



SHIRE OF JERRAMUNGUP

NOTICE OF COUNCIL MEETING

To the President and Councillors,

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

Wednesday, 23 August 2023

At the Emergency Services Shed,

Bremer Bay

Commencing at 10:00am

Council Meeting Procedures

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

Martin Cuthbert
CHIEF EXECUTIVE OFFICER

17 August 2023

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OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

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

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

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

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

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

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NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

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

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

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

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

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

Regulation 34C (Impartiality) states;

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

2023 MEETING DATES

At its Ordinary Meeting of Council on 26 October 2022, Council adopted the following meeting dates for 2023:

January	-	-	Council in Recess
Wednesday	22 February 2023	10.00am	Council Chambers, Jerramungup
Wednesday	22 March 2023	10.00am	Council Chambers, Jerramungup
Wednesday	26 April 2023	10.00am	Emergency Services Shed, Bremer Bay
Wednesday	24 May 2023	10.00am	Council Chambers, Jerramungup
Wednesday	28 June 2023	10.00am	Council Chambers, Jerramungup
Wednesday	26 July 2023	10.00am	Council Chambers, Jerramungup
Wednesday	23 August 2023	10.00am	Emergency Services Shed, Bremer Bay
Wednesday	27 September 2023	10.00am	Council Chambers, Jerramungup
Wednesday	25 October 2023	10.00am	Council Chambers, Jerramungup
Wednesday	22 November 2023	8.30am	Council Chambers, Jerramungup
Wednesday	20 December 2023	8.30am	Emergency Services Shed, Bremer Bay

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

APPLICATION FOR LEAVE OF ABSENCE

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

Shire of Jerramungup

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ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atam by the Shire President.

I would like to begin today by acknowledging the Goreng people who are the Traditional Custodians of the land on which we meet today, and the Shire of Jerramungup would like to pay their respect to their Elders both past and present.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

2.4 ABSENT

2.5 DISCLOSURE OF INTERESTS

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

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

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS**2.5.2 DECLARATIONS OF PROXIMITY INTERESTS****2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS****3.0 APPLICATIONS FOR LEAVE OF ABSENCE****4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS**

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

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.0 PUBLIC TIME**6.1 PUBLIC QUESTION TIME****6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS****7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****7.1 ORDINARY COUNCIL MEETING HELD 26 JULY 2023**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 26 July 2023 be CONFIRMED.

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil.

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR JULY/AUGUST 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Gordon Capelli, Works Supervisor
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 August 2023
Attachments:	Nil
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

The Road Construction Crew have been busy gravel resheeting a section of Rabbit Proof Fence Road (SLK6.60-9.60) which they completed on 7 August 2023.

The Crew has now moved to Jacup North Road to start a gravel resheet of SLK15.60 – SLK18.70. This will be the last section of the Jacup North Road gravel resheet program.

Road Maintenance

A contractor has assisted with the maintenance of Swamp Road, Devils Creek South Road and Boxwood-Ongerup Road, as the Shire graders are currently all east of Jerramungup.

Town Services

Bremer Bay

The Town Services team have carried out general maintenance activities of parks, gardens and reserves, including:

- Weed control along footpaths and street verges.
- Pruning of street trees within the Bremer Bay townsite.
- Coastal reserve maintenance, including the removal of rubbish, weed control and pruning of vegetation.
- General rubbish removal throughout the townsite and along Point Henry Road and Wellstead Road.
- Revitalisation projects of Pelican Park Gardens and the front garden of the Bremer Bay CRC grounds.

Jerramungup

The Town Services team have carried out general maintenance activities of parks and gardens, including:

- Weed control and rubbish removal.
- Pruning of street trees.
- Revitalisation project of the Jerramungup CRC grounds, and gardens opposite the Chemist.
- Weed control and pruning of overhanging vegetation throughout the Jerramungup laneways.
- Removal of graffiti from signage along the South Coast Highway.
- Street maintenance, including filling in potholes and clearing of drains.

Environment

1. Follow up of fauna surveys within the fire mitigation zones of the Boxwood Hill region. Identified successful breeding of two pairs of the Endangered Western Whipbird. Both active nests supporting young were located just beyond the fire application zones. Note: The Shire of Jerramungup's road reserve support one of the most significant breeding populations of the Endangered Western Whipbird subspecies *nigrogularis nigrogularis*.
2. Over the next couple of months, weed control activities will focus on Vic Tea Tree control within environmentally sensitive areas, including areas along Swamp Road and along the access road to the Bremer Bay Airfield.

CONSULTATION:

Internal

COMMENT:

This report is for information only to advise Council on the previous month's works activities.

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Economy

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

Environment Built

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

Environment Natural

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

FINANCIAL/BUDGET IMPLICATIONS:

The works completed are included in the 2023/2024 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for July/August 2023.

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – JULY 2023**

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 August 2023
Attachments:	a) List of Accounts Paid to 31 July 2023 b) Credit Card Statement 27 June 2023 – 27 July 2023
Authority/Discretion:	Information

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer’s delegated authority during the month of July 2023.

BACKGROUND:

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire’s municipal and trust funds. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2023/24 Annual Budget as adopted by Council at its meeting held 26 July 2023 (Minute No. OCM230706 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of July 2023. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Cheque Payments	28181	\$48.40
EFT Payments	20987 – 21079	\$749,371.80
Direct Deposits		\$69,519.74
Municipal Account Total		\$818,939.94
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$818,939.94

CERTIFICATE

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- a) **The List of Accounts Paid to 31 July 2023 as detailed in Attachment 9.2.1(a).**
- b) **The Credit Card Statement 27 June 2023 – 27 July 2023 as detailed in attachment 9.2.1(b).**

9.2.2 MONTHLY FINANCIAL REPORT – JULY 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 August 2023
Attachments:	a) Monthly Financial Report for the period ending 31 July 2023
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 July 2023 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31 July 2023.

BACKGROUND:

At its meeting held 26 July 2023 (Minute No. OCM230706 refers), Council adopted the annual budget for the 2023/24 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year-to-date position to 31 July 2023 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 26 July 2023, Council adopted (Minute No. OCM230709 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2023/24 financial year:

Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2023/2024 financial year for monthly reporting purposes.

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail—*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates;*

and

 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing—*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown—*
 - (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be—*
 - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*

(b) *recorded in the minutes of the meeting at which it is presented.*

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 July 2023 has been incurred in accordance with the 2023/24 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 July 2023 in accordance with section 6.4 of the *Local Government Act 1995*.

9.2.3 CSRFF APPLICATION – JERRAMUNGUP SPORTS CLUB

Location/Address:	Reserve 25568, Lot 117 Derrick Street, Jerramungup
Name of Applicant:	Jerramungup Sports Club
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 August 2023
Attachments:	a) CSRFF Application and Attachments b) CSRFF Application CONFIDENTIAL Attachments
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is to place before Council an application from the Jerramungup Sports Club for grant funding under the Community Sport and Recreation Facilities Fund (CSRFF) grants program for the construction of a new ablution block to be located at the Jerramungup Sports Complex. The Officer recommendation is that the application be supported.

BACKGROUND:

CSRFF can fund new or upgraded facilities which will maintain or increase physical activity or result in a more rational use of facilities. Priority will be given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability. The program is not designed to provide facilities to meet a club's ambitions to compete in a higher grade.

Examples of projects which will be considered for funding include:

- New playing surfaces, eg ovals, courts, synthetic surfaces, etc.
- Change rooms and ablutions.
- Sports storage.
- Clubrooms including social space, kitchen, administration areas and viewing areas. Please note that these areas have a minimal impact on physical activity and would be considered a lower priority.
- Resurfacing of existing sports surfaces. It is expected that facility managers will budget for these items as part of the ongoing operation of the facility, frequently over seven to ten years, and will be considered a low priority for funding. If successful, the project is likely to attract reduced funding of 16.66%. In competitive rounds it is unlikely that these projects will receive funding.

Funds will not be available for:

- Projects that commence before approvals are announced.
- Development of privately owned facilities.
- Arts, music, craft and non-physical recreation facilities.
- Facilities considered to be a full State Government responsibility proposed by either government departments, schools or parents and citizen associations, unless there is demonstrated community sporting and recreation need/benefit commensurate with the funding request.
- Recurring maintenance or operating costs of existing facilities.
- Purchase of land, landscaping, carparks and access roads.
- Playgrounds.
- Bikeways or pathways.

- Non land-based facilities, eg boat launching ramps, ocean pools and marinas.
- Non-fixed equipment.
- Fixed sports specific equipment (eg electronic targets, scoreboards).
- Facilities or fixtures for the express purpose of serving alcohol.
- Projects that do not meet Australian Standards and National Construction Code.
- Projects that have already received a CSRFF grant and are seeking an additional grant to meet cost increases.
- Applicants/projects that have received a CSRFF grant in the past and have not satisfactorily acquitted that grant. In some cases this may apply to localities where other significant projects have not been progressed or have not completed a previous project in accordance with the conditions of the grant provided. An assessment will be made and if no physical progress has occurred, new applications may not be recommended.
- Projects that have State Government funding in excess of 66.66% of the total project cost.
- Local government overheads, project administration and project management (unless expressly approved in the grant agreement).

CONSULTATION:

Jerramungup Sports Club

Jerramungup Hockey Club

Jerramungup Bowls Club

Department of Local Government, Sport and Cultural Industries Regional Manager, Mel Eastough, and Regional Officer, Julia Scriven.

COMMENT:

This project supports an increase in regional liveability through the continued availability of facilities that promote quality of life. Access to passive and active sporting, recreation and leisure opportunities connect the community, improve community cohesion and resilience.

The construction of the ablution block will:

- Create a positive image for the town;
- Boost community pride and morale;
- Increase participation in both social and physical activity; and
- Promote health and wellness opportunities.

Whilst there is no obligation for local government to contribute to community sporting projects local government is viewed as a key funding partner in supporting improved community sporting amenities.

There are two main CSRFF funding streams applicable to Shire infrastructure projects, being:

Small grants

A grant of between \$2,500 – \$200,000 will be allocated to projects involving a basic level of planning. Up to 50% of the total project cost can be awarded. The total project cost for small grants must not exceed \$500,000. Grants given in this category must be claimed in the financial year following the date of approval.

Projects with a total project cost of below \$7,500 will be ineligible for funding as it is expected that the application should be able to fully fund these.

Forward planning grants

A grant of between \$166,667 – \$2,500,000 will be allocated to the large-scale projects where the total project cost exceeds \$500,000 and may require an implementation period of between one and three years. Up to one third of the total project cost can be awarded. Grants given in this category may be allocated in one or a combination of the years in the triennium.

It is important to note that there is funding allocated from within the \$20 million for special initiatives. This funding will be allocated should sufficient eligible applications be received within the funding round. The special initiatives relate to female facility improvements and Aboriginal projects.

The application from the Jerramungup Sports Club could also be considered under the female facility improvements.

Female facility improvements

\$1 million is allocated within the \$20 million available to projects that improve the usability of facilities for female participants. To encourage female participation funding has been set side in the funding round for projects that support female participation.

Projects that address this issue such as the upgrade of changerooms to cater for females including lockable, individual showers and more toilet cubicles in lieu of urinals, will be a priority.

A breakdown of the proposed project budget (ex GST) is provided in the table below:

	\$ Cost ex GST
Plumbing works	\$22,002.35
Concrete works	\$6,836.00
Electrical works	\$950.00
Installation of Toilet Building including scope and fixtures	\$76,789.00
Project Management	\$7,500.00
Building Permit	\$600.00
Sewerage approval	\$100.00
Donated materials – Sand	\$3,000.00
Volunteer labour (Please provide cost breakdown)	\$0
Sub Total	\$117,777.35
Cost escalation	\$5,000.00
Total	\$122,777.35

Council is now required to assess and rank the application for formal lodgement with the Department of Local Government, Sport and Cultural Industries.

The below ranking recommendation has been provided based on the applicant meeting the required criteria and its overall project ranking:

RANK	ORGANISATION	PROJECT DETAIL	OVERALL PROJECT RATING
1	Jerramungup Sports Club	Ablution Facilities	Well planned and needed by applicant

All applications are required to be received by the Regional Department of Local Government Sport and Cultural Industries Office by **4pm on 31 August 2023**.

STATUTORY ENVIRONMENT:

While there is no statutory requirement, Council has the opportunity to provide a recommendation that ranks applications in priority order for the Shire of Jerramungup.

It should be noted that the Department of Local Government, Sport and Cultural Industries will make the final decision on funding allocation.

STRATEGIC IMPLICATIONS:

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

- Maintain facilities that connect people and promote an active and healthy lifestyle;
- Deliver programs and services that bring people together and support community health and wellbeing;
- Encourage and support volunteers and community groups to grow an active volunteer base;
- Advocate for strategic projects that will benefit residents, workers and visitors to the Shire.

FINANCIAL/BUDGET IMPLICATIONS:

The contribution requested from the Shire towards this project is \$36,520 ex GST. An amount of \$40,000 ex GST was factored into the 2023/2024 budget for the proposed project. If the CSRFF application is approved by Council the funds will be drawn from the Community Recreation Reserve, of which the Shire allocate 2.5% of rates towards these capital projects.

The responsibility for maintaining and operating a facility rests with the local government, the club or a combination of both. It is important that CSRFF applicants can demonstrate they can maintain the facility long term.

If the project is successful in achieving funding, it is proposed that the Shire of Jerramungup commit to maintaining the asset into the future to ensure the facility can be open to the wider public all year round for recreational users/visitors to the area. If management of the facility is supported the Shire will be responsible for employee costs and all costs associated with maintaining the facility.

WORKFORCE IMPLICATIONS:

The Shire will be responsible for overseeing the project management of the proposed construction of an ablution block.

POLICY IMPLICATIONS:

Finance Policy 4 – Sport and Recreation Grants

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATION:

That COUNCIL:

- 1. Place the following priority on the project submitted for CSRFF funding:
1) Jerramungup Sports Club.**
- 2. Authorise a cash contribution of up to a maximum of \$33,200 ex GST, on the condition that the project is successful in achieving funding from the Department of Local Government, Sport and Cultural Industries.**
- 3. Endorse the following completed CSRFF Small Grants Application Form – Project Assessment Sheet:**

PROJECT ASSESSMENT SHEET

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please **attach copies of council minutes** relevant to the project approval.

Name of Local Government Authority: Shire of Jerramungup
Name of Applicant: Jerramungup Sports Club

Note: The applicant’s name cannot be changed once the application is lodged at DLGSC.

Section A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

All applications

	Satisfactory	Unsatisfactory	Not relevant
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section B

Priority ranking of no of applications received	1 of 1 applications received
Is this project consistent with the	<input checked="" type="checkbox"/> Local Plan <input type="checkbox"/> Regional Plan
Have all planning and building approvals been given for this project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If no, what approvals are still outstanding?	Building approval - Initial assessment of plans received have raised no issues with Shire’s Building Surveyor

Project Rating (Please tick the most appropriate box to describe the project)

- A Well planned and needed by municipality
- B Well planned and needed by applicant
- C Needed by municipality, more planning required
- D Needed by applicant, more planning required
- E Idea has merit, more planning work needed
- F Not recommended

1. Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?

Council authorised in-principle support and a cash contribution of up to a maximum value of \$40,000 ex GST in the 2023/24 budget on the condition that the project is successful in achieving funding from the Department of Local Government, Sport and Cultural Industries.

The funds will be drawn from the Community Recreation Reserve of which the Shire allocates 2.5% of rates annually to. Council requested that applicants for funding in CSRFF Small Grants Rounds inform Shire staff in advance of annual budget deliberations. The Jerramungup Sports Club have consulted with Shire Staff and the Department of Local Government, Sport and Cultural Industries on the proposal and sought financial support to allow them to submit for grant funding under the CSRFF 23/24 Small Grants Round.

2. A) *If a community group application:* Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?

B) *If a council application:* Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?

The Jerramungup Sports Club have approved a cash contribution amount of \$25,000 ex GST towards the project plus donated materials up to the value of \$3,000 ex GST.

If there is a funding shortfall, the Jerramungup Sporting Bodies have advised that they would be able to assist financially towards the project to ensure project completion. As Council committed up to \$40,000 ex GST in the 2023/24 budget towards the project the Shire may consider increasing the cash contribution up to \$40,000 ex GST if the project is successful in achieving funding from the Department of Local Government, Sport and Cultural Industries.

3. Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.

This project has demonstrated a high level of planning and club member involvement and is strongly supported by all members of the Jerramungup Sports Club and wider community.

The Shire aims to provide the community with quality buildings and infrastructure, the construction of the ablution facility will continue to allow volunteers at the club to spend more time enjoying their sport of choice. The Shire also envisages this project as having longer term outcomes by expanding recreation opportunities to the wider public and visitors to Jerramungup.

The project strongly aligns with the following component from the Shire of Jerramungup Strategic Community Plan 2021 – 2031;

- Maintain facilities that connect people and promote an active and healthy lifestyle;
- Deliver programs and services that bring people together and support community health and wellbeing;
- Encourage and support volunteers and community groups to grow an active volunteer base.

The Jerramungup Sports Club plays an important part in retaining population in the area and will play an increasingly important part in the future. Access to passive and active sporting, recreation and leisure opportunities connect the community, and improve community cohesion and resilience.

The construction of the ablution block will;

- Create a positive image for the town;
- Boost community pride and morale;
- Increase participation in both social and physical activity; and
- Promote health and wellness opportunities.

This project supports an increase in regional liveability through the continued availability of facilities that promote quality of life. Access to passive and active sporting, recreation and leisure opportunities connect the community, improve community cohesion and resilience.

Applications for CSRFF funding must be submitted to the Department of Local Government, Sport and Cultural Industries by **4pm on 31 August 2023**. Late applications cannot be accepted in any circumstances.

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED OUTBUILDING – LOT 698 RODERICK STREET, BREMER BAY

Location/Address:	Lot 698 (28) Roderick Street, Bremer Bay
Name of Applicant:	MCB Construction on behalf of BF & EL Ramsay
File Reference:	A22874
Author:	Noel Myers, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	None
Date of Report:	11 August 2023
Attachments:	a) Plans, Elevations and Consultation Plan
Authority/Discretion:	Administrative

SUMMARY:

Council has received an application to construct an outbuilding which requires approval to vary the Shire's Policy in respect to the maximum permitted wall height on the abovementioned property.

The application is recommended for approval subject to conditions.

BACKGROUND:

- Lot 698 Roderick Street is presently an 841m² vacant lot, Zoned Residential R15/30 under the Shire of Jerramungup Local Planning Scheme No.2 (the Scheme).
- Building Permit No.23-028 was issued 09 June 2023 for the construction of a two storey dwelling, yet to be commenced.
- The property is bound by similar sized properties developed with residential dwellings. The southern boundary abuts Lot 771 which is a parcel of Unallocated Crown Land that is vegetated and acts as a drainage basin.

CONSULTATION:

As a departure from the adopted Outbuildings Local Planning Policy is proposed, the outbuilding was referred to neighbouring landowners for comment in accordance with Council Policy No.11 – Consultation.

No submissions have been received in response to advertising. Where no submissions are received, it is to be taken that there is no objection to the proposal.

COMMENT:

Proposal

- The proposal entails the construction of an outbuilding to store the owner's personal property, which includes a fishing boat which requires a door height of 3.8m to enable the boat to be stored inside.
- In order to reduce the overall height of the building, it is proposed to set the finished floor level of the shed by 300mm below the Natural Ground Level so that the overall height of the ridge complies with that height permitted under Shire Policy No.16 – Outbuildings.
- The outbuilding will be set towards the rear of the property, behind the proposed two storey dwelling.

Local Planning Policy 16 – Outbuildings

Council adopted a revised Local Planning Policy No 16 for final approval on 19 April 2017. The objective of this policy is:

- (a) to establish clear guidelines for the development of outbuildings in the Residential, Townsite, Rural Residential and Rural zones; and
- (b) to achieve a balance between providing for the various legitimate needs of residents for outbuildings, and minimising any adverse impacts outbuildings may have on neighbours, a street, a neighbourhood or locality, of the Shire as a whole.

The table below shows the applicable size requirements.

	LPP requirement	Proposed
Floor Area	90m ² max	50m ²
Roof Height	4.2m to apex	4.2m
Wall Height	3.6m	3.997m

As detailed above, the construction of a new outbuilding seeks to vary the wall height permitted as by right and therefore must be considered on its planning merits.

It is important that Council recognises that the Policy is a guideline only and each application still needs to be based on its individual merit. The main considerations in examining the proposed outbuilding are compliance with the policy objectives, visual impact and streetscape.

The Policy states that *'Any variations to the policy will require the applicant to demonstrate exceptional circumstances as to why the policy should be relaxed with the proposal being presented to an Ordinary Meeting of Council for determination. Assessment of the application will require consultation with adjoining and affected landowners.'*

Assessment

Part (b) of the objective of the outbuilding policy is to *'achieve a balance between providing for the various legitimate needs of residents for outbuildings, and minimising any adverse impacts outbuildings may have on neighbours, a street, a neighbourhood or locality, of the Shire as a whole.'*

This is the statement that everything else in the policy is trying to achieve. In this case there appears to be a 'legitimate need' insofar that the applicant has outlined their particular personal circumstances that give rise to the variation and those reasons are accepted without further comment.

Amenity

The Policy and the Scheme requires that Council has due regard to the potential impact that a development proposing a variation may have upon adjoining properties and the streetscape in general.

In this instance the building is to be located toward the rear of the lot and the future two storey dwelling and when viewed from typical pedestrian and vehicular vantage points, the building is substantially obscured. Some aspect of building would remain visible in the streetscape given that the adjoining Lot 771 (located to the south of the lot) is and will remain vacant, however the bulk and massing of the building would be consistent with the new two storey dwelling to be constructed and should mean that the building does not appear inconsistent in the streetscape.

The proposal to reduce the finished floor level by 300mm to make the overall building height comply within policy limits should serve to offset the impact of the building to those adjoining properties who have been consulted and raised no objection towards the development.

Conclusion

Overall, the requested relaxations from policy are relatively minor and the proposed development would neither shadow, obstruct views or be visually obtrusive in the streetscape, or as viewed from adjoining dwellings to the extent that would have an unreasonable impact on the amenity of the area beyond that which would arise from a compliant development.

On balance, the application is supported as it is a minor relaxation of policy. It appears to meet the objectives of the policy to meet the needs of the applicant whilst minimising adverse effects on the neighbourhood.

STATUTORY ENVIRONMENT:

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the Council.

STRATEGIC IMPLICATIONS:

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

Environment Built: Deliver sustainable long-term planning for the built environment that meets the needs of the community.

FINANCIAL/BUDGET IMPLCATIONS:

There are no financial implications for Council.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council APPROVE the application for an outbuilding on Lot 698 (No.28) Roderick Street, Bremer Bay subject to the following conditions:

- (a) Development shall be carried out in full and fully implemented in accordance with the approved plans and details submitted with the planning application;
- (b) The outbuilding being used for domestic storage only and not for commercial or industrial use or human habitation;
- (c) All stormwater from roofed and paved areas shall be collected and disposed of on-site to the satisfaction of Council; and
- (d) The outbuilding is to finished in colours and materials compatible with those approved for the future dwelling and colour pallets to be used are to be submitted and approved by the Manager of Development prior to the Building Permit being lodged for approval.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN JULY/AUGUST 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Gray, Executive Assistant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 August 2023
Attachments:	a) Information Bulletin July/August 2023
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for July/August 2023 including actions that have been undertaken in relation to decisions of Council and actions performed under delegated authority.

BACKGROUND:

There is no specific requirement to report on actions performed under delegated authority to Council. However, to increase transparency this report has been prepared for Council and includes actions performed under delegated authority for the month of July/August 2023.

CONSULTATION:

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

COMMENT:

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

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

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

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the months of July/August 2023.

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

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 COUNCILLOR REPORTS

13.0 NEW BUSINESS OF AN URGENT NATURE

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 27 September 2023, commencing at 10.00am, in Jerramungup.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atam

These minutes were confirmed at a meeting held

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Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: