resource Centre to take the Friendly Hub participants to Geraldton

Or

Council does not agree to waiver the Shark Bay Community Bus hire fees for the Shark Bay Community Resource Centre to take the Friendly Hub participants to Geraldton.

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: In consideration of the Covid-19 pandemic the Council decline this request.

Moved Cr Ridgley

Seconded Cr Fenny

Council Resolution

Council decline the request and encourage the applicant to apply at a later date.
6/0 CARRIED

BACKGROUND

The Shark Bay community bus is available for Shark Bay community groups to be used for local and longer-distance travel.

At the September 2013 Ordinary Council Meeting, Council resolved:

- That fees and charges for the hire of Shire resources and facilities be waived when the resources and facilities are being used by not for profit community groups.
- That a maximum of up to \$1,000 per financial year in venue hire and a maximum of \$1,000 in bus use per financial year be introduced for community groups.
- That the Shark Bay School continue to receive the maximum of \$6,000 for bus use.
- That usage is monitored by the Shire administration and periodically reported to Council.

As per the 2019/2020 Fees and Charges, the Shark Bay community bus is charged at \$1.80 per kilometre and in the event of an accident during the period of hire the hirer is liable for the insurance excess of \$300.

COMMENT

In November 2019, the Denham Seniors Group ceased to exist as a community group and a new initiative, The Friendly Hub, facilitated by Shark Bay Community Resource

MINUTES OF THE ORDINARY COUNCIL MEETING

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Centre commenced on 4 February 2020. This new group provides an opportunity for all community members aged 18 years and older to socialise on a weekly basis at the Denham Town Hall.

On 10 March 2020, the administration staff received a letter from the Shark Bay Community Resource Centre requesting to hire the bus in April on behalf of The Friendly Hub participants.

The bus will be hired for a proposed overnight excursion to Geraldton, to visit the Maritime Museum, HMAS Sydney Memorial and social time to explore the area. The nominated bus driver for the excursion is a committee member of the Shark Bay Community Resource Centre and a participant of the Friendly Hub.

The Shark Bay community bus holds a maximum of twenty passengers, plus one driver. Hiring the bus will allow maximum involvement in the excursion and provide social inclusion activities for our community members that may not have other transport options.

LEGAL IMPLICATIONS

Section 6.12 Local Government Act 1995

POLICY IMPLICATIONS

Council Policy 8.3 Use of Community Bus adopted by Council on 27 August 2014.

FINANCIAL IMPLICATIONS

Shark Bay Community Resource Centre will be charged \$1.80 per kilometre to hire the Shark Bay Community Bus. Their proposed travel to Geraldton (approximately 800kms) will total approximately \$1,440.00.

If the maximum fee waiver of \$1,000.00 is approved, the Shark Bay Community Resource Centre will be charged the remaining hire fee.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

RISK MANAGEMENT

The nominated bus driver of the Shark Bay community bus will be required to complete the application form and sign the declaration upon booking the vehicle.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Executive Manager Community Development

Chief Executive Officer

Date of Report

D Wilkes

P Anderson

13 March 2020

25 MARCH 2020



10th March 2020

Shire of Shark Bay
65-67 Knight Terrace
Denham WA 6537

To whom it may concern,

RE: Use of Community Bus

The Shark Bay Community Resource Centre (SBCRC) is running "The Friendly Hub", a weekly morning tea session open to anyone in the community to attend. Predominantly those attending this session continue to be those from the former Denham Seniors group who continue to want to meet weekly, without the pressures of having to comply with committee governance requirements.

This group has expressed an interest to have an overnight excursion to Geraldton towards the end of April. The trip could include visiting the Maritime Museum, going to a movie or the Queens Park Theatre for a show, visiting the HMAS Sydney Memorial as well as some personal free time to explore.

As the SBCRC is not considered a community group, we would like to request the Shire waive the \$1,000 hire fees applied to utilise the community bus for this Geraldton visit. The Friendly Hub group is in a position to pay from their own fundraising funds (which the SBCRC manages) any additional travel costs over the \$1,000 to the Shire.

We look forward to a response from the Shire. Should you require any further assistance in regards to this matter, please do not hesitate to contact myself on 9948 1787.

Yours sincerely

Judith Britza

Project's Officer
Shark Bay Community Resource Centre

25 MARCH 2020

12.4 FEE WAIVER REQUEST FOR YOGA CLASSES AT DENHAM TOWN HALL
CU00007

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

1. Council approves the request for waiver of hire fees to the value of \$700.00 for the Denham Town Hall, for Ms Jol to conduct group yoga classes until 30 June 2020. The use of Council facility be subject to and in accordance with Council's Recreation and Culture Policy.

Or

2. Charge Ms Jol for the use of the facility as per the adopted Fees and Charges 2019/2020

REQUIRES ABSOLUTE MAJORITY

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: In consideration of the Covid-19 pandemic the Council decline this request.

Moved Cr Bellottie

Seconded Cr Smith

Council Resolution

**Council decline the request and encourage the applicant to apply at a later date.
6/0 CARRIED BY ABSOLUTE MAJORITY**

BACKGROUND

Ms Fiona Jol is a qualified Yoga Instructor and operates as a private enterprise providing affordable group yoga classes for Shark Bay community members. In recent time, Ms Fiona Jol was operating yoga classes from a private premise and received positive feedback from attendees. Due to the community's demand, Ms Fiona Jol is seeking to use the Denham Town Hall to expand her service to the community.

The proposed yoga classes at Denham Town Hall will be held on multiple days during the morning and afternoons, on a weekly basis. Yoga participants will be charged a fee of \$10 per person, per class on a casual basis. The proposed class structure will operate from Monday to Saturday in the mornings and/or afternoons. Ms Fiona Jol would also offer her yoga service, free of charge to The Friendly Hub participants on Wednesday's at the Denham Town Hall, if the participants are interest.

The Shire Administration has advised Ms Fiona Jol of regular scheduled bookings at the Denham Town Hall and classes will be booked subject to this availability as per the Shire's Recreation and Culture Policy.

At the November 2018 Ordinary Council meeting, Council endorsed the Recreation and Culture Policy –General stipulates:

Section 1: *'Use of all Shire venues for fund raising activities is to be made available to as many local organisations as practicable and monopolising of prime venue booking*

25 MARCH 2020

times by any organisation is to be avoided when there are other organisations seeking to use the venue'

Section 3: *'Bookings accepted on a regular basis may be cancelled to allow special events at the discretion of the Chief Executive Officer'.*

COMMENT

Participation in active recreation contributes to an individual's mental and physical well-being, and the development of strong networks and support structures within the community. At this present time, structured yoga classes are not available to the Denham community. Ms Fiona Jol's proposed yoga class will provide an opportunity to share her expertise knowledge and will contribute to an active Shark Bay community.

Ms Fiona Jol's proposed yoga classes are supportive of the Shire's Strategic Community Plan 2018-2028 under two categories:

- **Economic:** A progressive, resilient and diverse economy
 - 1.2: Support local business and further investment in the district encouraged
 - 1.2.3: Advocate to support new industries
- **Social:** A safe, welcoming and inclusive community
 - 3.1: Strong sense of spirit and pride in an inclusive community
 - 3.1.2: Encourage inclusive, involvement and wellbeing.

It's important to note at the June 2019 Ordinary Council Meeting, Council approved the request for venue hire fee waiver for Ms Marigula Muripoluos to operate her private enterprise. Ms Marigula Muripoluos has been conducting dance fitness classes at Denham Town Hall free of charge from 1 July 2019 until 30 June 2020.

At the September 2019 Ordinary Council Meeting, CLB Fitness, which charges a casual fee participant fee of \$10.00 per class, successfully requested a waiver for venue hire fees to use the Shark Bay Recreation Centre until 30 June 2020.

To align with the above motion, it is recommended for Ms Fiona Jol to be approved for a venue hire fee waiver until 30 June 2020. If this request is approved, Ms Jol will be requested to include the Shire's logo and the statement "Proudly supported by the Shire of Shark Bay" in all promotional material (e.g. Inscription Post and Social Media).

LEGAL IMPLICATIONS

Section 6.12 of the Local Government Act 1995

POLICY IMPLICATIONS

Recreation and Culture Policy

Standard Conditions for Hire of Shire Venues, Facilities and Equipment.

FINANCIAL IMPLICATIONS

Fees & Charges: Hourly rental for a private business \$50 per hour

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

3.1 Strong sense of spirit and pride in an inclusive community.

Economic Objective: A progressive, resilient and diverse economy

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1.2 Support local business and further investment in the district encouraged.

RISK MANAGEMENT

Ms Fiona Jol will be required to provide a copy of her public liability insurance or complete a declaration of interest to hire a Shire of Shark Bay venue.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Executive Manager Community Development

Deb Wilkes

Chief Executive Officer

P Anderson

Date of Report

13 March 2020

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

12th March 2020

Shire of Shark Bay,
65 Knight Terrace
Denham WA 6537

Use of the Town Hall

To Shire of Shark Bay Councillors,

I am writing with regards to use the Town Hall to conduct yoga for community members. I am a qualified yoga instructor and have been providing affordable yoga classes for community members from my private premise. Due to recent change of location, I am interested in using Shire of Shark Bay venue to continue to provide my service to the community.

I am a start-up business and charge a low fee of \$10 per class. To assist with providing my yoga service to the community, I am kindly requesting the Shire of Shark Bay to receive a 12month fee waiver to use Shire of Shark Bay venue.

I have previously been running regular classes both morning and afternoons. On average I would have between two and ten people attending on a regular basis and have received much positive feed back. I feel there is a high demand and a need to have the beautiful teachings of yoga available to all of our community. Yogas proven to be beneficial for everybody including people that suffer from high stress levels to sometimes the debilitating illnesses of depression and anxiety.

I would love to continue teaching yoga on Tuesday, Thursday and Saturday mornings and Monday and Thursday afternoons. When I am available I would also love to start teaching free chair yoga for our Senior citizens on Wednesday mornings and pop up classes on the beach front weather is permitting.

Shark Bay yoga classes are supportive of the Shire of Shark Bay Strategic Community Plan 2018 – 2028:

1. Economic: A progressive, resilient and diverse economy
- 1.2: Support local business and further investment in the district encouraged
- 3.Social: A safe, welcoming and inclusive community
- 3.1.2: Encourage inclusion, involvement and wellbeing

Kind Regards,



Fiona Jol
Shark Bay Yoga

25 MARCH 2020

12.5 ROSE DE FREYCINET GALLERY FEE WAIVER REQUEST – DEPARTMENT OF PARKS AND WILDLIFE SERVICE
RES47781

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as employer is the Department of Biodiversity, Conservation and Attractions – Parks and Wildlife Services.

Officer Recommendation

1. Council approve a waiver of fees and associated staff costs for use of the Rose de Freycinet Gallery for the Dirk Hartog Island Biodiversity Fiesta Exhibition 2020, September 1 – October 6 inclusive (36 days) to a total of \$5,776.80.

OR

Council do not approve a waiver of fees and associated staff costs for use of the Rose de Freycinet Gallery for the Dirk Hartog Island Biodiversity Fiesta Exhibition 2020, September 1 – October 6 inclusive (36 days).

2. Council charge the cleaning deposit fee of \$335.00 to the Department of Parks and Wildlife for use of the Rose de Freycinet Gallery for the Dirk Hartog Biodiversity Fiesta Exhibition 2020.

REQUIRES ABSOLUTE MAJORITY

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: In consideration of the Covid-19 pandemic the Council decline this request.

Moved Cr Stubberfield
Seconded Cr Smith

Council Resolution

**Council decline the request and encourage the applicant to apply at a later date.
6/0 CARRIED BY ABSOLUTE MAJORITY**

BACKGROUND

Based in the Shark Bay World Heritage Area, Dirk Hartog Island National Park is Western Australia's largest island and has been the focus of enormous rehabilitation efforts in recent years. The Dirk Island Biodiversity Fiesta exhibition 2020 is part of the larger Dirk Hartog Island National Park Ecological Restoration Project *Return to 1616*.

Return to 1616 aims to return the island ecosystem to the more natural state that existed when Dirk Hartog first visited in 1616. With the eradication of feral cats and after years of work to remove introduced animals including sheep and feral goats, the island vegetation is recovering. The *Return to 1616* project is now able to safely return the island's original native fauna. Translocations of 13 different animals are planned over ten years, with the establishment of populations of four of those species already underway.

MINUTES OF THE ORDINARY COUNCIL MEETING

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To celebrate this achievement the Department of Parks and Wildlife are planning a Dirk Hartog Biodiversity Fiesta for the local community to participate in and for visitors to the region to enjoy.

COMMENT

The Dirk Hartog Island Biodiversity Fiesta for the Shark Bay community is set to include:

- A weeklong Dirk Hartog Island science art workshop for all Denham school students and selected Useless Loop students, this will act as a follow on from National Science Week. The students will produce a large, collaborative painting of the flora and fauna of Dirk Hartog Island, facilitated by artist Angela Rossen.
- An overnight excursion to Dirk Hartog Island for two school student “ambassadors” in conjunction with a fauna release.
- Art drawing workshops that will be open to the Shark Bay community, facilitated by artist Angela Rossen.
- Dirk Hartog Island photography competition open to the Sark Bay community.

The culmination of these community activities will be a month-long Biodiversity Fiesta Exhibition displaying all of the artwork and photography created in the above outlined workshops, incursions and photography competition.

The Department of Parks and Wildlife have requested a fee waiver for the use of the Rose de Freycinet Gallery for a total of 36 days. They have also requested a waiver of Shark Bay World Heritage Discovery and Visitor Centre staff wages for the opening night and assistance to set up of the exhibition, approximately 12 hours in total.

Previously Council have waived fees and staff costs for events and exhibitions in the Rose de Freycinet Gallery including Shark Bay Arts Council Art and Photography Competitions, and a World Heritage Photographic Competition.

Holding this event in the Rose de Freycinet Gallery will enhance the World Heritage Discovery and Visitor’s Centre range of exhibitions and encourage more local visitation into the not just the gallery but also the Discovery Centre.

LEGAL IMPLICATIONS –

Section 6.12 Local government Act 1995

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

Waiving the fee of \$148 per day, a total of \$5,328.00 plus staff costs of \$448.80 (12 hours).

The total request for fee waived is \$5,776.80, which includes a daily hire fee of \$148 (\$148 x 36 days = \$5,328.00) plus staff wages for the installation and assistance with the opening night (\$448.80).

Cleaning deposit of \$335 to be charged to the Department of Park and Wildlife Service.

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

Should Council choose not to waiver the fee the exhibition may not run, as there are no other venue options available to such a large-scale art event.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Executive Manager Community Development

D Wilkes

Chief Executive Officer

P Anderson

Date of Report

12 March 2020

25 MARCH 2020

12.6 LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION
FM00019

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Officer Recommendation

1. That Council being a unit holder and beneficiary of the Local Government House Trust, consent to the three proposed amendments to the Trust Deed for the Local Government House thereby strengthening the classification of the Trust as a State/Territory Body and ensuring the continuation of its income tax exempt status.

OR

2. That Council being a unit holder and beneficiary of the Local Government House Trust does not consent to the three proposed amendments to the Trust Deed for the Local Government House.

Moved Cr Fenny
Seconded Cr Ridgley

Council Resolution

That Council being a unit holder and beneficiary of the Local Government House Trust, consent to the three proposed amendments to the Trust Deed for the Local Government House thereby strengthening the classification of the Trust as a State/Territory Body and ensuring the continuation of its income tax exempt status.

6/0 CARRIED

Background

The Council received the following email from Nick Sloan, Chief Executive Officer of Western Australian Local Government Association requesting Council's consent by formal resolution to three variations to the Trust Deed for the Local Government House Trust, based on legal advice, to ensure the continuation of the Trust's income tax exempt status. The Council is a unit holder and beneficiary of the Local Government House Trust and as stipulated by the Trust Deed requires at least 75 percent of all beneficiaries to consent to the execution of the trust deed variation supported by a council resolution.

From: Communications <communications@walga.asn.au>
Sent: Wednesday, 19 February 2020 9:03 AM
To: Paul Anderson <paul@sharkbay.wa.gov.au>
Subject: Local Government House Trust- Deed of Variation

Sent on behalf of WALGA CEO Nick Sloan

25 MARCH 2020

19 February 2020

Our Ref: NS/RM

Mr Paul Anderson
Chief Executive Officer
Shire of Shark Bay

Dear Mr Anderson,

Re: Local Government House Trust – Deed of Variation

I am writing to seek your Council's consent by formal resolution to a variation to the Trust Deed for the Local Government House Trust (The Trust).

Shire of Shark Bay is a unit holder and beneficiary to the Local Government House Trust, holding 2 unit/s as advised in WALGA's recent Quarterly Report Q4 2019.

The Trust's Board of Management is seeking to vary the Trust Deed in order to assist the Trust's income tax exempt status. As stipulated by the Deed, the Trust requires consent of at least 75 per cent of all beneficiaries in order to execute this variation.

As a beneficiary, the Shire of Shark Bay is requested to consent to the enclosed Deed of Variation supported by a resolution of Council; and to communicate this consent to us in writing. Please note, we are requesting consent for the Trustee to formally execute the attached Deed of Variation – your Local Government is not required to sign the enclosed document.

Further details on the particular Deed Variations and objectives to be achieved by this variation are outlined below.

Background on the Local Government House Trust

The Local Government House Trust ("The Trust") exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies "upon Trust" and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to *Division 1AB of the Income Tax Assessment Act 1936*.

Trust Deed Variation

Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax exempt status by strengthening the position that the Trust is a State / Territory Body (STB).

Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). This view, while based upon highly technical grounds, is a risk nonetheless.

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Subsequently the Deed of Variation aims to strengthen the position that the Trust is a STB through the following amendments:

1. removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)
2. enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
3. ensuring that the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation)

The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows (proposed amendments shown in red text):

1. Variation 2.1 amends clause 22.1 to point to additional clause:

22.1 Any Trustee of the Trust may retire as Trustee of the Trust. ~~The~~ **Subject to clause 22.3, the** right to appoint any new or additional trustee or trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed as Trustee of the Trust.

2. Variation 2.2 inserts two new clauses:

22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.

22.4 The Beneficiaries may at any time by Special Resolution:

- (a) remove a Trustee from the office as Trustee of the Trust;
- and
- (b) appoint such new or additional Trustee.

3. Variation 2.3 insert a new clause 13A

13A Delegation to the Board of Management

Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.

Comment

The first two amendments outlined above remove powers granted to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

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The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

These amendments provide greater power to beneficiaries through the Board of Management, and as such it is anticipated they will be considered acceptable.

Thank you for your consideration of the above amendments we look forward to receiving formal consent to execute these changes via resolution of Council.

If you have any questions regarding the variations, please email Financial Controller Rick Murray at rmurray@walga.asn.au.

Yours sincerely,
Nick

Nick Sloan | Chief Executive Officer | WALGA

(p) (08) 9213 2025 | (m) 0408 941 792 | (e) nsloan@walga.asn.au

Our work regularly takes us across the State and as such WALGA would like to acknowledge the many traditional owners of the land on which we work throughout Western Australia. We pay our respects to their Elders, past, present and emerging.

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Attachments

1. Deed of Variation – Copy for information only, this document does not require signing.
2. Clause 12 of Trust Deed 1994. (Excerpt)

Comment

It would be in the best interest of the Council to assist in strengthening the classification of the Local Government House Trust as a State/Territory Body to ensure the continuation of its exempt income tax status as should this exempt status be removed it could cause a devaluation in the unit investment.

Legal Implications

There are no legal implications relative to this report.

Policy Implications

There are no policy implications relative to this report.

Financial Implications

There is minimal risk involved as there are no cash implications unless the trust is dissolved. As at 30 June 2019 the 2 units held by the Shire of Shark Bay were valued

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

at \$15,466.77 each totalling \$30,933.54 and was incorporated into the financial statements as a Financial Asset in accordance with Australian Accounting Standards.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Author

A Pears

Chief Executive Officer

P Anderson

Date of Report

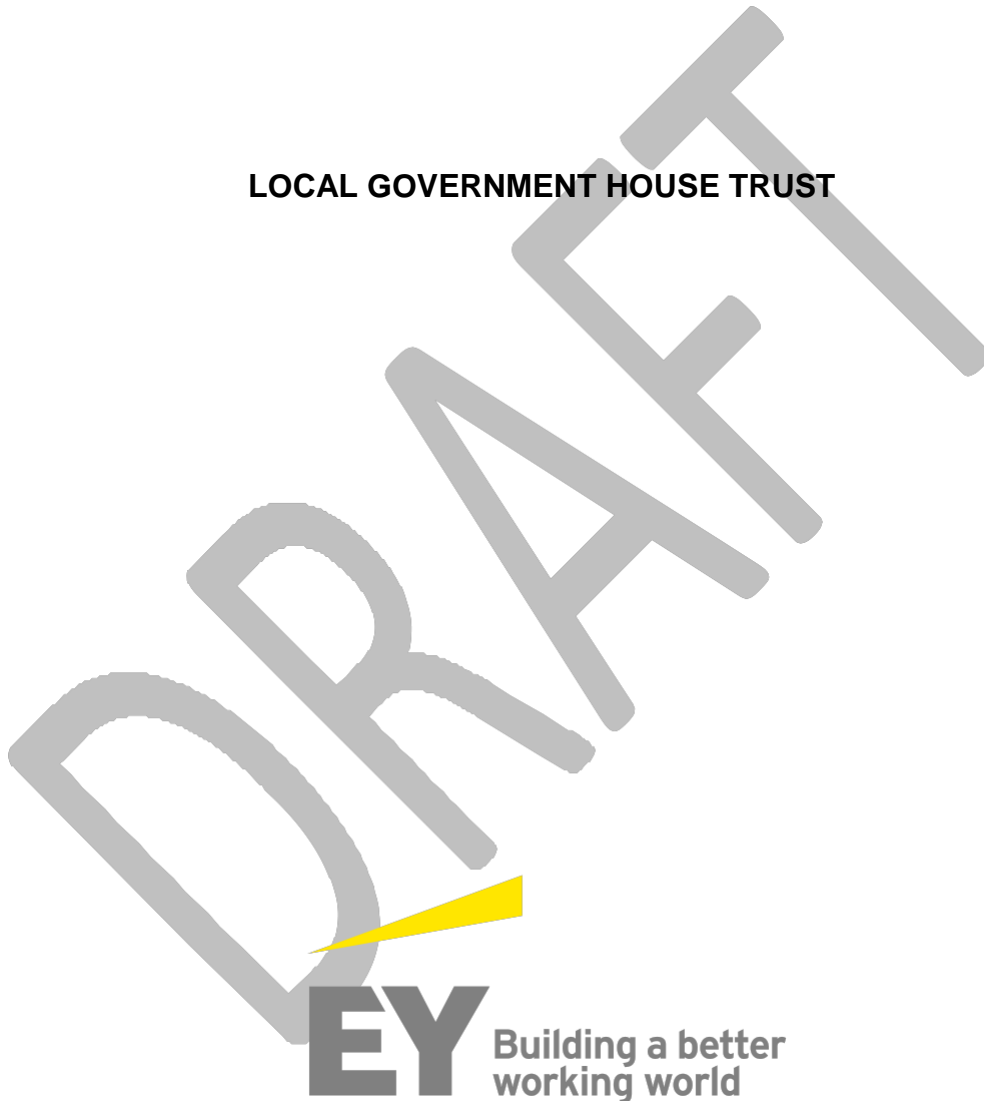
10 March 2020

25 MARCH 2020

Attachment 1

DEED OF VARIATION

LOCAL GOVERNMENT HOUSE TRUST



LAW

PERTH

11 Mounts Bay Road, Perth WA 6000

Telephone (08) 9429 2222 Facsimile: (08) 9429 2434

eylawperth@au.ey.com www.ey.com

Our Ref: 4WAL / 2004 7043

25 MARCH 2020

THIS DEED dated the _____ day of _____ 2019

BY

WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION of Level 1, 170 Railway Parade, West Leederville in the State of Western Australia (the 'Trustee')

RECITALS

- A. By Deed of Trust undated but stamped 12 February 1980 ('Original Trust Deed') made between CHARLES WILSON TUCKEY, LYAL GORDON RICHARDSON, GORDON LAWRENCE KILPATRICK, HARRY STICKLAND and MAXWELL RAY FINLAYSON (the 'Original Trustees') and THE LOCAL GOVERNMENT ASSOCIATION OF WESTERN AUSTRALIA and the COUNTRY SHIRE COUNCILS ASSOCIATION (the 'Retired Trustees') the Original Trustees declared that they would hold the property therein referred to as the Headquarters and the monies therein referred to as the Trust Fund upon trust for the beneficiaries specified in the second schedule to the Original Deed upon the terms and conditions therein contained (the 'Original Trust').
- B. By Deed dated 2 October 1981 made between the Original Trustees and the Retired Trustees the Original Trustees retired and appointed the Retired Trustees as the trustees of the Original Trust in their place.
- C. By Deed dated 4 May 1994 (the 'New Deed') the Retired Trustees (in the New Deed referred to as THE LOCAL GOVERNMENT ASSOCIATION OF WESTERN AUSTRALIA (INC) and THE COUNTRY SHIRE COUNCILS' ASSOCIATION OF WESTERN AUSTRALIA (INC)) agreed that the proceeds from the sale of the Headquarters and the Trust Fund and the income thereof should be from 17 February 1993 held upon the terms and conditions set out in the New Deed (the 'Trust').
- D. By Deed of Variation dated 5 June 2002 the Retired Trustees varied the New Deed (collectively, the 'Trust Deed') to provide for a new Clause 22 which provides that any trustee of the Trust may retire as trustee of the Trust and appoint a new trustee to act as trustee of the Trust and that notwithstanding that the original number of trustees of the Trust was five where a corporation or incorporated association is appointed as trustee of the Trust then it shall not be obligatory to appoint more than one new trustee.
- E. By Deed dated 6 June 2002 made between the Retired Trustees and the Trustee, the Retired Trustees retired and appointed the Trustee as the trustee of the Trust.
- F. Clause 21.1 of the Trust Deed provides that the Trustees may at any time and from time to time (with the consent of not less than 75% of the Beneficiaries) by deed revoke add to or vary the trusts of the Trust Deed or declare (inter alia) any new or other powers, authorities or discretions concerning the management, control or investment of the Trust Fund upon the terms contained therein.
- G. The Trustee wishes to add to and vary the Trust Deed and declare (inter alia) new or other powers, authorities and discretions concerning the management, control or investment of the Trust Fund in accordance with the terms of this Deed.
- H. More than 75% of the Beneficiaries have consented in writing to the variations to the New Deed and the records relating to this consent will be placed with the original of this Deed.

NOW THIS DEED WITNESSES

1. DEFINITIONS AND INTERPRETATION

In this Deed, unless the context otherwise requires:

- 1.1 a word importing the singular includes the plural and vice versa, and a word of any gender includes other genders;
- 1.2 another grammatical form of a defined word or expression has a corresponding meaning;
- 1.3 a reference to a clause, paragraph, recital, schedule or annexure is to a clause, paragraph or recital of, or schedule or annexure to, this Deed, and a reference to this Deed includes any schedule or annexure;
- 1.4 a reference to a document or instrument includes the document or instrument as varied, novated, altered, supplemented or replaced from time to time;
- 1.5 a reference to a person includes a natural person, the estate of an individual, a partnership, body corporate, the trustee of a trust (in the trustee's capacity as trustee of the trust), association, governmental or local authority or agency or other entity;
- 1.6 a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- 1.7 the meaning of general words is not limited by specific examples introduced by 'including, for example' or similar expressions;
- 1.8 Recitals A to H inclusive form part of and are included in this Deed;
- 1.9 headings are for ease of reference and do not affect interpretation;
- 1.10 'Deed' means this deed;
- 1.11 unless specified otherwise, terms which are defined in the Trust Deed and used in this Deed bear the same meanings in this Deed which are ascribed to them in the Trust Deed; and
- 1.12 in the event of any inconsistency between the provisions of the Trust Deed and the provisions of this Deed, the provisions of this Deed will prevail.

2. OPERATIVE PART

The Trustee in exercise of the power given to the Trustee by clause 21.1 of the Trust Deed and with the consent of more than 75% of the Beneficiaries hereby adds to and varies the Trust Deed and declares (inter alia) the following new or other powers authorities and discretions concerning the management, control or investment of the Trust Fund as follows:

- 2.1 delete the word "The" appearing after the words "Any trustee of the Trust may retire as trustee of the Trust." in the existing clause 22.1 and replace it with the words "Subject to clause 22.3, the";

25 MARCH 2020

2.2 insert after clause 22.2 the following:

“22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.

22.4 The Beneficiaries may at any time by Special Resolution:

- (a) remove a Trustee from the office as trustee of the Trust; and
- (b) appoint such new or additional Trustee.

For the purposes of this clause 22.4, “Special Resolution” means a resolution passed or decision made by not less than 75% of the Beneficiaries.”

2.3 insert a new clause 13A as follows:

“13A **DELEGATION TO THE BOARD OF MANAGEMENT**

Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.”

3. **SEVERABILITY**

3.1 If any provision of this Deed is found by a competent authority (including without limitation a Court) to be void or unenforceable, then such finding shall not affect the other provisions of this Deed.

3.2 If making a subsequent amendment to this Deed avoids any invalidity or unenforceability of any provision of this Deed, the parties may elect to make that amendment, which shall be deemed for all purposes to be effective immediately prior to the occurrence of that invalidity or unenforceability.

4. **FURTHER ASSURANCES**

All parties shall make, execute and do all acts, deeds, documents and things and sign all documents which may reasonably be required to give full effect to this Deed, and the Trustee shall bear the costs of observing, performing and complying with this clause.

5. **COSTS**

The Trustee shall bear and pay the costs of and incidental to the preparation, execution and stamping of this Deed.

6. **RATIFICATION AND CONFIRMATION**

In all other respects the terms of the Trust Deed are hereby ratified and confirmed.

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7. **PROPER LAW**

This Deed shall be governed by the laws of the State of Western Australia and the parties submit to the jurisdiction of the Courts of the State of Western Australia.

EXECUTED as a Deed

THE COMMON SEAL of WESTERN)
AUSTRALIAN LOCAL GOVERNMENT)
ASSOCIATION is hereunto affixed in the)
)
presence of:)

Signature of President

Signature of Chief Executive Officer

Name of President

Name of Chief Executive Officer

DRAFT

25 MARCH 2020

Attachment 2 Clause 12 of Trust Deed (Excerpt)

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demands outgoings debts and liabilities incurred in respect of the Trust Fund.

10.2 The Trustees may subject to any law in force at the time in relation to this Deed so permitting accumulate all or any part of the income arisen or arising during an accounting period and such accumulation shall be dealt with as an accretion to the Trust Fund but so that the Trustees may at any time or times resort to all such accumulations and pay or apply the whole or any part or parts thereof as if they were income of the Trust Fund for the then current accounting period.

10.3 Subject to Clause 10.2 the Trustees may at any time at their discretion pay the whole or part of the income of the Trust Fund for any accounting period to the beneficiaries in proportion to the number of units of which they are respectively registered as holders at the last day of such accounting period.

11.0 **ADVANCEMENT OF CAPITAL**

The Trustees may at any time and from time to time set aside from the capital of the Trust Fund or raise therefrom any sum or sums of money and pay the same to the beneficiaries in proportion to the number of units in respect of which they are respectively registered at the date of each such payment for their own use and benefit. The payment of any such sum or sums of capital may be made in the same manner and subject to the same provisions as contained in Clause 10.3 in relation to the payment application or setting aside of any income of the Trust Fund.

12.0 **POWERS OF INVESTMENT AND MANAGEMENT**

The Trustees shall apply and invest the Trust Fund in any of the investments from time to time authorised by law for the investment of trust funds by trustees and in addition to and without limiting the powers authorities and discretions vested in the Trustees by law and notwithstanding the trusts hereinbefore declared shall have the following powers authorities and discretions which may be exercised by the Trustees at any time and from time to time in the

25 MARCH 2020

Attachment 2 Clause 12 of Trust Deed (Excerpt)

absolute and uncontrolled discretion of the Trustees in carrying out the trusts hereof:

- (a) to invest the Trust Fund and deal with manage transpose and realise the Trust Fund or any part thereof whether real or personal property with such powers in all respects as if the Trustees were the absolute owner thereof;
- (b) to purchase or otherwise acquire any investments for cash or otherwise and upon any terms and conditions and to make any such purchase or acquisition for a sum greater than the amount of the Trust Fund for the time being and to agree to pay for any such investments wholly or in part from any future moneys which may come into the Trustees' hands including dividends profits interest or other income payable in respect of any such investments;
- (c) to sell or otherwise dispose of any real or personal property or interest therein for the time being forming the whole or part of the Trust Fund by public auction tender or private treaty at such price or prices and whether for cash or on terms and generally upon any terms and conditions and to grant options for such sale or disposition as aforesaid;
- (d)
 - (i) to borrow and raise moneys from; or
 - (ii) to secure by mortgage or otherwise howsoever the payment of or obligation to pay money to,
any person (including a beneficiary) upon any terms with or without security or interest;
- (e) to vary or transpose any investments and to vary the terms of or property comprised in any security;
- (f) to hold use purchase construct demolish maintain repair renovate reconstruct develop improve sell transfer convey surrender let lease exchange take and grant options or rights in alienate mortgage charge pledge reconvey release or discharge or otherwise deal with any real or personal

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Attachment 2 Clause 12 of Trust Deed (Excerpt)

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property PROVIDED THAT in the improvement or development of any part of the Trust Fund the Trustees shall not be bound by the limitation contained in Section 30(1)(c) of the Trustees Act and the Trustees shall not be bound to apply to any Court to exceed such limitation;

- (g) to pay out of the Trust Fund or the income thereof all costs charges and expenses of and incidental to the management of the Trust Fund or to the exercise of any power authority or discretion hereby or by law conferred on the Trustees or in carrying out or performing the trusts hereof which the Trustees may at any time incur including all taxes of whatever kind payable in respect of the Trust Fund and costs in any way connected with the preparation and execution of these presents;
- (h) to act as manager or to employ any persons (including a Trustee hereof or a unit holder) contractors managers solicitors accountants clerks workmen employees servants or agents to transact all or any business of whatever nature including the receipt and payment of money and to decide the remuneration to be allowed and paid and to pay all charges and expenses so incurred and to create or arrange any scheme or superannuation retirement benefit or pension for the benefit of any person so employed;
- (i) to partition or agree to the partition of or to subdivide or agree to the subdivision or strata title or agree to the strata-titling of any land or other property which or any interest in which may for the time being be subject to the trusts hereof and to pay any moneys by way of equality of partition;
- (j) to determine whether any real or personal property or any increase or decrease in amount number or value of any property or holdings of property or any profit loss receipt or payments from for or in connection with any real or personal property shall be treated as and credited or debited to capital or to income and generally to determine all matters as to which any doubt difficulty or question

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Attachment 2 Clause 12 of Trust Deed (Excerpt)

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may arise under or in relation to the execution of the trusts and powers of this Deed and every determination of the Trustees in relation to any of the matters aforesaid whether made upon a question formally or actually raised or implied in any of the acts or proceedings of the Trustees in relation to the Trust Fund shall bind all parties interested therein and shall not be objected to or questioned on any ground whatsoever;

- (k) to open accounts with any bank or building society and to operate by and in all usual ways any such accounts;
- (l) to give effectual receipts and discharges for any moneys received by or on behalf of the Trustees or otherwise relating to any of the acts matters and things provided for in these presents;
- (m) to provide and set aside out of the Trust Fund or the income thereof such sum of money as the Trustees shall consider is available or necessary for and to pay or apply the same in or towards the discharge or reduction of any encumbrance debt or other liability for the time being affecting the Trust Fund or any part thereof;
- (n) to let sub-let lease or sub-lease for any period (and including to any beneficiary) and at any rental any real or personal property comprised in the Trust Fund upon any terms conditions or covenants;
- (o) to purchase take on lease sub-lease assignment hire or otherwise acquire any estate or interest in any real or personal property for any price premium rental charge payment fee or other consideration and subject to any terms conditions and covenants;
- (p) to take such action as the Trustees shall think fit for the adequate protection of any part of the Trust Fund and to do all such other things as may be incidental to the exercise of any of the powers authorities and discretions hereby or by law conferred on the Trustees;

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Attachment 2 Clause 12 of Trust Deed (Excerpt)

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- (q) to take and act upon the opinion (given in writing) of a solicitor an attorney at law or counsel practising in any country where the Trust Fund or any part thereof may for the time being be or be proposed to be invested in relation to the interpretation or effect of these presents or any other document or statute or as to the administration of the trusts hereof without being liable to any of the beneficiaries in respect of any act done by the Trustees in accordance with such opinion PROVIDED THAT nothing in this provision shall prohibit or impede the Trustees from applying to any Court if it shall think fit or prohibit any unit holder from so doing;
- (r) to allow any beneficiary to occupy have custody of or use any part of the Trust Fund on any terms or conditions as to inventories repair replacement insurance outgoings or otherwise but the Trustees shall not be liable for any loss or damage which may occur to any such part of the Trust Fund during or by reason of any such occupation custody or use except insofar as such loss or damage shall be occasioned by the conscious and wilful default or neglect of the Trustees;
- (s) to permit any part of the Trust Fund to be held or registered in the name of any nominee of the Trustees and to deposit securities deeds and other documents belonging or related to the Trust Fund with any bank or solicitor;
- (t) in the event of any gift stamp or other duties fees or taxes becoming payable in any part of the world in respect of these presents or the Trust Fund or any part thereof in any circumstances to pay all or any part of such duties fees and taxes out of the Trust Fund notwithstanding that such duties fees or taxes or some part thereof are not or may not be recoverable from the Trust Fund by legal process;
- (u) to receive and accept any real or personal property by gift inter vivos or by Will or under the provisions of any other trust or otherwise from any other person as additions to the Trust Fund and to hold the same upon the trusts herein

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Attachment 2 Clause 12 of Trust Deed (Excerpt)

set forth and to administer such additions under the provisions hereof;

- (v) at any time and from time to time to ascertain and fix the value of the Trust Fund in accordance with the provisions herein contained and for that purpose to engage such competent valuers or experts as the Trustees may select and the Trustees may cause the value so ascertained and fixed to be entered from time to time in a book kept for that purpose;
- (w) to appoint any date earlier than the Vesting Date to be the Vesting Date;
- (x) during an accounting period to nominate any date not more than 18 months after the date of commencement of the then current accounting period as the last day of that accounting period and thereafter the accounting period shall mean each succeeding 12 month period commencing on the day following such nominated date until the anniversary of such nominated date immediately preceding the Vesting Date and the period thereafter until the Vesting Date.

13.0 DELEGATION OF TRUSTEE POWERS

The Trustees if at any time they are more than one shall act jointly and may delegate the exercise of all or any of the powers authorities or discretions hereby or by law conferred on the Trustees:-

- (a) to the Board of Management constituted by clause 14.0 of this Deed, or
- (b) to any other person or persons,

and execute any power of attorney or other instrument necessary to effectuate such purpose.

25 MARCH 2020

12.7 FEE WAIVER REQUEST FOR SHARK BAY YOUTH GROUP ASSOCIATION INCORPORATED AT SHARK BAY RECREATION CENTRE
CP00004

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

NIL

Officer Recommendation

1. Council approves the request by the Shark Bay Youth Group Association Incorporated for the free use of the Shark Bay Recreation Centre Courts to conduct Dodgeball sessions, every Thursday from 5pm-7:30pm from 30 April 2020 – 2 July 2020.

The use of Council facility be subject to and in accordance with Council's Recreation and Culture Policy.

Or

2. A total charge of \$427 is requested from Shark Bay Youth Group Association Incorporated, as per the Shire's Fees and Charges for Long Term Seasonal Users – Community Groups (Shark Bay domiciled) at the Shark Bay Recreation Centre.

REQUIRES ABSOLUTE MAJORITY

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: In consideration of the Covid-19 pandemic the Council decline this request.

Moved Cr Fenny

Seconded Cr Stubberfield

Council Resolution

Council decline the request and encourage the applicant to apply at a later date.

6/0 CARRIED BY ABSOLUTE MAJORITY

BACKGROUND

Over the past two years, the Shire has provided support to local young people through the Shark Bay Youth Group's activities and programs conducted at the Shark Bay Recreation Centre facilities. This support has included the free use of the Shark Bay Recreation Centre Courts to conduct Dodgeball sessions.

As a fundraising exercise, the Youth Group participants are charged a fee of \$2 per Dodgeball session and a rotational roster is organised by the Chairperson of the Shark Bay Youth Group for an adult to be in attendance to supervise the Youth Group.

At the November 2018 Ordinary Council meeting, Council endorsed the Recreation and Culture Policy –General stipulates:

Section 1: *'Use of all Shire venues for fund raising activities is to be made available to as many local organisations as practicable and monopolising of prime venue booking times by any organisation is to be avoided when there are other organisations seeking to use the venue'*

MINUTES OF THE ORDINARY COUNCIL MEETING

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Section 3: *'Bookings accepted on a regular basis may be cancelled to allow special events at the discretion of the Chief Executive Officer'.*

At the November 2019 Ordinary Council meeting, Council endorsed free use for the Shark Bay Youth Group to use the Shark Bay Recreation Centre courts during Term One, 2020 to conduct Dodgeball.

COMMENT

The Shark Bay Youth Group has requested to continue their use of the Shark Bay Recreation Centre Courts on Thursdays during Term Two 2020, to conduct Dodgeball sessions. The sessions continue to receive a consistent attendance from a range of young people. While the attendance figures below show a decrease in numbers, it is important to note there has been a significant decrease in enrolled high school students at Shark Bay School in 2020.

Summary of attendance recorded during 2019/2020 for Dodgeball sessions:

2019 / 2020	Total Participants	Average attendance per session
2019 Term 1 (10 weeks)	243	24
2019 Term 2 (10 weeks)	180	18
2019 Term 3 (10 weeks)	194	19
2019 Term 4 (8 weeks)	151	18
2020 Term 1 (6 weeks)*	93	15

**data collated on 16 March 2020*

The Shark Bay Community Resource Centre has confirmed there is no booking conflict regarding the requested dates at the Shark Bay Recreation Centre Courts. As per Recreation and Culture Policy, bookings accepted on a regular basis may be cancelled to allow special events at the discretion of the Chief Executive Officer.

Participation in active recreation contributes to an individual's mental and physical well-being, and the development of strong networks and support structures within the community. The Shark Bay Youth Group sessions contribute to the recreation precinct activities and promotes the use of the Shark Bay Recreation Centre.

If this request is approved, the Shark Bay Youth Group will be requested to include the Shire's logo and the statement "Proudly supported by the Shire of Shark Bay" in all promotional material (e.g. Inscription Post and Social Media).

LEGAL IMPLICATIONS

Section 6.12 of the Local Government Act 1995

POLICY IMPLICATIONS

Recreation and Culture

Standard Conditions for Hire of Shire Venues, Facilities and Equipment

MINUTES OF THE ORDINARY COUNCIL MEETING

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FINANCIAL IMPLICATIONS

Fees & Charges Recreation Centre Room Hire

- Long-term Seasonal Use Community Groups (Shark Bay domiciled)
- Once a week user: \$427 annual charge

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

3.1 Strong sense of spirit and pride in an inclusive community.

RISK MANAGEMENT

The Shark Bay Youth Group Association has provided their public liability insurance to the Shire Administration.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Executive Manager Community Development

Deb Wilkes

Chief Executive Officer

P Anderson

Date of Report

16 March 2020

25 MARCH 2020

Paul Anderson
Chief Executive Office
Shire of Shark Bay
Knight Terrace
DENHAM WA 6537



16th March 2020

Dear Paul,

I am writing to you to seek the continued support of the Shire of Shark Bay for Shark Bay Youth Group.

Shark Bay Youth Group provides a core service for youth and families living in Denham. This is essential to retaining youth and their families in our town.

Shark Bay Youth Group's objectives are:

- 1). To afford the opportunity for personal development through the provision of programs that enhance life skills, self-image and vocational motivation in youth attending high school.
- 2). To provide an opportunity for social interaction for youth attending high school.
- 3). To generate in young people (youth attending high school) a sense of responsibility and ownership for the actions they undertake and to develop their citizenship and involvement in their communities.
- 4). To provide an opportunity for youth attending high school to develop as individuals and enjoy new challenges.

We are seeking your support in the use of the Shark Bay Recreation Centre Courts for structured activities during Term 2 2020 from 5pm to 7.30pm. Some of our structured activities will include dodgeball, netball, volleyball, hockey and group games.

The dates we are requesting for our sessions in Term 2 2020 are:

Thursday 30/4/2020, 7/5/2020, 14/5/2020, 21/5/2020, 28/5/2020, 4/6/2020,
11/6/2020, 18/6/2020, 25/6/2020 and 2/7/2020.

Looking forward to your confirmation of our usage of the Shark Bay Recreation Centre Courts for our Term 2 Sessions for 2020.

Regards,

A handwritten signature in black ink, appearing to read 'Rebecca Moroney', written in a cursive style.

Rebecca Moroney
Chairperson
Shark Bay Youth Group Association Incorporated

25 MARCH 2020

13.0 TOWN PLANNING REPORT

13.1 ALTERATIONS / ADDITIONS TO EXISTING RESTAURANT / CAFÉ – LOT 556 (100) OCEAN PARK ROAD, SHARK BAY P2055

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: Financial Interest as owner of Ocean Park

Cr Fenny left the Council Chamber at 4.04 pm.

Moved Cr Stubberfield

Seconded Cr Smith

Council Resolution

That Council:

- A. Note that Lot 556 Ocean Park Road is located within a designated bushfire prone area and support an exemption from a Bushfire Attack Level assessment / State Planning Policy 3.7 as part of the development application process as permissible under the Western Australian Planning Bulletin 111/2016 as:**
- (i) The development is minor and ancillary;**
 - (ii) It is alterations and additions to an existing restaurant;**
 - (iii) It will not result in any major increase of employees;**
- and**
- (iv) there is no land use intensification.**
- B. Approve the development application for alterations and additions to an existing restaurant on Lot 556 (100) Ocean Park Road, Shark Bay subject to the following conditions and footnotes:**
- 1. 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.**
 - 2. All stormwater from roofed 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.**
 - 3. 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.**

25 MARCH 2020

Footnotes:

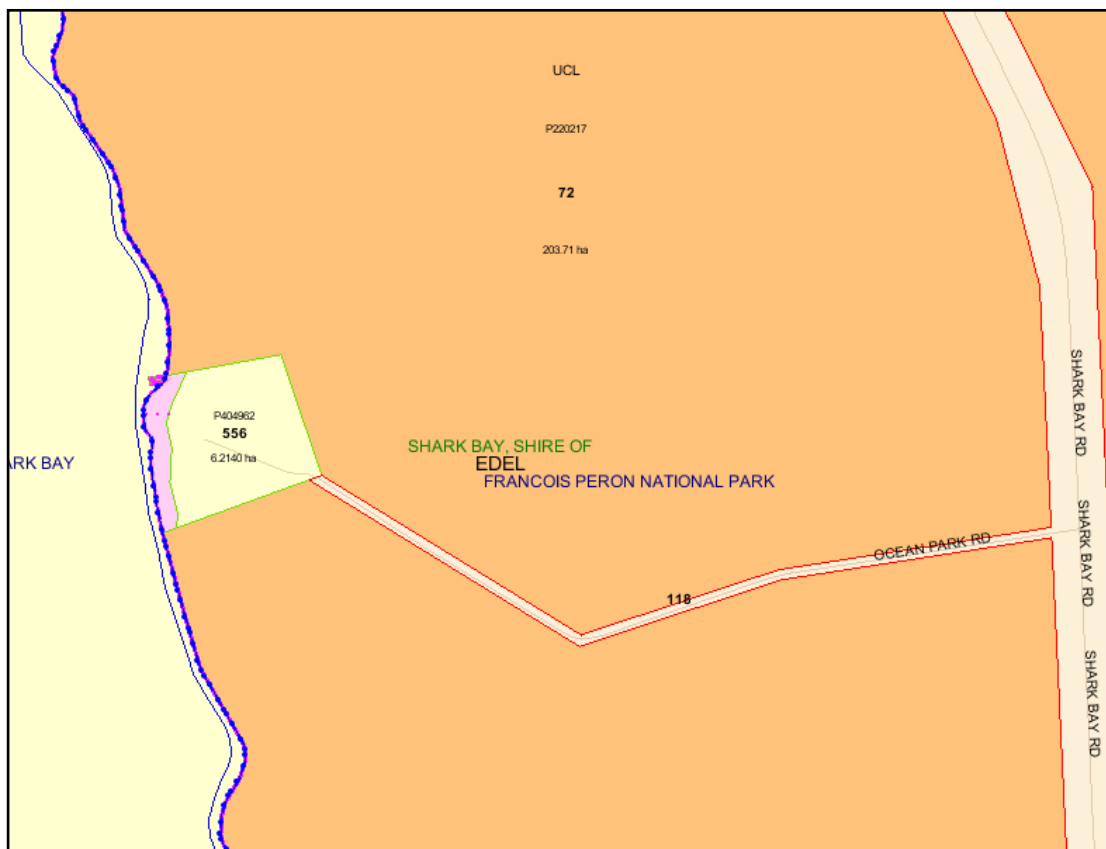
- (i) **A separate Building Permit must be obtained prior to commencement of construction.**

5/0 CARRIED

Cr Fenny returned to the Council Chamber at 4.06 pm.

BACKGROUND

Lot 556 Ocean Park Road, Shark Bay has an approximate area of 6.2 hectares and contains an existing oceanarium, restaurant, dwelling and workforce accommodation (staff accommodation).



COMMENT

• ***Proposed Development***

The application proposes redevelopment of an entry and a bar/veranda extension to the existing Ocean Park Aquarium and Restaurant / Café.

The applicant has advised that:

- a) Ocean Park has been operating since July 2000, offering visitors the opportunity to see and learn about local marine life as well as providing meals and refreshments at the adjacent Café.

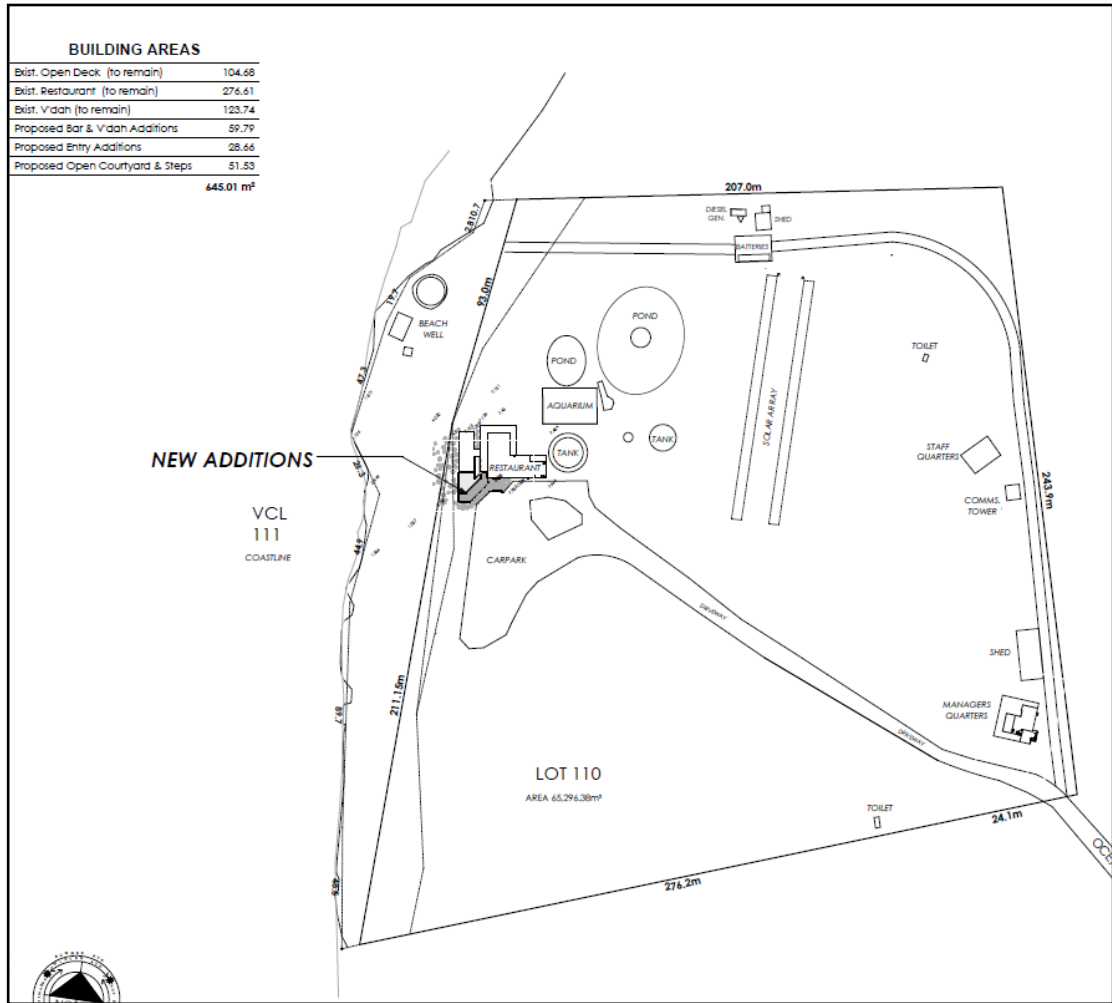
25 MARCH 2020

- b) The current entry to Ocean Park has been in service since 2007 and due to the increasing number of visitors requires improvement and streamlining.
- c) Our proposal is to renovate the entry to Ocean Park in order to create a more professional entry statement and, therefore, enhance visitor experience.
- d) Included in this proposal is to redevelop the current alfresco dining area (directly adjacent to the entry) as the current area is underutilised due to the exposure to the prevailing winds. This will also enhance the visitor experience and create an area more suited to evening meals and functions.
- e) The business operates 7 days per week, 9am to 5pm. Opening hours are not proposed to change.
- f) The maximum number of patrons in the licenced area is 120 which is not proposed to change.
- g) There are 10 staff in peak periods. At the most staff number may increase by 1.
- h) The use of the current building will not change. The proposed extension to the entry will create a more streamlined, professional and user-friendly entry to and from the Café and Aquarium.
- i) The proposed additions to the outdoor/alfresco dining area will provide an environment that is more protected from the elements, allowing greater utilisation of the outdoor space throughout the year and creating a more family friendly atmosphere.

The proposed development is minor and ancillary to the existing tourist and restaurant business established on the land. Plans are included below and over page.

MINUTES OF THE ORDINARY COUNCIL MEETING

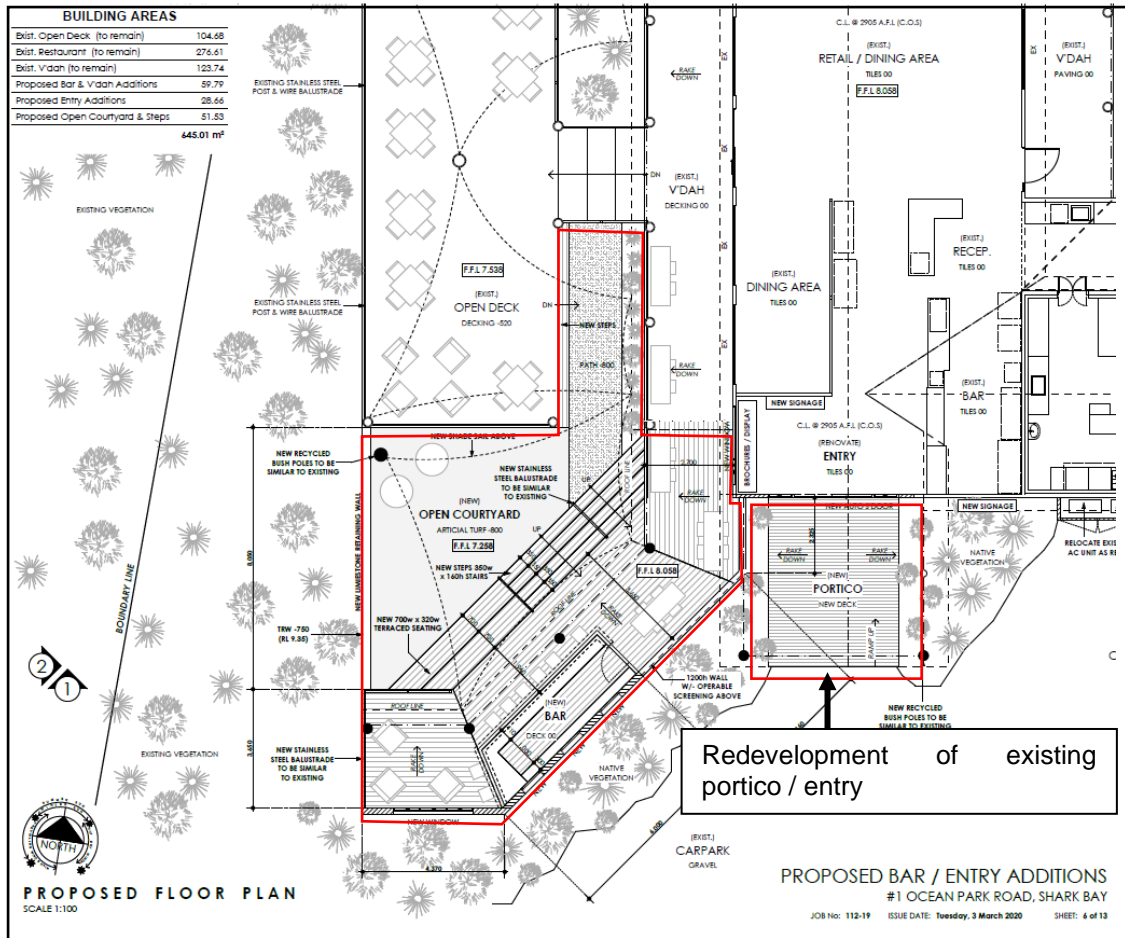
25 MARCH 2020



Site Plan

MINUTES OF THE ORDINARY COUNCIL MEETING

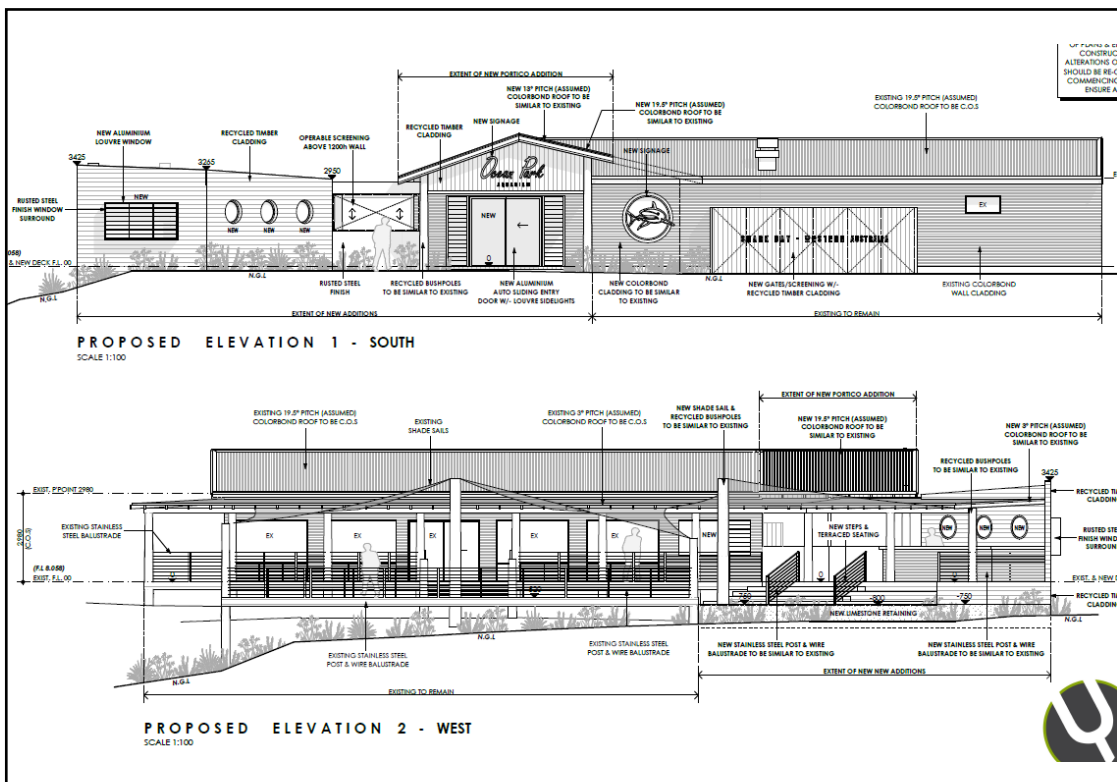
25 MARCH 2020



Floor Plan - The extent of works is highlighted in red by TPI



25 MARCH 2020



The applicant has lodged extensive plans showing the existing and proposed floor plans/elevations and 3D perspectives which are available to Councillors on request.

• **State Planning Policy 3.7 – Planning for Bushfire Protection**

Under the ‘deemed provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have ‘due regard’ to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of ‘State Planning Policy 3.7: Planning in Bushfire Prone Areas’.

The Shire has a mandatory obligation to consider State Planning Policy 3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

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The Western Australian Planning Commission released State Planning Policy 3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone. Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 556 is within the declared bushfire prone area (pink area).

Under Clause 5.4 of the Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a Bushfire Attack Level assessment.

Despite the above, the Western Australian Planning Commission also released a Planning Bulletin 111/2016 that clarifies some of the requirements under the deemed provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* and State Planning Policy 3.7.

The Planning Bulletin states that:

'The deemed provisions exempt renovations, alterations, extensions, improvements or repair of a building, and incidental uses (including outbuildings, verandas, unenclosed swimming pools, carports, patios and storage sheds).

State Planning Policy 3.7 does not specify these exemptions, however where the proposal is exempt under the deemed provisions or local planning scheme and does not:

- *result in the intensification of development (or land use);*
- *result in an increase of residents or employees;*
- *involve the occupation of employees on site for any considerable amount of time;*
or
- *result in an increase to the bushfire threat;*

the proposal may also be exempt from the provisions of State Planning Policy 3.7.'

Town Planning Innovations is of the view that an exemption to State Planning Policy 3.7 should be applied given that:

- a) The proposed land use and building capacity is not proposed to be changed;
- b) The application is only for minor renovations to an existing building to improve existing facilities and elevations;
- c) There will not be any significant increase of employees;
- d) The development will not intensify development.

It is recommended that Council support an exemption from a Bushfire Attack Level as permissible for alterations and additions as part of the planning process.

- **World Heritage**

Lot 556 is within the Shark Bay World Heritage Area. The application has not been referred to the Shark Bay World Heritage Advisory Committee and/or the Department of Biodiversity, Conservation and Attractions.

- **Land Subject to Inundation / Finished Floor Levels**

Clause 32.1 (a) and (b) of the Scheme requires new development in areas subject to storm surge to have a minimum finished floor level not less than RL 4.2 metres AHD.

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Notwithstanding Clause 32.1(b), Council has discretion under Clause 32.1(c) to consider a minimum finished floor level less than RL 4.2 metres AHD for 'any minor non habitable development that is ancillary to existing tourist development in the Scheme Area.'

The discretion under the Scheme was specifically included as Council has previously supported a lower finished floor level for additions to a restaurant at Monkey Mia, and in recognition that it is difficult to apply a new higher floor level when only minor alterations are proposed to existing buildings.

The development proposes finished floor levels that comply with the Scheme (ranging from 7.258 to 8.058) however Town Planning Innovations would have supported lower levels if sought by the applicant.

- **Car Parking**

As the land use and building capacity is not proposed to change it is considered that the existing car parking is sufficient to continue to service the development.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 60 of the 'deemed provisions' requires that a person must not commence or carry out works on, or use, land in the Scheme area unless the person has obtained the development approval of the local government or it is exempt from the requirement for planning.

Regulation 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 –

Schedule B contains specific conditions for the special use zone applicable to Lot 556.

Condition 1 states that '*The intent of this Special use Zone is to allow the development of an Oceanarium and associated uses incidental to the operation of the Oceanarium for research purposes. Different forms of accommodation for tourists may be appropriate where the uses are planned for by a Local Development Plan.*'

Condition 4 requires a Local Development for any proposed camping ground (to be used by the general public), nature based park or tourist development.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

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

There are no strategic implications relative to 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

14 March 2020

25 MARCH 2020

13.2 PROPOSED OUTBUILDING – LOT 4 (145) KNIGHT TERRACE, DENHAM P1005

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:

1. Note that the application for an outbuilding on Lot 4 (145) Knight Terrace, Denham has been advertised for public comment and no submissions have been received.
2. Note that two options have been outlined in this report in regards to the proposed outbuilding.
3. Determine to pursue:

3a Option 1 : Approve the Outbuilding

Determine that the outbuilding meets the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as 'it *does not detract from the streetscape or the visual amenity of residents of neighbouring properties*' and approve the Outbuilding on Lot 4 (145) Knight Terrace, Denham subject to the following conditions:

- (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.
- (ii) The outbuilding is approved as ancillary to a dwelling proposed on the same lot. The outbuilding may be constructed at the same time as, or after, construction of the dwelling.
- (iii) 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.
- (iv) 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.

OR

3b. Option 2 – Refuse the Outbuilding proposed on Lot 4 (145) Knight Terrace, Denham for the following reasons:

- (i) The outbuilding does not meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as it will detract from the streetscape and the visual amenity of residents of neighbouring properties.
- (ii) The proposed outbuilding is a significant departure from the low scale character of this section of Knight Terrace and will have a detrimental impact on streetscape.

25 MARCH 2020

Moved Cr Stubberfield
Seconded Cr Bellottie

Council Resolution

That Council:

1. Note that the application for an outbuilding on Lot 4 (145) Knight Terrace, Denham has been advertised for public comment and no submissions have been received.
2. Note that two options have been outlined in this report in regards to the proposed outbuilding.
3. Determine to pursue:
 - 3a Determine that the outbuilding meets the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as '*it does not detract from the streetscape or the visual amenity of residents of neighbouring properties*' and approve the Outbuilding on Lot 4 (145) Knight Terrace, Denham subject to the following conditions:
 - (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.
 - (ii) The outbuilding is approved as ancillary to a dwelling proposed on the same lot. The outbuilding may be constructed at the same time as, or after, construction of the dwelling.
 - (iii) 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.
 - (iv) 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.

6/0 CARRIED

BACKGROUND

• **Zoning**

The lot is zoned 'Residential' with a density code of R30 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme'). The lot has an approximate area of 958m² and is vacant.



Location Plan



Photo of Lot 4 Knight Terrace

- ***Previous Council decision***

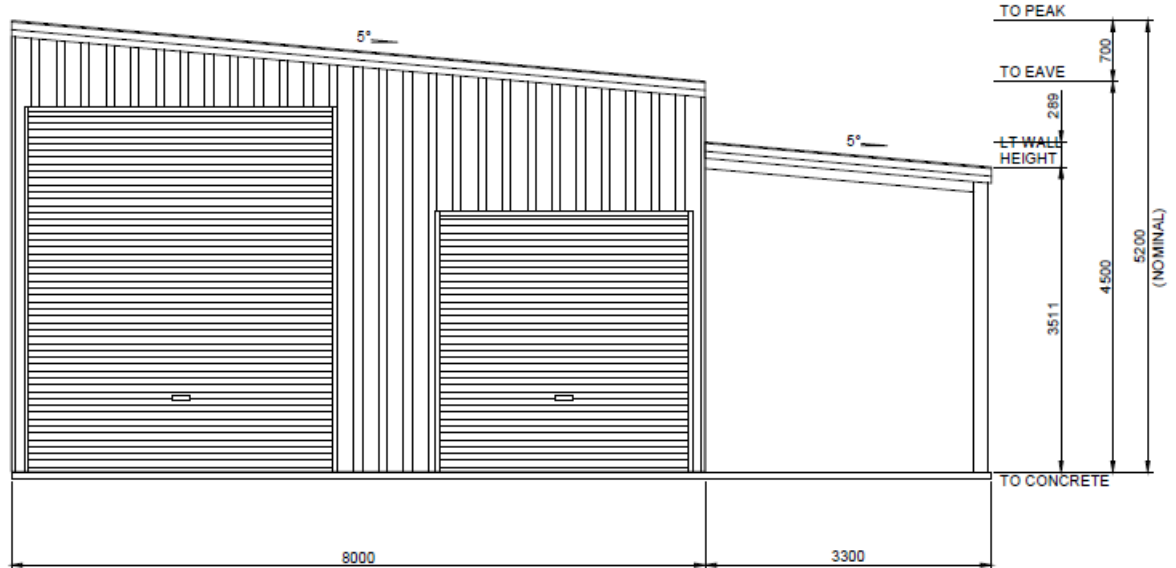
An application for a single house and oversized outbuilding on Lot 4 was referred to Council on the 17 December 2019.

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Approval was issued for the single house and the outbuilding was refused.

The outbuilding proposed a floor area measuring 12 metres by 8 metres (96m²) with an attached open sided 36m² lean to. The height was proposed to be 3.511 metres for the lean to, 4.5 metres wall height and 5.2 metres to the roof peak.

The refused outbuilding elevation is included over page for ease of reference.



Front Elevation (South)

COMMENT

• ***Description of application***

A new application has been lodged for an outbuilding and it is proposed to be located to the north west of the approved proposed dwelling on the same lot.

The application proposes a front setback exceeding 34 metres with a 1.5 metre setback from the west and north boundary – refer site plan over page.

The applicant has lodged information in support of the application – Attachment 1.

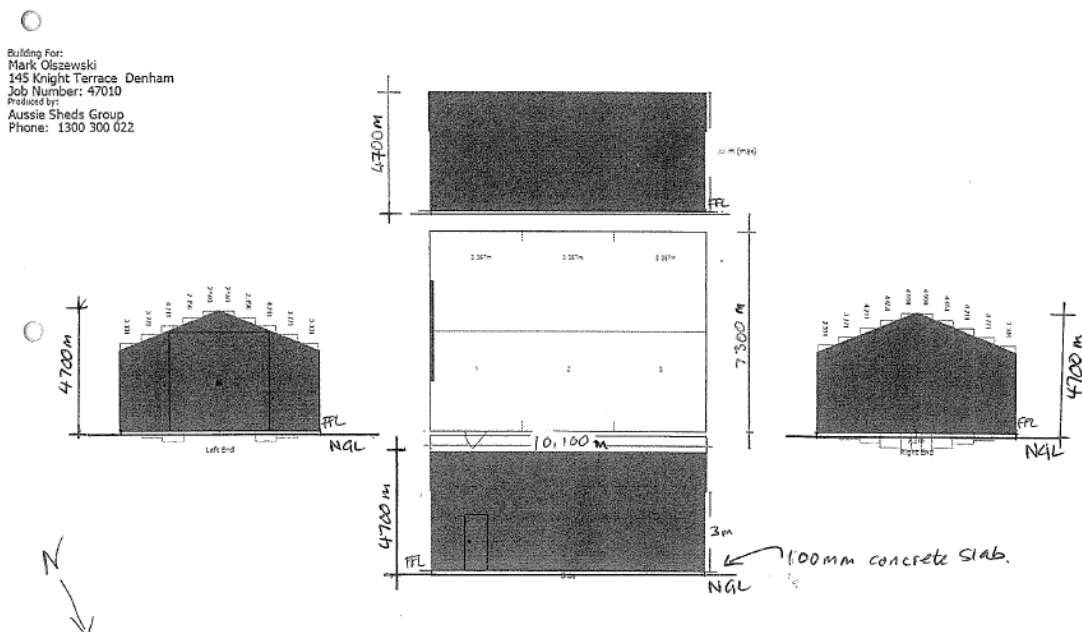
MINUTES OF THE ORDINARY COUNCIL MEETING

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This application proposes size reductions than the plans previously lodged. For the benefit of Council a comparison is included below between the size of the outbuilding refused in December 2019 and the current application:

Description	Measurements of refused Outbuilding (December 2019)	Current Proposal	Reduction
Floor Area	96m ² with an attached open sided 36m ² lean to.	73.73m ²	22.27m ² and deletion of lean to.
Wall Height	4.5 metres	3 metres	1.5 metres
Roof Peak Height	5.2 metres	4.7 metres	0.5 metres

The proposed elevations are included below.



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 73.73m 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	Variation. A ridge height of 4.7 metres is proposed.
(vi) are not within the primary street setback area;	Complies.

MINUTES OF THE ORDINARY COUNCIL MEETING

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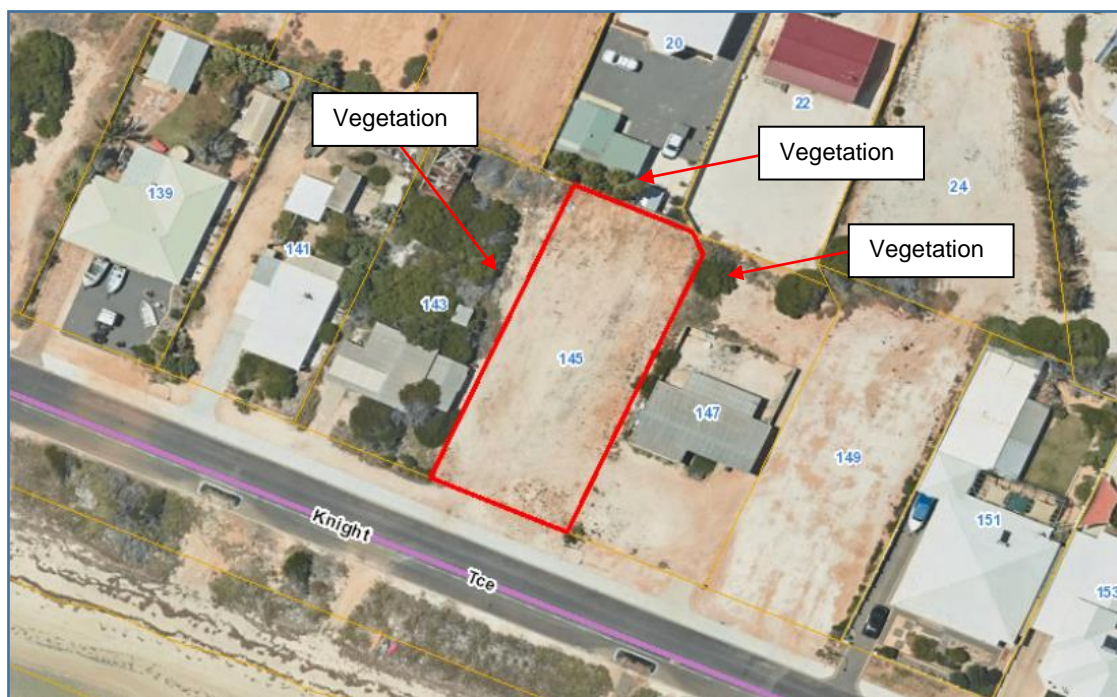
vi) do not reduce the open space required in table 1; and	Complies. There is still adequate site open space as per table 1 of the Codes.
vii) comply with the siting and design requirements for the dwelling, but do not need to meet the rear setbacks requirements of table 1.	Complies.

The revised plan proposes variations to the 'Deemed to Comply' requirements therefore Council 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 on neighbours, it is noted that:

1. There is some natural vegetation to the rear of the house on adjacent Lot 143 which may partially limit sight lines to the proposed outbuilding.
2. There are palm trees along the rear of Lot 20 Fry Court which will partially screen the rear elevation.
3. There is some limited screening on adjacent Lot 147 however the outbuilding is proposed on the opposite north west corner – refer aerial below and photograph over page.
4. The vegetation on adjacent lots will not fully screen the proposed outbuilding. Portions of the outbuilding will still be visible due to the 4.7 roof peak height.
5. Vegetation on adjacent lots may be removed in the longer term as redevelopment occurs.



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It is noted that dwellings on adjacent Lots 143 and 147 are relatively low scale. In the longer term as lots are redeveloped the existing streetscape will change as new habitable developments have to meet higher finished floor levels (to mitigate inundation).

The outbuilding will be setback over 34 metres from the Knight Terrace lot boundary. It will still introduce a new overall outbuilding height element into this portion of the Knight Terrace streetscape, and set a precedent for other outbuilding applications along Knight Terrace.

Notwithstanding the above it is considered that the visual impact of the outbuilding is not so significant that it warrants refusal of the application. Options are included for Council consideration however Option 1 is recommended by Town Planning Innovations.

- **OPTIONS AVAILABLE TO COUNCIL –**

- **Option 1 : Approve the Outbuilding**

Council may determine that the outbuilding meets the alternative Design Principle 5.4.3 P3 of the Residential Design Codes as 'it *does not detract from the streetscape or the visual amenity of residents of neighbouring properties.*'

Existing vegetation on adjacent lots will provide partial screening.

- **Option 2 – Refuse the Outbuilding**

Irrespective of the lack of neighbours objections it is the Council's role to:

- (a) independently assess and consider whether the outbuilding will have any negative impact on amenity or streetscape;
- (b) determine whether the outbuilding meets the Design Principle of the Codes.

Council may determine that the outbuilding does not meet the alternative Design Principle 5.4.3 P3 of the Residential Design Codes if of the view that it will detract from the streetscape or the visual amenity of residents of neighbouring properties.

- **Relevant Decisions on Outbuildings**

Each streetscape has different characteristics which need to be taken into account as part of specific assessments.

MINUTES OF THE ORDINARY COUNCIL MEETING

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Council has approved over 10 outbuildings in Denham with wall heights ranging between 3.0 to 4.2 metres. Council has approved 3 outbuildings with a ridge height greater than 4.7 metres.

Approved wall heights and ridge heights that are comparable with this application are highlighted in blue in the table below.

Address	Wall Height	Ridge Height	Floor Area	Council meeting date
Lot 39 (4) Sellenger Heights, Denham	4.2	4.9	89.9m ²	February 2018 REFUSED
Lot 36 (5) Dirk Place Denham	4	4.6	54m ²	February 2017
Lot 182 (4) Fletcher Court, Denham	4.2	4.2	88m ²	Delegated authority after general report to Council in May 2015
Lot 83 (47) Hartog Crescent, Denham	4	4.611	94m ²	Delegated authority after general report to Council in March 2015
Lot 185 (10) Hoult Street, Denham	2.9			April 2015
Lot 154 (7) Sunter Place Denham	3.7	4.2	88.07m ²	December 2015
Lot 139 (4) Talbot Street, Denham	3.425	4.232	78m ²	June 2015
Lot 210 (10) Edwards Street, Denham	3.5	4.088	36.3m ²	July 2014
Lot 294 (33) Hughes Street, Denham (abuts child care centre and church)	3.6	5	90m ²	September 2014
Lot 191 (Strata Lot 2 –. 71A) Brockman Street, Denham	2.7	3.571	58.5m ²	August 2013
Lot 200 (39) Capewell Drive, Denham (alteration and extension of existing outbuilding)	2.7-2.9	3.504	54m ²	February 2013
Lot 264 (Unit 2) Mead Street, Denham	3	4.2	68m ²	August 2013
Lot 85 (43) Hartog Crescent, Denham	4.5	5.029	54m ²	April 2012
Lot 216 (5) Poland Road, Denham	4.1	4.95	80m ²	July 2012
Lot 39 (4) Sellenger Heights, Denham (Revised plans lodged after refusal issued in February 2018)	3.45 metres to 3.845 metres	3.845 metres	77m ²	February 2019
Lot 223 (10) Fry Court Denham	2.6 metres to 2.8 metres.	4.2	129m ²	Delegated authority after general report to Council in March 2019

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The grey shaded row represents an outbuilding which has been refused.

- **Consultation**

The application has been referred to nearby and adjacent landowners for comment.

No written submissions were received during advertising.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 -

Regulation 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.

The Scheme states that '*Notwithstanding Clause 32.1(b), Council has discretion to consider a minimum finished floor level less than RL 4.2 metres AHD for non-habitable development that is detached from any single house or dwelling unit on the same lot in the Denham townsite and / or any minor non habitable development that is ancillary to existing tourist development in the Scheme Area.*'

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

Any decision on this application will have implications for other lots in Knight Terrace 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

14 March 2020

25 MARCH 2020

Halsall & Associates

Town Planning Consultants

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Email: admin@halsall.net.au
Web: www.halsall.net.au
Postal: PO Box 29, Margaret River, WA 6285
Head Office: Suite 1, 23 Fearn Avenue, Margaret River

Halsall and Associates Pty Ltd ACN 128 966 389 ATF
Halsall and Associates Trust ABN 56 677 081 593

Our ref: 2007

31 January 2020

The Planning Department
Shire of Shark Bay
65 Knight Terrace
DENHAM WA 6537

Dear Sir/Madam

PROPOSED OVERSIZE OUTBUILDING – 14 KNIGHT TERRACE, SHARK BAY

Halsall and Associates have been engaged by the landowner of the above site to assist in the preparation of an application for consideration of an outbuilding in association with an approved single dwelling at the subject site. An outbuilding was previously proposed and considered at the site however this was not supported on the basis of streetscape and visual amenity concerns together with perceived impacts on the low scale character of Knight Street. The outbuilding design has been subject to revision to address such concerns and detail in this regard together with justification for the suitability of the outbuilding at this location within the locality is provided within this correspondence.

The subject site

The subject site is identified as Lot 147 Knight Terrace, Shark Bay. The location of the site in the locality is evident in **Figure 1** below.

Figure 1 – Location Plan



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The lot is 958m² in area and located in a residential enclave that is characterised by existing residential development at the R30 density allocation. The subject site is currently vacant of development however has received planning approval for consideration of a single dwelling in December 2019 (Shire reference O-CR-18255/P1005). This has not yet commenced construction and the location of the dwelling is evident in the site plan attached, demonstrating that this will be orientated and located towards the site frontage, which will be commiserate of development adjoining. It is further noted that the distribution of built form incorporates a number of outbuildings that are located in a similar manner and form to that proposed and incorporate footprints that are in excess of 60m². This is likely associated with similar storage intentions associated with boating and fishing activities that characterise Shark Bay particularly given proximity to the ocean frontage adjoining. As such built form associated with such structures appear to characterise the immediate locality.

The Proposal

The proposal is for consideration of an outbuilding in association with the approved single dwelling. Given the proposal incorporates a floor area of 73m², wall height of 3 meters and ridge height of 4.7 metres from natural ground level planning approval is required for consideration of this structure at this location and it will also be necessary to demonstrate compliance with the design principles of the Codes as they relate to outbuildings.

The proposal is put forward as the landowner has significant investment in a two boats of which are required to be stored in a secure manner that also offers protection from the elements, together with a providing storage for associated valuable equipment.

Statutory Framework

Local Planning Scheme No.4 ('the scheme')

The subject site is zoned residential R30 under the Shire of Shark Bay Local Planning Scheme No. 4. Part 4 of the Scheme at clause 25 refers to the Residential Design Codes and states that the R-Codes apply to an area if the area has a coding number associated with it. As there is an allocated density of R30 associated with the subject site (and those adjoining) the Residential Design Codes are the guiding document for consideration of development in this instance.

Residential Design Codes ('the Codes')

At Part 5 Element 5.4.3 Outbuildings, the deemed-to-comply provisions associated with consideration of an outbuilding in the residential zone should achieve the following:

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- *'Are not attached to a dwelling;*

The outbuilding is freestanding and located to the north of the site.

- *Are non-habitable;*

The outbuilding is for the secure storage of two boats and associated material and not for habitation purposes.

- *Collectively do not exceed 60m² in area or 10 per cent in aggregate of the site area; whichever is the lesser;*

Will need to demonstrate compliance with Design Principles of the Codes.

- *Do not exceed a wall height of 2.4m;*

Will need to demonstrate compliance with Design Principles of the Codes.

- *Do not exceed a ridge height of 4.2m;*

Will need to demonstrate compliance with Design Principles of the Codes.

- *Are not within the primary or secondary street setback area;*

Outbuilding located appropriately to the rear of the property.

- *Do not reduce the amount of open space required in Table 1; and 45% of the site required for open space under Table 1.*

This is clearly provided for.

- *Are set back in accordance with Tables 2a and 2b'.*

The outbuilding is setback 1.5m metre from the rear boundary and 1.5m from the adjoining side boundary in compliance with Table 2a of the Codes.

In this instance the following characteristics are accorded the outbuilding the subject of this proposal – floor area of 73.73m², a wall height of 3 meters from natural ground level and ridge height of 4.7 metres, which is a departure from the Deemed to comply provisions under the Codes, as specified above. As such, it will be necessary to provide written justification as to how the proposal meets the design principles and objectives of the R Codes.

The Design Principles of the Codes at Part 5, Element 3.4.3 provide the following – ***'Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties'***.

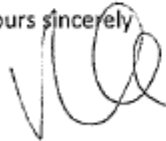
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The proposal outbuilding is essential in area, wall and ridge height as specifically required to accommodate secure storage of two (2) boats and associated equipment. Without such storage these would be stored in the open and in addition to being unsecure and open to the elements would provide an impact on amenity that could otherwise be avoided. The location of the outbuilding is in the rear of the property, behind the existing dwelling as is appropriate and commiserate with the location of existing outbuildings in the immediate locality, which appear to be characterised by a distribution of outbuildings with a footprint in excess of 60m² as evident in the summary of prior approvals appended to this correspondence. The wall height is necessary to accommodate several boats. And the overall ridge will only provide a minor trilateral projection of 500mm above the nominated height under the R Codes. The colour of the shed will be of neutral non-reflective hues in keeping with the locality. It is further noted that the adjoining lot to the rear is fully developed and incorporates mature screening along this boundary alignment and a commiserate outbuilding location. The adjoining allotment to the west also incorporates an existing dwelling and distribution of vegetation as such is considered that the proposed outbuilding addresses amenity concerns as specified under the Design Principles of the Codes as such favourable consideration of the outbuilding in this context is respectfully requested.

If you have any queries or would like to request further please contact the office directly on 9758 8676.

Yours sincerely



HALSALL AND ASSOCIATES
TOWN PLANNING CONSULTANTS

Enc. Application plans and summary past approvals.

25 MARCH 2020

- 13.3 PROPOSED PYLON SIGN – LOT 1 SHARK BAY ROAD, DENHAM (CORNER MONKEY MIA ROAD)
P1347

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*

Moved Cr Ridgely
Seconded Cr Fenny

Council Resolution

That Council:

- A. Note that the sign application was referred to Main Roads Western Australia who has no objection to the proposal, however has advised their separate approval is required in addition to Shire approval.**
- B. Approve the application for a sign on Lot 1 Shark Bay Road, Denham subject to the following conditions and footnotes:**
- 1. The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.**
 - 2. All portions of the sign including any baseplate shall be fully contained within the lot boundaries.**
 - 3. The development shall substantially commence within 2 years from the date of this decision. If the development does not substantially commence before expiration of the 2 year period, this approval becomes invalid and expires.**

Footnotes:

- (i) A planning consent is not an approval to commence any works. A separate building permit must be obtained for all works.**
- (ii) For any sign adjacent to the Monkey Mia road reserve, a separate application is required to be made to Main Roads. Separate Main Roads approval is required for the sign in addition to approval by the Shire.**

6/0 CARRIED

25 MARCH 2020

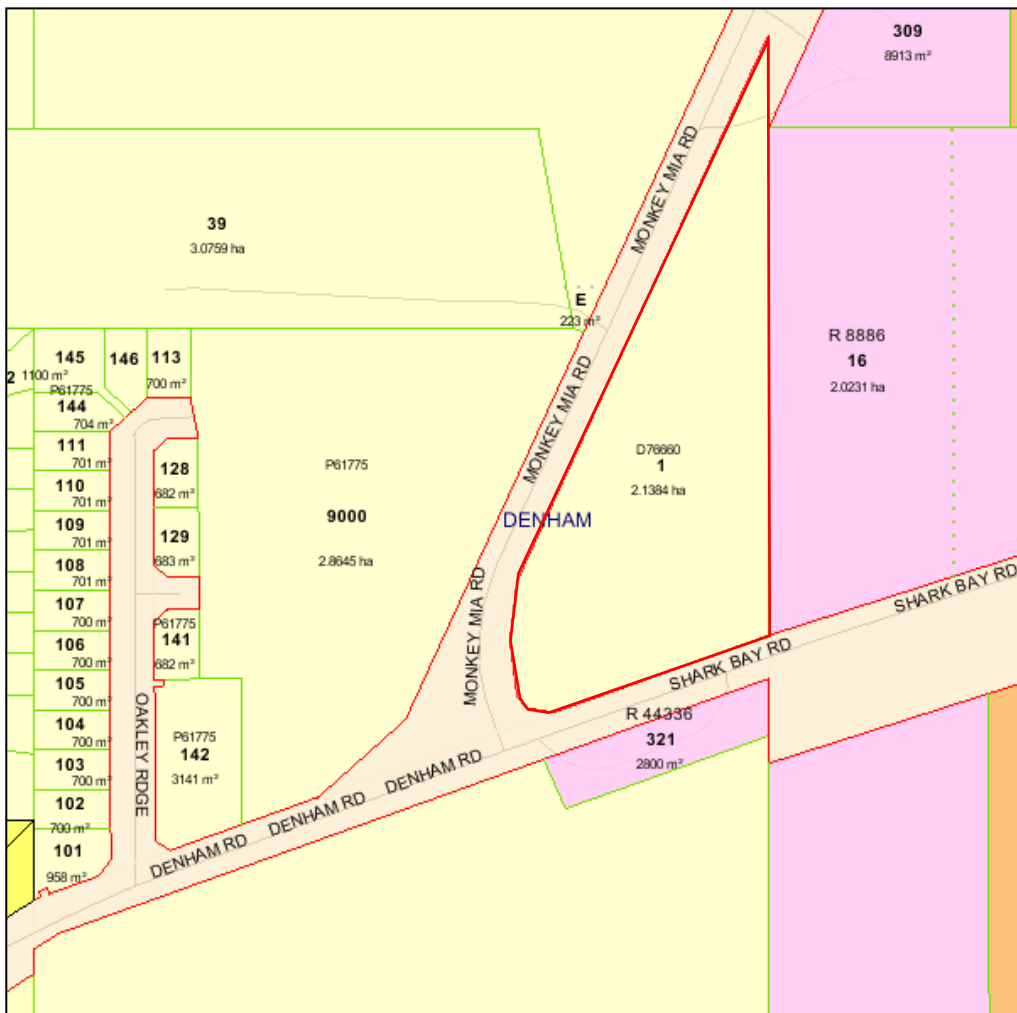
BACKGROUND

Lot 1 is located on the corner of Shark Bay Road and Monkey Mia Road in Denham. It has an approximate area of 2.13 hectares.

A Local Development Plan for Lot 1 was approved by Council at the Ordinary Meeting held on the 31 July 2019. Condition 10.0 of the Local Development Plan states that *'any signage shall only relate directly to buildings and services provided on site to avoid excessive, gratuitous and unnecessary signage. All signage shall require separate approval by the local government and Main Roads Western Australia.'*

Conditional planning approval for an unmanned service station on Lot 1 was issued by the Shire on the 31 July 2019.

A location plan is included below.



Location Plan

COMMENT

- **Application details**

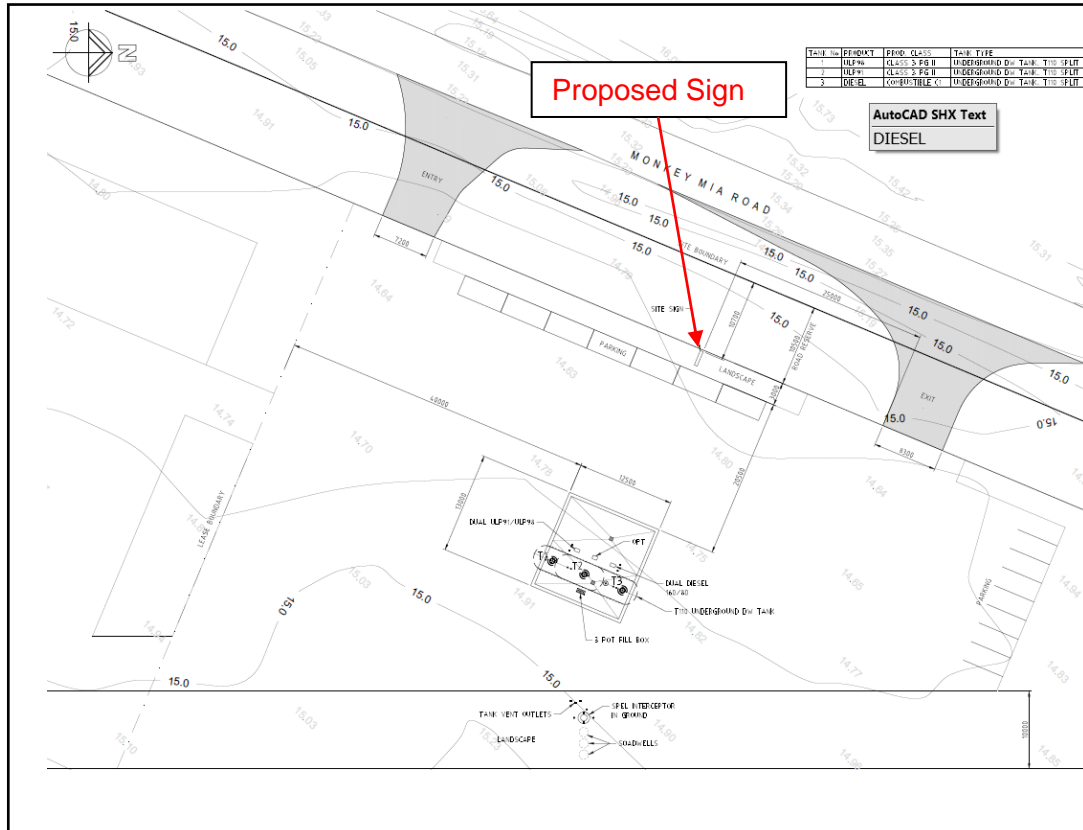
An application has been lodged for a pylon sign facing Monkey Mia Road.

MINUTES OF THE ORDINARY COUNCIL MEETING

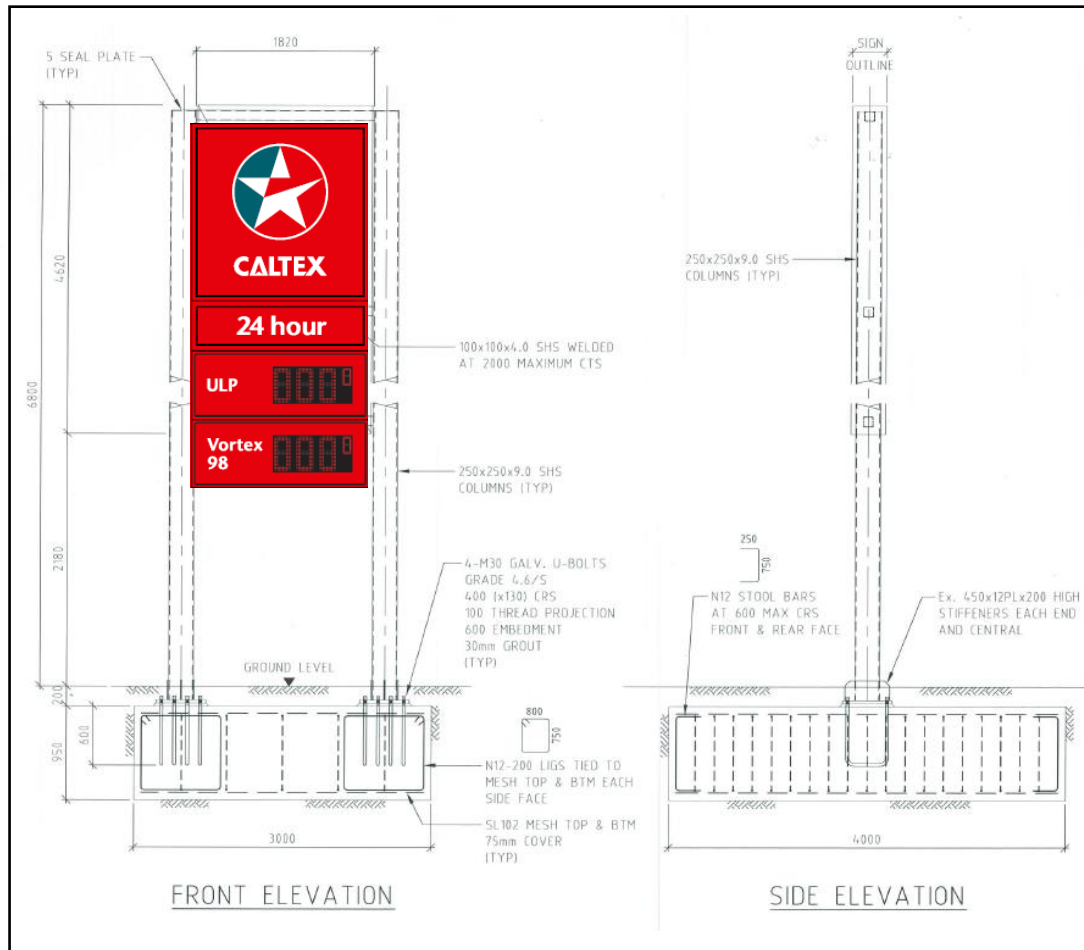
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The sign is proposed with a height of 6.8 metres and width of 1.82 metres. The sign face will include typical Caltex corporate colours and display fuel prices.

A site plan and elevation is included below and over page.



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The application was referred to Main Roads Western Australia for comment as Monkey Mia Road falls under their jurisdiction.

Main Roads has advised that:

'Main Roads cannot grant approval for signage beyond the State Road reserve without approval from the respective Local Government.'

'Upon review of the application that was forwarded to me yesterday (10/02/20) for signage on Lot 1 Shark Bay Road, I noted the sign is outside the future road boundary which is ideal and documentation provided by applicant would satisfy Main Roads application requirements, assuming Local Government approval was provided.'

Main Roads has no objections to the sign however the applicant will need separate Main Roads Western Australia approval in addition to planning approval by the Shire. It is known that the applicant has prepared an application for Main Roads.

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LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Shark Bay Local Planning Scheme No 4.

Regulation 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

Lot 1 is zoned 'Special Use' under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme'). It is listed as Special Use No 3 in Schedule B of the Scheme.

The objectives for Special Use No 3 are:

- To ensure that any development is compatible with the Town Centre and surrounding zoning.
- To provide for a wide range of compatible landuses and encourage opportunities for mixed use development.
- To encourage development of attractive place to work and conduct business.
- To promote a high standard of development including buildings, landscaping and carparking.
- To ensure that all development presents a visually attractive appearance to Monkey Mia Road as a main gateway into the Denham Townsite.

Specific conditions apply to the special use lot.

Clause 32.17.1 outlines the requirement for planning approval of signage unless specifically exempted under Schedule C of the Scheme.

Clause 32.17.3 outlines matters for consideration of sign applications and states as follows:

"Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, the local government shall examine each such application in the light of the objectives of the relevant zone and consider the following matters:

- (a) *The need to promote a high standard of design and presentation in outdoor advertising particularly along Knight Terrace and major tourist routes;*
- (b) *The visual impact on major tourist routes, the Shark Bay World Heritage Property and public places balanced with the commercial need to promote tourist accommodation, facilities and attractions in remote locations;*

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- (c) *The relationship of the advertising sign and the location of the business being promoted;*
- (d) *The level of integration between of any on site advertising with the overall site development specifically in the Commercial and Tourism zones;*
- (e) *The need to protect visual quality and character of particular localities;*
- (f) *Vehicular and /or pedestrian traffic safety;*
- (g) *The potential for outdoor advertising to negatively impact on the amenity of an area or the attributes which make an area attractive to tourists by virtue of the colours, height, materials, prominence, exposure, size, relevance to the premises or location, number and content;*
- (h) *The general planning considerations under Clause 67 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. “*

POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

STRATEGIC IMPLICATIONS

No zoning changes for Lot 1 were identified under the Shire’s Local Planning Strategy.

The Strategy recognises that the Scheme allows for a wide range of land uses on Lot 1 and states that ‘*it is not anticipated that all of the permissible uses will locate on the site however it does provide opportunities for businesses which are not suited to the town centre, require commercial exposure, visibility and passing trade, have larger land requirements, and are not appropriately catered for in the more isolated industrial area*’.

RISK MANAGEMENT

Not Applicable.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	14 March 2020

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14.0 TOURISM, RECREATION AND CULTURE REPORT

14.1 BIN STICKER ARTWORK

AUTHOR

EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Stubberfield
Seconded Cr Ridgely

Council Resolution

1. Council note that the Shire Community Development Officer will facilitate a community art project to promote the positive message ‘put it in the bin’ and to advertise the Shark Bay Bring Centre. The art project will include a competition element that will be brought back for Council to choose the winning art designs.

2. Council include in the 2020/2021 draft budget, \$500 for maintenance and/or replacement of stickers in the 2020/2021 budget deliberations.

6/0 CARRIED

BACKGROUND

Keep Australia Beautiful WA is providing an opportunity for small remote and regional towns in Western Australia to take part in the Tidy Towns Sustainable Communities art project. This project invites community members to design bin stickers to promote the positive ‘put it in the bin’ message.

It is proposed that the Shire becomes involved in this project and that the stickers be placed on the yellow public bins along the foreshore, at the town hall, Shark Bay Recreation Centre and any other public spaces to encourage residents and tourists to place their rubbish in the bins.

COMMENT

The Tidy Towns Sustainable Communities art project will be facilitated by the Shire’s Community Development Officer who will invite Shark Bay community members, the Shark Bay School, Shark Bay Youth Group, Shark Bay Arts Council and Malgana Aboriginal Corporation to submit designs. The competition will also be advertised using posters at the Shark Bay Recreation Centre to encourage the School Holiday program participants to design artwork as part of the craft activities offered during the program. The design criteria for the project state that the design can include hand drawn or digital print artwork.

Once completed, the submissions will be provided to Council as a competition element, for Council to choose the three best designs to be used as the artwork for the stickers to go on the public bins.

The Shire has about 60 yellow public bins which are used in a rotational pattern with about half the bins being used at any one time and the other half being cleaned. The Tidy Towns Sustainable Communities art project offers twenty complimentary bin

MINUTES OF THE ORDINARY COUNCIL MEETING

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stickers and the cost of additional stickers (including artwork) is \$25 each + GST. It is proposed that a total of thirty stickers be printed (10 of each art winning entry) which will incur a cost of \$250. It is acknowledged that at any one time there will be some public bins without stickers, but it is likely this will draw more attention to those that do have stickers, promoting a greater usage of them.

To avoid damaging the stickers during the rubbish truck pick-up process, the stickers will be placed on the front of the bin facing the road. The bins are cleaned twice monthly by the Shire Depot Team and the stickers will be carefully maintained during the cleaning process.

This project also provides an opportunity for Council to promote recycling at the Bring Centre. It is proposed that an advertisement for the Bring Centre be developed and placed on the lids of the yellow public bins that have the art stickers. A separate quote has been obtained for this and 30 Bring Centre advertisement stickers will cost \$112.50 + GST.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

There are no Policy implications

FINANCIAL IMPLICATIONS

The total cost for this project is \$362.50, comprising \$250 for the additional 10 artwork stickers and \$112.50 for the Bring Centre advertisements sticker. The amount can be accommodated within Councils approved 2019/2020 budget allocations.

It is also suggested that Council consider including \$500 for maintenance and/or replacement of stickers in the 2020/2021 budget deliberations.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Environment Objective: Help protect our unique natural and built environment.

RISK MANAGEMENT

There is a potential reputational risk to Council in operating a competition. To ensure fairness, the administration staff will provide art project guidelines that will clearly mention Council decision is final when selecting the winning designs.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Executive Manager Community Development *D Wilkes*

Chief Executive Officer *P Anderson*

Date of Report 13 March 2020



Design a bin sticker

For small remote and regional communities

It's easy as 1, 2, 3

CLEAN UP COMMUNITY
REMOTE CLEAN UP & LITTER AUDITS

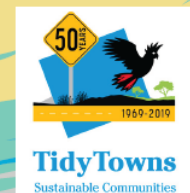
Tidy Towns
Sustainable Communities

Keep Australia Beautiful
WA

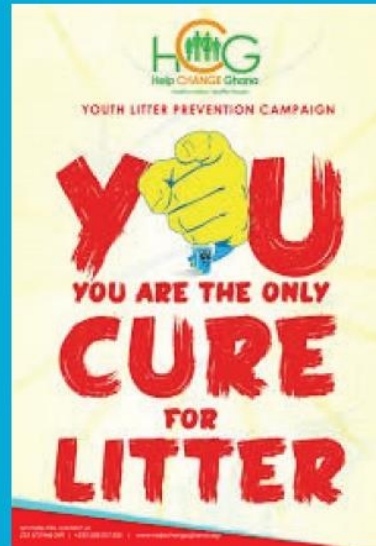


THERE ARE A FEW THINGS TO KEEP IN MIND WHEN DESIGNING AN EFFECTIVE BIN STICKER

1. Message
2. Text
3. Image



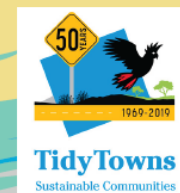
LOOK AT THESE ADS AND THINK ABOUT THE MESSAGE





1. MESSAGE

- Keep the message positive. Think about what you **do** want people to do.
- Develop a catchy slogan
- Keep the message about using a bin rather than recycling.
- The message needs to persuade people to use the bin

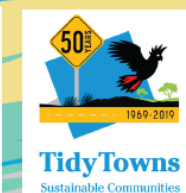




2. TEXT

Make sure;

- it is clear, bold and easy to read from a distance.
- the spelling is correct,
- all the words fit into the space on the sticker.



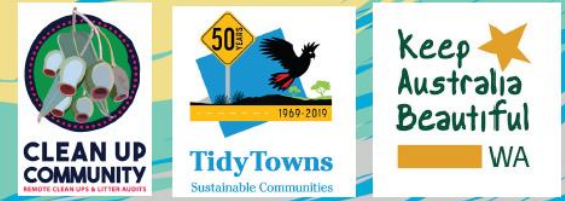
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3. IMAGE

Make sure your image is;

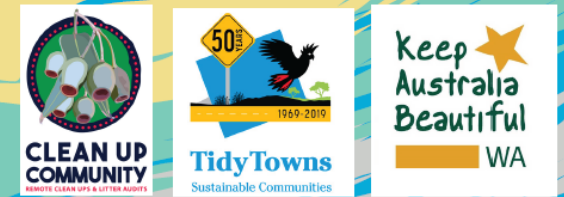
- clear
- colourful, leaving very little white space,
- bright. Light shading is difficult to see when the image is enlarged.





GENERAL TIPS

- Plan and draft your sticker.
- Get a friend to check.
- Don't put too much detail at the bottom of your design. This is where logos will be placed when printed.



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30cm

Recycling items can be taken to the Shark Bay Bring Centre 105 Dampier Road, Denham



20
cm

MINUTES OF THE ORDINARY COUNCIL MEETING

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14.2 COMMUNITY ASSISTANCE GRANTS – SIGNIFICANT EVENT SPONSORSHIP FUNDING
GS00001

AUTHOR

EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

Council approve Shark Bay Bowling, Sport and Recreation Club application for Community Assistance Grants – Significant Event Sponsorship Funding for the value of \$4,000.00 to contribute to the Shark Bay Annual Bowling Carnival in August 2020.

Or

Council approve Shark Bay Bowling, Sport and Recreation Club application for Community Assistance Grants – Significant Event Sponsorship Funding for the value of \$_____ to contribute to the Shark Bay Annual Bowling Carnival in August 2020.

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: In consideration of the Covid-19 pandemic the Council decline this request.

Moved Cr Stubberfield

Seconded Cr Fenny

Council Resolution

Council decline the request and encourage the applicant to apply at a later date.

6/0 CARRIED

BACKGROUND

At the March 2019 Ordinary Council Meeting, Council endorsed a restructure for the Community Assistance Grants funding allocation, to be applied from the 2019/2020 financial year. Under this restructure, the Community Assistance Grants budget (\$60,000 for the 2019/2020 financial year) is now allocated in three rounds:

- Round 1 – Equipment (\$10,000 for 2019/2020)
- Round 2 – Community Projects (\$30,000 for 2019/2020)
- Significant Event Sponsorship Funding (\$20,000 for 2019/2020)

The funding pool for the Significant Event Sponsorship Funding is open all year round with funding allocated at Council's discretion.

The Shark Bay Speedway Club and the Shark Bay Fishing Club have successfully applied this financial year for Significant Event Sponsorship Funding to the value of \$8,000 each. These approvals have left \$4,000.00 in the 2019/2020 budget for Significant Event Sponsorship Funding.

COMMENT

The introduction of the Significant Event Sponsorship Funding supports current major events and future innovative events that attract additional funds into town and

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recognises the positive economic value that these events bring to the Shark Bay community.

In June 2019 The Shark Bay Bowling Sport and Recreation Club successfully applied under Council's Round 2 Community Assistance Grants for \$5,000 as a contribution towards the 2019 Shark Bay Annual Bowling Carnival. This event was held in August 2019, and Council's contribution helped with trophies/prizes, green preparation, advertising and food supplies for the Carnival.

APPLICATION

Group: **Shark Bay Bowling, Sport and Recreation Club**

Amount requested: **\$4,000.00**

Project: **Shark Bay Annual Bowling Carnival**

Funding category: **Funding for a specific event and prize money**

Strategic Community Plan (category): **Economic, Environmental and Social**

The Shark Bay Bowling, Sport and Recreation Club has been in operation for 35 years and currently has 88 members. The Shark Bay Annual Bowling Carnival is the major bowling competition event of the year, will be held on 1 and 2 August 2020. The event attracts an estimated 50 players and additional visitors into Denham, providing an economic boost for our local businesses. The Shark Bay Bowling, Sport and Recreation Club is seeking funding to provide prize money for the competitors. The prize money encourages new and returning participants into Denham, and their families, from across Western Australia.

Within the Shark Bay Bowling, Sport and Recreation Club funding application the Club has stated they will be encouraging competitors to extend their stay in Shark Bay, by providing a brochure of the World Heritage Area with the invitation to participate in the competition.

The Significant Event Sponsorship Funding from Council will contribute to cash prize money for the carnival competitors. The event will also receive in-kind support from The Shark Bay Fishing Club, Shark Bay Returned Services League and the Shark Bay Go-Kart Club, along with sponsorship from Horizon Power to the value of \$1,500 and a donated return flight from REX Airlines.

The grant application includes:

- Letter of Support from Judy Britza, Shark Bay Community Resource Centre
- Letter of Support from Emma Lockhart, Shark Bay Fishing Club
- Balance Sheet – refer to 'Confidential' items folder

Officer Recommendation:

The Shire of Shark Bay's funding will contribute to expanding the annual event to attract new competitors and visitors. It is important to note that other bowling competitions in Western Australian provide cash prize money and attract high number of competitors and visitors. The provision of cash prizes for the upcoming Shark Bay Annual Bowling Carnival will increase the exposure of Shark Bay and further boost our

MINUTES OF THE ORDINARY COUNCIL MEETING

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economy. The Shark Bay Bowling, Sport and Recreation Club provides a community hub and non-competitors will be encouraged to attend and spectate.

It is recommended that Council approve \$4,000.00 to the Shark Bay Bowling, Sport and Recreation Club to contribute to the Shark Bay Annual Bowling Carnival.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

The current Council Policy 2.2 Financial Assistance/Donations adopted in February 2020 Ordinary Council Meeting.

FINANCIAL IMPLICATIONS

An amount of \$4,000 is remaining in the 2019/2020 Council budget.

If the Shark Bay Bowling, Sport and Recreation Club is successful in receiving the requested amount of \$4,000.00 there will be no remaining money left in the 2019/2020 budget.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

There are no risk implications associated with this report.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Executive Manager Community Development

D Wilkes

Chief Executive Officer

P Anderson

Date of Report

13 March 2020

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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 Shark Bay Bowling Sport & Recreation Club

Postal Address PO Box 85, Denham WA 6537

Contact Person Johan Baker

Position/Title Treasurer

Telephone (Home) 9948 1353 (Mobile) 0458255261

E-mail sharkbaybowls@westnet.com.au

FUNDING ROUND

Please indicate which funding round you are applying for:

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

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ORGANISATION DETAILS

What is the purpose of the organisation?

Establish, maintain and conduct a club to foster the game of Lawn Bowls and the promotion of good fellowship amongst members and visitors in the Shire of Shark Bay

How many years has your organisation been in operation? 35

How many members does your organisation have? 88

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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Australian Business Number* (ABN): 35876340257

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: Shark Bay Annual Bowling Carnival

Project description:

Annual Bowling Tournament for Shark Bay locals and visitors

Date(s) the project will take place: 1st and 2nd of August 2020

Location(s) where the project will take place: Shark Bay

Total project funds requested (including GST if applicable) \$ 4000.00

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

YES NO

If Yes,

Previous funding amount received: \$ 5000.00

Round / Year funding was received: 2019

Funded project: Shark Bay Annual Bowling Carnival

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

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

Social:

Lawn bowls is a social sport for people of all ages and gender
It is an inclusive sport for all social groups in the town and visitors
It allows visitors and locals to mix socially

Economic:

The Carnival will attract approx 50 players to Shark Bay including their relatives and supporters who will then therefor require accommodation and meals whilst here for the Carnival.

A majority of these visitors will stay longer than the Carnival and therefore will increase the economic benefits of the town that would not have been there otherwise.

Tourism:

Whilst the Carnival spectators and competitors are in Shark Bay, they will be encouraged to visit many of the attractions. When sending out invitations, a brochure of Shark Bay will be included for all to peruse and stimulate interest in our area.

Please list other organisations involved in this project

Name of Organisation	Project Involvement
SB Fishing Club	Kitchen and Bar Staff
SB RSL	Kitchen and Bar Staff
SB Go-Cart Club	Kitchen and Bar Staff

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
SB Fishing Fiesta	Fund raising dinner	TBA	\$640
Horizon Power	\$1500		
REX	Return Airfare		

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

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
e.g. Portable Event Marque	<input checked="" type="checkbox"/> Please tick for yes	e.g. Emergency Service Building
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	

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? _____

MINUTES OF THE ORDINARY COUNCIL MEETING

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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)
Shire of Shark Bay	\$ 4000.00	\$	
(your organisation) SB Bowling Club	\$	\$ 3200.00	\$3200.00
	\$	\$	
	\$	\$	
	\$	\$	
TOTAL CASH INCOME	4000.00	3200.00	\$3200.00

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

EXPENDITURE

ITEM	COST	LOCAL SPEND	EXTERNAL SPEND
Prize Money	\$ 4000.00	\$ 4000.00	\$
Lunch/afternoon tea	\$ 3200.00	\$ 3200.00	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
TOTAL	\$7200.00	\$7200.00	

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PART 6 – ADDITIONAL INFORMATION

Please attach a copy of the following:

- Organisation's current Audited Financial Statement
- Please attach quotations
- Please attach 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 Grants guidelines.

NAME

JF BARKER

SIGNATURE



POSITION IN ORGANISATION

TREASURER

DATE

24/2/2020

25 MARCH 2020

14.3 OPPORTUNITY FOR INVOLVEMENT IN DESERT VET SERIES 2
FM00005

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Fenny

Nature of Interest: Financial Interest as contracted to production company who make the DV

Cr Fenny left the Council Chamber at 4.26 pm.

Moved Cr Ridgely
Seconded Cr Stubberfield

Officer Recommendation

The Council include in the draft 2020/2021 budget, \$10,000 as a contribution to Desert Vet Series 2.

AMENDMENT TO OFFICER RECOMMENDATION

Reason: The Council considered that to increase the profile of Shark Bay as a destination once the Covid-19 pandemic is over an investment into the proposal should be considered and amended the recommendation to allocate the allocation of monies now out of Council's donations expense account in this financial year.

Moved Cr Ridgely
Seconded Cr Stubberfield

Council Resolution

**That Council contribute \$5,000 from the current community grant allocations.
6/0 CARRIED**

Cr Fenny returned to the Council Chamber at 4.41 pm.

BACKGROUND

The Shire of Shark Bay has been approached by Projucer, about working together for Series 2 of the Desert Vet show. The proposed partnership offers the Shire substantial tourism exposure for a relatively modest investment.

Desert Vet is a partly locally filmed family TV show about a career vet and his family. Its primary audience demographic is 25 – 54-year old's, and its first series in late 2019, reached almost 3 million people in metropolitan areas and 1.3 million across regional Australia.

Building on this, Projucer, the show's producer, has recently contacted the Shire to enquire about the possibility of working together for the approved second series. Series 2 is expected to reach a national audience of 6.4 million, and to expand upon the considerable social media impact of the first series.

The proposed partnership offers the Shire an opportunity to be intentionally integrated into the show's local storylines, creating a collaborative tourism product that showcases Shark Bay as a destination. The proposal also agrees that any relevant

MINUTES OF THE ORDINARY COUNCIL MEETING

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Shark Bay hashtags (for example the already developed #discoversharkbay) will be included in the show's social media content, and that the Shire will be identified as a contributor in the show's credits. The Shire will also receive 2 video clips, between 60 and 90 second each, that can used in the Discovery Centre for area promotion.

The attached document from Projucer states that the marketing value for the Shire's contribution will be \$1.46million, and it should be noted that the administration has no way to independently verify this claim.

COMMENT

Filming for Series 2 is taking place in Shark Bay from 16 March 2020 to 28 March 2020, although the show will not go to air until November 2020. As such, Council will not be invoiced until after 1 July 2020 (2020/2021 financial year), but the producers are seeking a commitment to the partnership to enable appropriate dialogue, input and filming to be undertaken while the film crew is on site.

The Shire has traditionally allocated money for Tourism Promotion in its annual budget. In 2019/2020 \$5,000 was allocated and used for a segment in Caravan and Camping WA that screened on GWN7 on 14 March 2020. In 2108/2019 \$10,000 was allocated to a segment with the RAC on Channel 9, and in 2016/2017 \$20,000 was allocated to a segment in the Our Town TV show.

Recognising that discretionary expenditure is likely to be limited in the 2020/2021 budget, an approach has been made to the Shark Bay Business and Tourism Association to enquire if they would be willing to contribute part of the \$10,000.

LEGAL IMPLICATIONS

There are no legal implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

If Council agree to consider allocating \$10,000 in the 2020/2021 budget, and the Shark Bay Business and Tourism Assoc do agree to partly contribute, any unspent funds from that \$10,000 allocation will be applied to other strategic tourism opportunities that arise in the 2020/2021 financial year.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018 – 2028

1.2.2 Promote and support tourism industry

4.1.1. Effectively represent and promote the Shire of Shark Bay.

RISK MANAGEMENT

The producers have agreed to work collaboratively with the Shire to present Shark Bay in an appealing tourism light thereby reducing any reputational risk.

VOTING REQUIREMENTS

Simple majority required

SIGNATURES

Author

D Wilkes

Chief Executive Officer

P Anderson

Date of Report

12 March 2020

25 MARCH 2020

WHERE WE'VE BEEN AND
WHAT'S TO COME!



25 MARCH 2020

**SEASON ONE
INSIGHTS**

NUMBER ONE
50% of our episodes won it's time-slot across ALL Networks, with the other 50% coming a close second!

AUDIENCE
Our Primary Demographic was 25-54, reaching a total audience of **2,905,408** in metro areas and reaching **1,364,623** people regionally, across the four part series..

SOCIAL MEDIA IMPACT
We had extreme social engagement. Viewers felt overwhelmed, excited, educated and compassionate, feeling the need to share the emotional rollercoaster of the series with their fellow Desert Vet Community across socials.

TOTAL AUDIENCE
4,269,031

25 MARCH 2020

Alison Flanegan WOW!
Incredible work guys! 🙌🙌🙌

Juliette Leslie Wilson Yeah, I watched this & even though I'm very vigilant with my animals in the heat, it really made me "make absolutely sure" that my fur babies are kept inside, with aircon on & plenty of water, that was a real wake up call, great timing! So sad 😞

Emily Kurek Absolutely heartbreaking! I was holding back tears. Thank you for putting this on your show. Hopefully this will make more people aware of how the warm weather summer brings impacts our pets! ❤️

Kaye Bryan Another great episode and it's still when it is someone you know and your family in it as well

r0wze0 @ashskyyyyy glad Rainy is all better now was a great episode 😍🌈

SHOW AND TELL!

Instagram icon

Facebook icon

25 MARCH 2020



SNEAK PEAK... AT SEASON TWO



MORE OF THE CHARACTERS WE LOVE

Following their powerful introduction to the audiences of season 1 - our key cast return for another season of highs and lows. Led by family patriarch Dr Rick Fenny, we'll see his daughter Dr Lu Fenny back in the outback clinics, as well as Marine biologist Ed Fenny and his right hand man Dunc doing their part in marine animal conservation. Joining the Fenny's will be a crew of supporting cast of passionate vets, zoologists, aquarists, marine scientists, jillaroo's and dozens of animals, both domestic and wild!!

MORE ADVENTUROUS NARRATIVES

On any given day, the Fenny family and their friends are called upon to rescue, research and look after an incredible variety of wild animals for the purposes of education & conservation. In Season 2, our cast will travel by air, land and sea as they embark on more incredible missions that have to be seen to be believed. We strongly believe our cast of characters are only going to grow in popularity, so now is the time to jump on board and journey with them as they look after Australia's animals.

PROJECTED
NATIONAL TOTAL
AUDIENCE REACH
FOR SEASON TWO

6.4 MILLION VIEWERS!



25 MARCH 2020



PARTNERSHIP OFFERING:

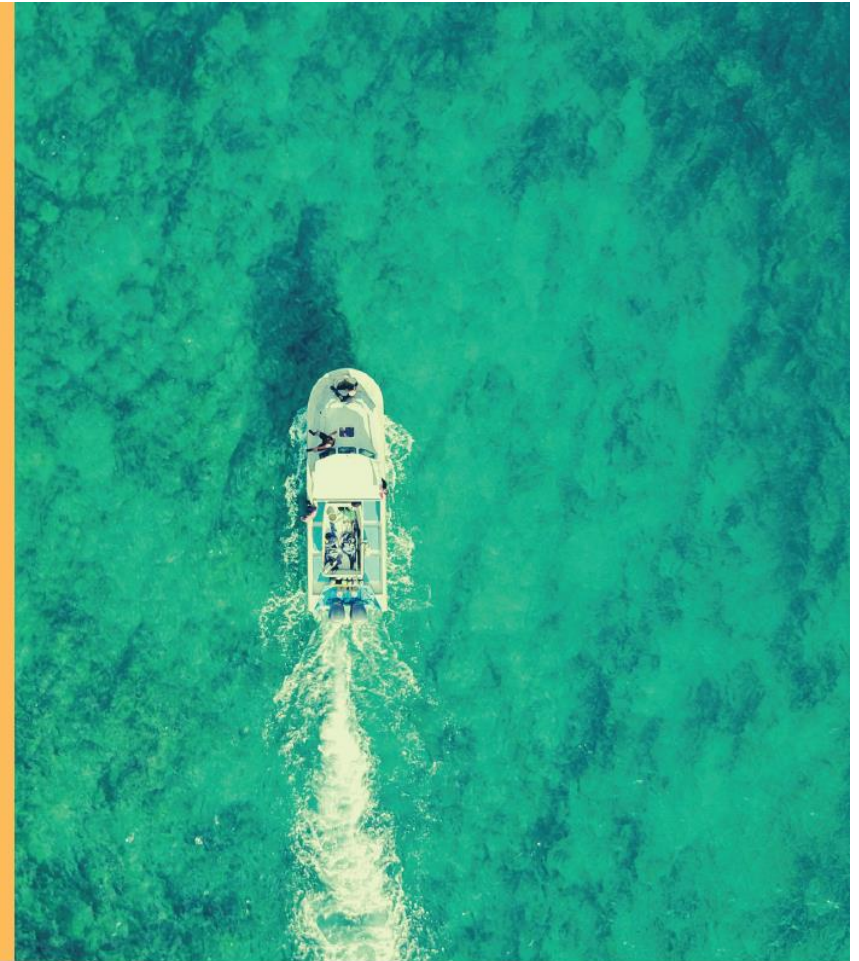
1 Broadcast In-Show Integration:

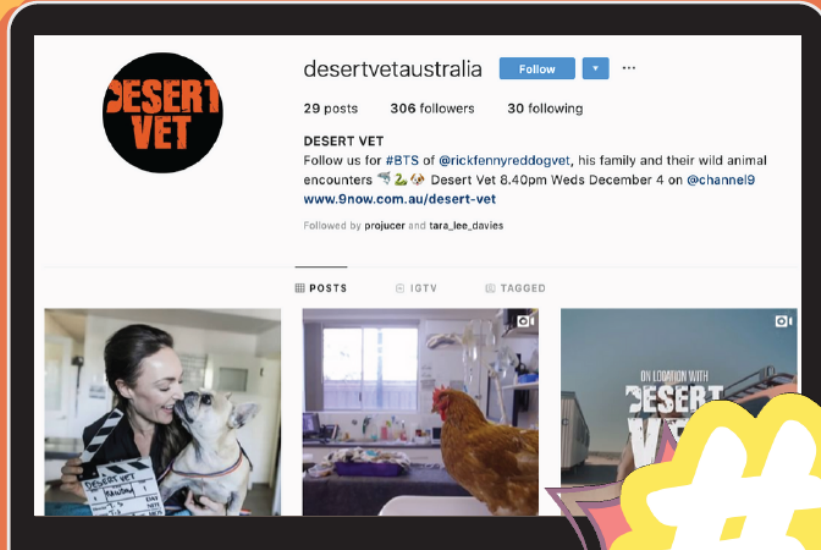
We are offering the Shire of Shark Bay the opportunity to be intentionally integrated into Season Two of Desert Vet.

We will ensure an open dialogue on all our developing Shark Bay storylines, to ensure our partnership is all inclusive and collaborative and showcases Shark Bay in an appealing Tourism light.

2 Produced Video Content:

2 x 60 - 90 second pieces of tourism appealing vision and footage from within the Desert Vet Series to create a compelling and engaging content package to be housed in your Shark Bay World Heritage Discovery & Visitor Centre.





3 Social + Online Amplification:

To ensure our viewers have formed the connection between our talent and Shark Bay we would publish an image/video on our show channels, tagging Shark Bay using relevant hashtags and handles.

PROPOSED INVESTMENT
\$10,000
(EX GST)

ADDITIONAL TO THE INVESTMENT WE WOULD LIKE A GOOD BEER AT THE SHAR BAY PUB WITH YOU AND THE TEAM DEBI BUT ACTUALLY, THAT'S ON US!

MARKETING VALUE
OVER
\$1,460,000



PRODUCTION SCHEDULE

Jan - Feb

Pre-Production / Filming
in Kangaroo Island

March - July

Production

End Sept

Deliver to Network

Mid Nov

Broadcast



25 MARCH 2020



25 MARCH 2020

15.0 WORKS

15.1 FIVE YEAR PLANT REPLACEMENT PROGRAM
FM00005

AUTHOR

Works Manager

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Ridgley
Seconded Cr Cowell

Council Resolution

**That the 2020/2021 review of the Five (5) Year Plant Replacement program be endorsed and that required funding be allocated in the draft 2020/2021 Budget.
6/0 CARRIED**

BACKGROUND

The Five Year Plant Replacement Plan is a living document and as such is subject to review every year during budget consideration.

COMMENT

The 5 Year Plant Replacement program forecasts the plant replacement requirements for the Shire of Shark Bay for the next 5 years.

As this is a living document it is presented to Council annually for review. The Plant replacement program ensures that Shire plant has been assessed by Administration and that anticipated time frames for replacement are appropriate for conditions experienced within the Shire of Shark Bay.

As per the Shire of Shark Bay's Five Year Plant Replacement Plan, attached to the end of this report, the Country Loader is the only major plant due for replacement and inclusion in 2020/2021 budget.

Prior to the review of the Plant Replacement Program Councils Semi Side Tipper was up for replacement.

The Semi Side Tipper was purchased in 2005 and has recently had suspension, bearings and brake work undertaken.

On revision of the condition, previous and anticipated usage and in consultation with Councils mechanic, it has been agreed that the Semi Side Tipper can be kept until 2029/30.

Although the Side Tipper is in very good condition it will be monitored to ensure it continues to be fit for purpose.

LEGAL IMPLICATIONS

There are no legal implications with this report

POLICY IMPLICATIONS

There are no policy implications with this report

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

FINANCIAL IMPLICATIONS

The 5 year Plant Replacement programme currently has the inclusion for the purchase of a Country Loader with an estimated cost of \$280,000.00

There is also an inclusion for small vehicles and major plant of \$85,000.00.

Total net cost for the 2020/2021 plant replacement program is \$320,000.00.

These items will need to be included in the 2020/2021 draft budget.

STRATEGIC IMPLICATIONS

Outcome 1.2: Conduct a review of operations to ensure the Shire is operating efficiently and effectively, and work towards full cost recovery.

RISK MANAGEMENT

There are no risks associated with this report

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

B Galvin

Chief Executive Officer

P Anderson

Date of Report

12 March 2020

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

Shire of Shark Bay															
5 Year Plant Replacement Program 2020/21 - 2024/25															
Type	2020/2021			2021/2022			2022/2023			2023/2024			2024/2025		
	Gross \$	Trade \$	Net	Gross \$	Trade \$	Net	Gross \$	Trade \$	Net	Gross \$	Trade \$	Net	Gross \$	Trade \$	Net
Major Plant															
Water Tanker x 2															
Semi Side Tipper															
5 Ton Town Truck				80,000	30,000	50,000									
3 Ton Town Truck				65,000	18,000	47,000									
Dual Cab Truck 5t							105,000	20,000	85,000						
Camp upgrades															
Prime Mover										250,000	40,000	210,000			
Country Loader	280,000	60,000	220,000												
Multi Tyred Rubber Roller										160,000	20,000	140,000			
Community Bus															
30 KVA Generator Set															
Bob Cat, Attachments and Trailer													90,000	10,000	80,000
Grader							400,000	85,000	315,000						
Low Loader															
Refuse Site Loader				220,000	40,000	180,000									
Excavator															
Town Loader													220,000	35,000	185,000
Ride On Lawn Mower													50,000	5,000	45,000
Major Plant Items	20,000		20,000	20,000		20,000	20,000		20,000	20,000		20,000	20,000		20,000
Vehicles															
CEO Vehicle	70,000	55,000	15,000				71,000	57,000	14,000				71,000	57,000	14,000
EMFA Vehicle				35,000	25,000	10,000				38,000	25,000	13,000			
EMTCED Vehicle				35,000	25,000	10,000				38,000	25,000	13,000			
Dual Cab Ute - Works Manager	57,000	34,000	23,000				60,000	32,000	28,000				64,000	29,000	35,000
Dual Cab Ute - Town	46,000	25,000	21,000				48,000	27,000	21,000				60,000	25,000	35,000
Dual Cab Ute- Ranger				46,000	25,000	21,000				50,000	27,000	23,000			
Dual Cab Ute- Gardner				46,000	25,000	21,000				50,000	27,000	23,000			
Space Cab Ute - Country	46,000	25,000	21,000				48,000	27,000	21,000				60,000	25,000	35,000
TOTAL	519,000	199,000	320,000	547,000	188,000	359,000	752,000	248,000	504,000	606,000	164,000	442,000	635,000	186,000	449,000
Major Plant	300,000	60,000	240,000	385,000	88,000	297,000	525,000	105,000	420,000	430,000	60,000	370,000	380,000	50,000	330,000
Vehicles	219,000	139,000	80,000	162,000	100,000	62,000	227,000	143,000	84,000	176,000	104,000	72,000	255,000	136,000	119,000
Total	519,000	199,000	320,000	547,000	188,000	359,000	752,000	248,000	504,000	606,000	164,000	442,000	635,000	186,000	449,000

25 MARCH 2020

15.2 PARKING LAWS REVIEW
LE00006

AUTHOR
WORKS MANAGER

DISCLOSURE OF ANY INTEREST
Nil

Moved Cr Ridgely
Seconded Cr Cowell

Officer Recommendation

That Council:

1. Note the correspondence received by Mr Beckett from McLeod's Lawyers.
2. Instruct administration to engage McLeod's Lawyers to undertake amendments to the following clauses of Councils Local Parking Laws to cover the majority of situations including but not limited to the following;
 - Clause 1.5(2) amended to delete 'occupied' and replace with 'managed or controlled'.
 - Clause 2.3 inserted to establish appropriate provisions for ensuring that vehicles must be parked wholly within stalls in parking facilities and parking stations.
 - Clause 2.4 inserted to establish a general requirement to park in accordance with signs in a parking facility or parking station.
 - Review the Local Parking Laws to include the provision for council to limit parking times in areas as and when considered necessary.
 - Review the Local parking laws to include the provision to prevent vehicles being parked on private property without the consent of the owner/occupier of the property.
 - Review and amend clause 3.6 stopping in a loading zone with the addition of the words good to part (b)

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: Council felt it needed an estimate of costing for the changing of the Local Laws prior to proceeding with any changes.

Moved Cr Ridgely
Seconded Cr Cowell

Council Resolution

That Council:

3. Note the correspondence received by Mr Beckett from McLeod's Lawyers.
4. Instruct administration to seek costings from McLeod's Lawyers to undertake amendments to the following clauses of Councils Local Parking Laws to cover the majority of situations including but not limited to the following;
 - Clause 1.5(2) amended to delete 'occupied' and replace with 'managed or controlled'.

25 MARCH 2020

- **Clause 2.3 inserted to establish appropriate provisions for ensuring that vehicles must be parked wholly within stalls in parking facilities and parking stations.**
- **Clause 2.4 inserted to establish a general requirement to park in accordance with signs in a parking facility or parking station.**
- **Review the Local Parking Laws to include the provision for council to limit parking times in areas as and when considered necessary.**
- **Review the Local parking laws to include the provision to prevent vehicles being parked on private property without the consent of the owner/occupier of the property.**
- **Review and amend clause 3.6 stopping in a loading zone with the addition of the words good to part (b)**

4/2 CARRIED

BACKGROUND

At the Ordinary Council meeting held on the 27 March 2019 the following report was presented to council with the following resolution made:

Council Resolution

That Council:

Instruct the administration to withdraw the infringement and advise Mr John Wilson that no further action will be taken regarding this matter.

Request that administration review the Shire of Shark Bay Parking and Parking Facilities Local Law section Local Laws in line with the legal advice received and report to Council at a future meeting.

4/0 CARRIED

The full report from the Ordinary Council meeting held 27 March 2019 is attached as a confidential attachment.

A copy of the Councils Local Parking Laws is also attached as a separate document.

COMMENT

Tim Beckett from McLeods was given all the relevant information in preparation to defend the matter in court.

After Tim investigated the matter his advice was to withdraw the infringement because of issues with our Local Parking Laws.

Comments from Mr. Tim Beckett are contained in the original report attached to the end of this report.

As per the resolution administration engaged with Tim Beckett to give advice on amendments to Councils Parking Local Law, his response is as follows:

Wednesday, 3 April 2019

Hi Brian

Thanks for the email.

25 MARCH 2020

The cost really depends on the extent to which the Shire wants to review and amend the parking local law. If we are just looking at drafting an amendment local law to a few selected provisions that have been identified in my previous email and any others that may arise in further discussions, we can prepare a draft amendment local law for the Shire's further action for perhaps \$1,500 - \$2,500.

If the Shire wants us to effectively prepare a new local law or carry out a complete review of the local law – which may not be necessary, since the Shire presumably does not need to carry out a significant amount of parking enforcement – or take further actions in addition to the drafting of the proposed local law, that cost may be more significant.

Your local law is obviously far less detailed than, for example, a metropolitan local government local law which might have over 100 potential separate offences. If the Shire wants to keep the local law quite simple, then perhaps the best way to review the local law would be for the Shire to provide us with a list of the types of parking regulation it actually wants to be able to carry out and we can then just make sure that the local law provides a basis for each of those issues to be enforced.

For example:

- *Parking contrary to no parking signs – parking stations and thoroughfares*
- *Stopping contrary to no stopping signs – parking stations and thoroughfares*
- *Parking contrary to signs – parking stations and thoroughfares*
- *Parking vehicles of a different class, or a different class of persons*
- *Failing to park within a single marked bay*
- *Parking longer than time limitations*
- *Parking contrary to loading zone signs*
- *Parking on reserves without authority*
- *Parking on private property without consent*
- *Parking to obstruct (more than 24 hours)*

There may be more, so it may be a case of the Shire checking internally to find out what types of offences we need/want to regulate. The majority of those offences will be properly addressed by the local law already and, for any that are not, we can add or amend provisions.

Happy to discuss further.

Thanks

Tim

Thursday, 9 May 2019

Hi Brian

Further to our discussion earlier today, I understand that the Shire does not want a large-scale review of its parking local law, as the Shire has limited parking enforcement needs. I have reviewed the local law and I have begun preparing a relatively limited amendment local law to address a few of the issues we have raised previously.

25 MARCH 2020

I intend to make amendments to address the following issues:

- *Clause 1.5(2) amended to delete 'occupied' and replace with 'managed or controlled'.*
- *Clause 2.3 inserted to establish appropriate provisions for ensuring that vehicles must be parked wholly within stalls in parking facilities and parking stations.*
- *Clause 2.4 inserted to establish a general requirement to park in accordance with signs in a parking facility or parking station. This specifically addresses boat ramp issues.*

The majority of the below circumstances will be covered by the local law (with those proposed amendments), except for those highlighted:

- *Parking contrary to no parking signs – parking stations and thoroughfares*
- *Stopping contrary to no stopping signs – parking stations and thoroughfares*
- *Parking contrary to signs – parking stations and thoroughfares*
- *Parking vehicles of a different class, or a different class of persons*
- *Failing to park within a single marked bay*
- *Parking longer than time limitations*
- *Parking without paying fee or displaying a ticket*
- *Parking contrary to loading zone signs*
- *Parking on reserves without authority*
- *Parking on private property without consent*
- *Parking to obstruct (more than 24 hours)*

The Shire should also consider whether we need to amend or review the following issues relating to the local law:

- *Do we want a generic time limitation clause for parking in certain areas? Does the Shire have any parking areas which are regulated by time limitations, for example 2P or 2 hour parking areas?*
- *Does the Shire have, or intend to install, any ticket machines in its district? If the Shire wants the option of using ticket parking, we should insert appropriate provisions in the local law?*
- *Do we want a clause which prevents vehicles from being parked on private properties (not just private verges) without the consent of the owner/occupier of the private property? If so, we can easily insert such a clause.*
- *Clause 3.6 of the local law currently establishes requirements for loading zone parking. It refers to vehicles being used for commercial or trade purposes, but do we want to restrict parking in loading zones to vehicles which are defined as 'commercial vehicles', as defined in the local law?*
- *Clause 4.2(2)(b) of the local law currently provides that a vehicles can be left in a public place for more than 24 hours if the vehicle is left in a parking area associated with the launch or use of boats. Does the Shire intend for that provision to remain? If so, is the Shire happy for those vehicles to be parked in those areas indefinitely?*

25 MARCH 2020

Once you have had the chance to review this email, you can respond by email or otherwise give me a call to discuss further – whatever is easier for you.

We look forward to hearing from you.

*Thanks
Tim*

With the information given by Mr Beckett, Council can now decide to what level Council would like to review its Local Parking Laws.

As can be seen in Mr Becketts correspondence the majority of situations listed below would be covered by a reviewed local law.

The items highlighted are the exception:

- Parking contrary to no parking signs – parking stations and thoroughfares
- Stopping contrary to no stopping signs – parking stations and thoroughfares
- Parking contrary to signs – parking stations and thoroughfares
- Parking vehicles of a different class, or a different class of persons
- Failing to park within a single marked bay
- Parking longer than time limitations
- Parking without paying fee or displaying a ticket
- Parking contrary to loading zone signs
- Parking on reserves without authority
- Parking on private property without consent
- Parking to obstruct (more than 24 hours)

Clauses that will need to be amendment and inserted are as follows:

1. Clause 1.5(2) amended to delete 'occupied' and replace with 'managed or controlled'.
2. Clause 2.3 inserted to establish appropriate provisions for ensuring that vehicles must be parked wholly within stalls in parking facilities and parking stations.
3. Clause 2.4 inserted to establish a general requirement to park in accordance with signs in a parking facility or parking station. This specifically addresses boat ramp issues.

Regarding the highlighted items listed above Mr Beckett has also asked the following question of Council:

1. Does Council want a generic time limitation for certain areas?

Due to recent incidents of extended parking times that have occurred at disabled parking bays, council may wish to have the power to enforce timed parking at certain locations.

25 MARCH 2020

2. Does Council intent to install ticket machines?

Administration would advise Council to not install ticket machines now or at any time soon.

3. Does Council want to prevent vehicles from being parked on private property without consent of the owner/ occupier?

The definition of a public place as defined in the Local Parking Laws is 'any place to which the public has access whether or not that place is on private property'.

Clause 4.2 states:

Vehicles Not to Obstruct a Public Place

(1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the Local Government or unless authorised under any written law.

(2) A person will not contravene subclause (1) -

- (a) where the vehicle is left for a period not exceeding 24 hours, or
- (b) where the vehicle is left in a parking area adjacent to and associated with, the launch or use of boats.

As can be seen, a vehicle parked on private property that has public access is not in breach if the vehicle is not parked for more than 24 hours.

Administration recommends that the Local Parking Law be amended to restrict vehicles being parked on private property without the consent of the owner/ occupier.

4. Is Council happy to allow vehicles to be parked in parking areas associated with the use or launching of a boat indefinitely?

As Shark Bay is a fishing destination with a vast area to explore, restricting the time vehicles can be parked at a parking facility associated with the use or launching of a boat would be detrimental to the Shark Bay fishing experience.

Administration suggests that the status quo stand.

5. Does Council want to restrict the use of loading zones to only commercial vehicles?

Administration would advise Council to not restrict parking in loading zones to only commercial vehicles. If restricted this would prevent non-commercial vehicles from accessing loading zones. This would impact on the loading zone currently in front of the Post Office by not allowing non commercial users to utilise this loading zone for the purpose of picking up heavy items from the Post Office.

25 MARCH 2020

On reviewing the Local Parking Laws, one clause came to light regarding Loading Zones.

Clause 3.6 Stopping in a loading Zone

A person shall not stop in a Loading Zone unless it is -

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods, or*
- (b) a motor vehicle taking up or setting down passengers,*

but, in any event, shall not remain in that Loading Zone -

- (c) for longer than a time indicated on the 'Loading Zone' sign, or*
- (d) longer than 30 minutes (if no time is indicated on the sign).*

As can be seen, a non-commercial motor vehicle doesn't have the right to use a loading zone to pick up goods. This interprets into not being able to utilise the loading zone in front of the post office to pick up goods. It might be prudent to add the word goods to part (b) to change the wording from

a motor vehicle taking up or setting down passengers
to
a motor vehicle taking up or setting down passengers or goods

Clear and decisive Local Laws enable Councils gazetted staff the ability to efficiently decide when an infringement has occurred, issue infringements as required and defend issued infringements in court if required.

Council is in a position to review and amend its Local Parking Laws enabling a consistent and positive outcome.

LEGAL IMPLICATIONS

Clear and decisive Local Laws enable gazetted staff the ability to efficiently decide when an infringement has occurred.

Amendments to Parking local law will enable contested infringements to be taken to court with a positive outcome for the local Council.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

Unless otherwise specified, the amount of the modified penalty for an offence against any provision of this Local Law is \$100.

Estimated cost to prepare a draft amendment to make minor changes to the Parking Local law is \$1,500 - \$2,500.

A major review will be more costly and unknown until the scope is identified by Council and assessed by McLeods.

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report

RISK MANAGEMENT

Proposed amendments to the Parking Local Law will reduce the inherent risk associated with contested infringements taken to court.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Works Manager

Brian Galvin

Chief Executive Officer

P Anderson

Date of Report

16 March 2020

25 MARCH 2020

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

There are no motions of which previous notice haven been given.

17.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Moved Cr Stubberfield
Seconded Cr Fenny

Council Resolution

That Council accept the tabling of urgent confidential business items as follows:

18.1 Chief Executive Officer Contract and Remuneration

6/0 CARRIED

18.0 MATTERS BEHIND CLOSED DOORS

Moved Cr Fenny
Seconded Cr Stubberfield

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.

6/0 CARRIED

Council staff, Mr Anderson, Ms Pears, Ms Wilkes, Mr Galvin and Mrs Mettam left the Council Chamber at 5.08 pm

18.1 CHIEF EXECUTIVE OFFICER CONTRACT AND REMUNERATION
PE00007

Author
Shire President

Disclosure of Any Interest

Disclosure of Interest: Mr Paul Anderson

Nature of Interest: Financial Interest as the Chief Executive Officer for the Shire of Shark Bay.

Moved Cr Stubberfield
Seconded Cr Fenny

Council Resolution

That the Council initiate negotiations with the Chief Executive Officer for a potential new contract of employment, to extend beyond the conclusion of the current contract on 27 September 2020 and the President to negotiate the new contract with the Chief Executive Officer.

6/0 CARRIED

25 MARCH 2020

Moved Cr Bellottie
Seconded Cr Stubberfield

Council Resolution

That the meeting be reopened to the members of the public.

6/0 CARRIED

Council staff, Mr Anderson, Ms Pears, Ms Wilkes, Mr Galvin and Mrs Mettam returned to Council Chamber at 5.23pm

11.3 **ADOPTION OF STRATEGIC RESOURCE PLAN AND CORPORATE BUSINESS PLAN
CM00020, CM00001 & FM00006**

AUTHOR

Chief Executive Officer

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

That Council adopt the:

3. Draft Strategic Community Plan 2020-2030 as presented in the attachment;
and
4. Draft Corporate Business Plan 2020-2024 as presented in the attachment.

(needs ABSOLUTE MAJORITY)

Moved Cr Stubberfield
Seconded Cr Fenny

Council Resolution

Suspend Standing orders for discussion on the 2020/2021 budget discussion and the effects on the Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2024 at 5.28pm

6/0 CARRIED

Moved Cr
Seconded Cr

Council Resolution

That Council reinstate standing orders at 6.00 pm.

25 MARCH 2020

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: Council felt that raising fees and charges in the new budget would be unacceptable with the current world situation of the Corona Virus pandemic and the Strategic Community Plan 2020-2030 and the Corporate Business Plan 2020-2024 should be adjusted to reflect the Councils commitment to the community and its rate payers.

Moved Cr Ridgely
Seconded Cr Cowell

Council Resolution

That Council adopt the:

- 1. Draft Strategic Community Plan 2020-2030 as presented in the attachment; and**
- 2. Draft Corporate Business Plan 2020-2024 with amendments to the projected rate increase in 2020/2021 to a nil increase in rate revenue as presented in the attachment.**

That Council instruct the administration to draft the 2020/2021 Budget with a no increase to the rate in the dollar and no increases to fees and charges.

That Council instruct the Chief Executive Officer to draft the 2020/2021 budget with no councillor fees and allowances being paid in the first half of the 2020/2021 financial year.

5/1 CARRIED BY ABSOLUTE MAJORITY

BACKGROUND

Section 5.56 of the *Local Government Act 1995* requires Councils to plan for the future of the district. As part of this planning, Regulation 19C and 19DA of the Local Government (Administration) Regulations 1996 requires Councils to develop a Strategic Community Plan for a period of at least 10 years and a Corporate Business Plan for at least 4 years. In planning for the future, Councils are to have regard for the capacity of its current resources and the anticipated capacity of its future resources.

The Draft Corporate Business Plan 2020-2024 and the Draft Strategic Community Plan 2020-2030 have been circulated under separate cover.

COMMENT

Draft Strategic Community Plan 2020-2030 & Draft Corporate Business Plan 2020-2024

The Strategic Community Plan has been developed in consultation with the community who were asked to share their visions and aspirations and invited to participate in the review of the Plan. Surveys were made available at the Post Office shire office and Discovery centre, a e- surveys was conducted through the Shires website and information was distributed through the shires Facebook and community sites and a community workshop was held in February 2020.

The common theme from the community consultation was the community valued the small-town character including the welcoming, friendly and safe environment. The community appreciated that they live in an incredibly unique and special World Heritage listed Environment.

25 MARCH 2020

The Council has incorporated these sentiments into the draft Strategic Community Plan and has balanced the requirements of a tourist destination, with an emphasis on promoting growth in this area, and maintaining the requirements of the local resident population.

Once adopted, local public notice of adoption of the Strategic Community Plan must be made in accordance with the regulations.

The Corporate Business plan was developed in conjunction with the Strategic Community Plan and is also presented to council for consideration. The Corporate Business Plan sets out the priority actions required to achieve the objectives in the Strategic Community Plan over the next 4 years.

The Corporate Business Plan also draws upon the other planning documents which form part of Council's integrated planning. These include the Asset Management Plan, the Workforce Plan, and the Long-Term Financial Plan.

The Corporate Business Plan shows the actions that will be undertaken to achieve each objective and the timing of each action. Some actions are ongoing while others relate to specific projects.

Following the adoption by council of the Draft Strategic community plan and the draft corporate business plan the Long-Term Financial plan will be reviewed and Strategic resources plan (long term financial plan) presented to council for consideration.

The Long-Term Financial Plan will be projected over a 15-year period to complement the Strategic Community Plan and is another component of the integrated planning documents which has been prepared to achieve compliance with the Local Government (Administration) Regulations 1996.

The Long-Term Financial Plan will be developed to achieve improvement in the target ratios levels set out by the Department of Local Government and Communities and to ensure the council is aware of any resourcing issues in future budgets.

LEGAL IMPLICATIONS

Section 5.56 of the *Local Government Act 1995* requires Councils to plan for the future of the district. Regulation 19DA and the Department of Local Government Integrated Planning and Reporting Advisory Standard govern the requirements for these documents.

POLICY IMPLICATIONS

There are no policy implications with this item.

FINANCIAL IMPLICATIONS

The Corporate Business Plan sets out the actions for the next 4 years in order to achieve the objectives in the Community Strategic Plan. The major projects over this time are expected to be funded by grant or reserve funds and the balance of actions will be funded from operations.

STRATEGIC IMPLICATIONS

The review, consideration and adoption of the Strategic Community Plan considers the councils stated Leadership Objective in

MINUTES OF THE ORDINARY COUNCIL MEETING

25 MARCH 2020

A transparent, resilient organisation demonstrating leadership and governance
strategic direction

The strategies listed at outcome 7 of the plan all support the process of the strategic plan and its objectives

RISK MANAGEMENT

This is a low risk item for Council. Council needs to review these documents annually and, should it not adopt this recommendation, it will be operating with out of date documents which will not assist in good planning for the future.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

17 March 2020

NOTE: Friday 27 March 2020 – 2.00pm to 3.00pm Premiers Webinar in the Chief Executive Officers office.

19.0 PRESIDENTS PRESS RELEASE

Moved Cr Fenny
Seconded Cr Smith

Council Resolution

That Council endorse the actions of the President in the COVID-19 Press Release posted on social media on 23 March 2020 in regard to non-essential travel directives.

6/0 CARRIED

20.0 DATE AND TIME OF NEXT MEETING

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 29 April 2020, commencing at 3.00 pm.

21.0 CLOSURE OF MEETING

As there was no further business the President closed the Ordinary Council meeting at 6.38pm.