



# 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, 24 April 2024  
At the Bremer Bay Hall,  
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**  
19 April 2024

## AGENDA

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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.”*

## 2024 MEETING DATES

At its Ordinary Meeting of Council on 25 October 2023, Council adopted the following meeting dates for 2024:

January	-	-	Council in Recess
Wednesday	28 February 2024	10.00am	Council Chamber, Jerramungup
Wednesday	27 March 2024	10.00am	Council Chamber, Jerramungup
Wednesday	24 April 2024	10.00am	Bremer Bay Hall, Bremer Bay
Wednesday	22 May 2024	10.00am	Council Chamber, Jerramungup
Wednesday	26 June 2024	10.00am	Council Chamber, Jerramungup
Wednesday	24 July 2024	10.00am	Council Chamber, Jerramungup
Wednesday	28 August 2024	10.00am	Bremer Bay Hall, Bremer Bay
Wednesday	25 September 2024	10.00am	Council Chamber, Jerramungup
Wednesday	23 October 2024	10.00am	Council Chamber, Jerramungup
Wednesday	27 November 2024	8.30am	Council Chamber, Jerramungup
Wednesday	18 December 2024	8.30am	Bremer Bay Hall, 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**  
**Table of Contents**  
**Ordinary Meeting of Council**  
**Wednesday 24 April 2024**

<b>1.0</b>	<b>DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS .....</b>	<b>8</b>
<b>2.0</b>	<b>RECORD OF ATTENDANCE .....</b>	<b>8</b>
2.1	ATTENDANCE .....	8
2.2	APOLOGIES .....	8
2.3	APPROVED LEAVE OF ABSENCE .....	8
2.4	ABSENT .....	8
2.5	DISCLOSURE OF INTERESTS .....	8
2.5.1	<i>DECLARATIONS OF FINANCIAL INTERESTS.....</i>	<i>9</i>
2.5.2	<i>DECLARATIONS OF PROXIMITY INTERESTS.....</i>	<i>9</i>
2.5.3	<i>DECLARATIONS OF IMPARTIALITY INTERESTS .....</i>	<i>9</i>
<b>3.0</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>9</b>
<b>4.0</b>	<b>ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS.....</b>	<b>9</b>
<b>5.0</b>	<b>RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>9</b>
<b>6.0</b>	<b>PUBLIC TIME.....</b>	<b>9</b>
6.1	PUBLIC QUESTION TIME .....	9
6.2	PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS .....	9
<b>7.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS .....</b>	<b>9</b>
7.1	ORDINARY COUNCIL MEETING HELD 27 MARCH 2024 .....	9
7.2	AUDIT COMMITTEE MEETING HELD 27 MARCH 2024 .....	9
7.3	AUDIT COMMITTEE MEETING HELD 20 DECEMBER 2023 .....	9
7.4	BUSH FIRE ADVISORY COMMITTEE ANNUAL GENERAL MEETING HELD 15 APRIL 2024 .....	10
7.5	BUSH FIRE ADVISORY COMMITTEE MEETING HELD 15 APRIL 2024 .....	10
<b>8.0</b>	<b>RECOMMENDATIONS AND REPORTS OF COMMITTEES .....</b>	<b>11</b>
8.1	BUSH FIRE ADVISORY COMMITTEE ANNUAL GENERAL MEETING.....	11
<b>9.0</b>	<b>REPORTS .....</b>	<b>15</b>
9.1	TECHNICAL SERVICES.....	15
9.1.1	WORKS REPORT FOR MARCH/APRIL 2024 .....	15
9.2	CORPORATE SERVICES.....	18
9.2.1	ACCOUNTS FOR PAYMENT – MARCH 2024 .....	18
9.2.2	MONTHLY FINANCIAL REPORT – MARCH 2024 .....	21
9.3	DEVELOPMENT SERVICES .....	24
Nil.	.....	24
9.4	EXECUTIVE SERVICES .....	25
9.4.1	INFORMATION BULLETIN MARCH/APRIL 2024 .....	25
9.4.2	WALGA ROADWISE COUNCIL .....	27
<b>10.0</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>29</b>
<b>11.0</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>29</b>
<b>12.0</b>	<b>COUNCILLOR REPORTS.....</b>	<b>29</b>
<b>13.0</b>	<b>NEW BUSINESS OF AN URGENT NATURE .....</b>	<b>29</b>
<b>14.0</b>	<b>CLOSURE .....</b>	<b>29</b>
14.1	DATE OF NEXT MEETING.....	29
14.2	CLOSURE OF MEETING .....	29

## **ORDINARY COUNCIL MEETING AGENDA**

### **1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS**

The meeting was opened at .....am 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 27 MARCH 2024**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 27 March 2024 be CONFIRMED.

**7.2 AUDIT COMMITTEE MEETING HELD 27 MARCH 2024**

That the Minutes of the Audit Committee Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup, on 27 March 2024 be CONFIRMED.

**7.3 AUDIT COMMITTEE MEETING HELD 20 DECEMBER 2023**

That the Minutes of the Audit Committee Meeting of the Shire of Jerramungup held in the Town Hall, Bremer Bay, on 20 December 2023 be CONFIRMED.

**7.4 BUSH FIRE ADVISORY COMMITTEE ANNUAL GENERAL MEETING HELD 15 APRIL 2024**

Attachment 7.4 a) Minutes

**That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Annual General Meeting held on 15 April 2024.**

**7.5 BUSH FIRE ADVISORY COMMITTEE MEETING HELD 15 APRIL 2024**

Attachment 7.5 a) Minutes

**That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 15 April 2024.**

## 8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

### 8.1 BUSH FIRE ADVISORY COMMITTEE ANNUAL GENERAL MEETING

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Russell Palmer, Community Emergency Services Manager
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	18 April 2024
<b>Attachments:</b>	7.4 a) Bush Fire Advisory Committee AGM Minutes
<b>Authority/Discretion:</b>	Legislative

#### SUMMARY:

For the Council to adopt the recommendations from the Bush Fire Advisory Committee Annual General Meeting held on 15 April 2024.

#### STATUTORY ENVIRONMENT:

##### *Bush Fires Act 1954*

##### **38. Local government may appoint bush fire control officer**

- (1) *A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*

#### POLICY IMPLICATIONS:

FCP1 – Brigades and Officers applies.

#### VOTING REQUIREMENT:

Simple Majority

#### BUSH FIRE ADVISORY COMMITTEE (BFAC) RECOMMENDATION 1:

**That the following appointments for the Shire of Jerramungup be confirmed and gazetted as required:**

#### ELECTION OF OFFICE BEARERS

##### **Chief Bush Fire Control Officer**

Mr Alex Jones was elected to the position of Chief Bush Fire Control Officer for a one year term.

##### **Deputy Chief Bush Fire Control Officers**

Mr Paul Hislop and Mr Anthony Thomas were declared elected to the positions of Deputy Chief Bush Fire Control Officer.

##### **Chief Fire Weather Officer**

Mr Alex Jones was declared elected to the position of Chief Fire Weather Officer.

**Deputy Chief Fire Weather Officers**

Mr Paul Hislop and Mr Anthony Thomas were declared elected to the position of Deputy Chief Fire Weather Officer.

**Brigade Fire Weather Officers**

Boxwood Hill BFB	Mr Stuart Hocking
Bremer Bay VFES	Mr Wes Thomas
Gairdner BFB	Mr Craig Hall
Jacup BFB	Mr Brad Bailey
Jerramungup VFES	Mr Paul Hislop
Needilup BFB	Mr Jye Duggan

**Fire Control Officers for 2024/25 Season**

<b>NAME</b>	<b>POSITION</b>	<b>BRIGADE</b>	<b>RADIO CALL SIGN</b>
Stuart Hocking	FCO	Boxwood BFB	Boxwood 1
Jarrold King	FCO	Boxwood BFB	Boxwood 2
Michael Campbell	FCO	Boxwood BFB	Boxwood 3
Anthony Thomas	DCBFCO/DCFWO	Boxwood BFB	Boxwood 4
Peter Kinnear	(Permits only)	Boxwood BFB	
Brad Shelton	FCO/Captain	Gairdner BFB	Gairdner 1
Craig Hall	FCO	Gairdner BFB	Gairdner 2
Bruce Hill	FCO	Gairdner BFB	Gairdner 3
Daniel Smart	FCO	Gairdner BFB	Gairdner 4
Michael Lester	FCO/Captain	Jacup BFB	Jacup 1
Brad Bailey	FCO	Jacup BFB	Jacup 2
Trevor Ross	FCO	Jacup BFB	Jacup 3
Peter Wisewould	FCO	Jacup BFB	Jacup 4
James Lyall	FCO	Jacup BFB	Jacup 5
Wade Brown	FCO/Captain	Needilup BFB	Needilup 1
Jye Duggan	FCO	Needilup BFB	Needilup 2
Alex Baum	FCO	Needilup BFB	Needilup 3
Clint Pocock	FCO	Needilup BFB	Needilup 4
Peter Buckenara	FCO/LT	Bremer Bay VFES	Bremer Bay VFES 1
Terry Anderson	FCO	Bremer Bay VFES	Bremer Bay VFES 2
Stacey Francis	FCO	Bremer Bay VFES	Bremer Bay VFES 3
Ash Lester	FCO	Bremer Bay VFES	Bremer Bay VFES 4
Bryan Hunter	(Permits Only)	Bremer Bay VFES	
Anthony Armstrong	FCO	Jerramungup VFES	Jerramungup VFES 1
Paul Hislop	DCBFCO/DCFWO	Jerramungup VFES	Jerramungup VFES 2
Jeremy Wisewould	FCO	Jerramungup VFES	Jerramungup VFES 3
Paul Barrett	FCO	Jerramungup VFES	Jerramungup VFES 4
Trenton Parsons	FCO	Jerramungup VFES	Jerramungup VFES 5
Siwel Solomon	FCO	Jerramungup VFES	Jerramungup VFES 6
Dual FCO			
Peter Wisewould	FCO	Jerramungup/Ravensthorpe	Jacup 4
Paul Hislop	FCO	Jerramungup/Lake Grace	Jerramungup VFES 2
Alex Baum	FCO	Jerramungup/Gnowangerup	Needilup 3
Stuart Hocking	FCO	Jerramungup/Albany	Boxwood 1
Clint Pocock	FCO	Jerramungup/Kent	Needilup 4

**BFAC Recommendation 2**

**That the following Restricted and Prohibited burning period dates for the 2024/2025 fire season be confirmed:**

<b>Zone 1-4 – Shire of Jerramungup</b>		<b>Zone 5 – Bremer Bay/Pt Henry</b>	
<b>Restricted</b>	<b>1 October 2024 – 31 October 2024</b>	<b>Restricted</b>	<b>1 September 2024 – 31 October 2024</b>
<b>Prohibited</b>	<b>1 November 2024 – 7 February 2025</b>	<b>Prohibited</b>	<b>1 November 2024 – 4 April 2025</b>
<b>Restricted</b>	<b>8 February 2025 – 30 April 2025</b>	<b>Restricted</b>	<b>5 April 2025 – 31 May 2025</b>

## 9.0 REPORTS

### 9.1 TECHNICAL SERVICES

#### 9.1.1 WORKS REPORT FOR MARCH/APRIL 2024

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Gordon Capelli, Works Supervisor
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	12 April 2024
<b>Attachments:</b>	Nil
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

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

#### BACKGROUND:

##### Road Construction

The Road Construction Crew has started resheeting a section of Cameron Road, from SLK 3.45 to SLK 6.75. This should be finished at the end of April, weather permitting.

The Construction Crew also helped in the sealing of the Jerramungup Dump Point Access Road and the sealing of the Doubtful Island Road flood crossing.

##### Road Maintenance

The road maintenance grader has been grading Cardinnup Road, Corackerup Road, Boxwood-Ongerup Road and Monjebup Road.

The construction grader has also carried out some maintenance grading of Stock Road, Brown South Road, Brown North Road and Needilup South Road.

##### Town Services

###### Bremer Bay

Over the Easter school holiday period, the Town Services team received only a few complaints of minor vandalism across Bremer Bay. Other than several guideposts being removed, broken glass at Paperbarks and the Skatepark, and the removal of the Reef Beach sign from Point Henry Road, the amount of vandalism was down on previous years.

This meant that Town Services staff were able to focus on the key works projects for Bremer Bay, including:

- General maintenance activities of parks and gardens, including Pelican Park, Paperbarks, Skatepark and the Doctor's house grounds.
- Weed control and watering of gardens.
- Maintenance of damaged play equipment at Pelican Park and the Skatepark.
- Weed control of roads including follow up spraying along Swamp Road and Don Ende Drive.
- Pruning of vegetation along the walk trails and footpaths.
- Rubbish removal from streets, as well as rubbish collection from Millers Point and Boxwood Hill.
- General maintenance of the Wellstead Estuary walk trail.

## Jerramungup

Town Services staff have continued to focus on the parks and gardens in preparation for ANZAC Day.

Projects include:

- Weed control of streets, footpaths and entry statements.
- Pruning of street trees along Vasey Street and weed control of garden beds.
- Watering of recently established gardens.
- Vegetation pruning along Derrick Street leading to the Entertainment Centre grounds.
- Mowing and spraying of weeds around the old bowling green, including weed removal and pruning of vegetation within garden beds opposite the Hockey Club rooms and the Ticket Box.
- Mowing, watering and weed control of the Cemetery grounds.
- Slashing of the Jerramungup Airstrip and weed spraying around critical infrastructure.
- Follow up of weed control of Jerramungup laneways with boom spray operations.

## Environment

In support of the invasive weed control programme within the Shire road reserves, Town Services staff were able to take advantage of the dry conditions to focus on the control of Vic Tea Tree along Gairdner South Road and sections of Swamp Road.

Other projects include:

- Completion of on ground surveys for active/inactive Malleefowl mounds within Local Government Reserve 24521, in support of the proposed development of the new cross-runway at the Bremer Bay Airfield.
- Community Citizen Science project, promoting the importance of critical foraging areas for Carnaby's Black Cockatoos within the Shire.
- Native seed collecting for this season's revegetation projects.

## **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 March/April 2024.**

## 9.2 CORPORATE SERVICES

### 9.2.1 ACCOUNTS FOR PAYMENT – MARCH 2024

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Sarah Van Elden, Accounts Officer
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	10 April 2024
<b>Attachments:</b>	a) List of Accounts Paid to 31 March 2024 b) Fuel Card Statement February 2024
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer’s delegated authority during the month of March 2024.

#### 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.

Commencing 1 September 2023, Local Governments are required to report on payments by employees via purchasing cards, under new Regulation 13(A).

#### 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 March 2024. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
<b>Municipal Account</b>		
Last Cheque Used	28181	
EFT Payments	21803 – 21892	\$584,348.82
Direct Deposits		\$58,990.28
<b>Municipal Account Total</b>		<b>\$643,339.10</b>
<b>Trust Account</b>		
<b>Trust Account Total</b>		<b>\$0.00</b>
<b>Grand Total</b>		<b>\$643,339.10</b>

Included within the EFT payments from the Shire’s Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$3,396.93.

**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.

It is requested that any questions on specific payments are submitted to the Deputy Chief Executive Officer by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the meeting. This allows a detailed response to be given in a timely manner.

**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.*

As part of the *Local Government Regulations Amendment Regulations 2023*, additional reporting is now required by Local Governments. Regulation 13(A), a new regulation, is required, as follows:

*Local Government (Financial Management) Regulations 1996 – Reg 13A***13A. Payments by employees via purchasing cards**

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared –*
- (a) the payee's name;*
  - (b) the amount of the payment;*
  - (c) the date of the payment;*
  - (d) sufficient information to identify the payment.*
- (2) *A list prepared under subregulation (1) must 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.*

Regulation 13(A) came into operation from 1 September 2023.

**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:**

- **The List of Accounts Paid to 31 March 2024 totalling \$643,339.10.**
- **The Fuel Card Statement February 2024 as detailed in Attachment 9.2.1(b).**

*Please note that there is no credit card statement this month. Due to Easter, the automatic credit card payment was not made until 2 April 2024. The March credit card statement will be provided to Council at the May 2024 meeting, along with the April payments.*

**9.2.2 MONTHLY FINANCIAL REPORT – MARCH 2024**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Tamara Pike, Finance Manager
<b>Responsible Officer:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	12 April 2024
<b>Attachments:</b>	a) Monthly Financial Report for the period ending 31 March 2024
<b>Authority/Discretion:</b>	Information

**SUMMARY:**

For Council to note the statement of financial activity for the period ended 31 March 2024 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 March 2024.

**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 March 2024 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 March 2024 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 March 2024 in accordance with section 6.4 of the *Local Government Act 1995*.**

**9.3 DEVELOPMENT SERVICES**

Nil.



## 9.4 EXECUTIVE SERVICES

### 9.4.1 INFORMATION BULLETIN MARCH/APRIL 2024

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Glenda Gray, Executive Assistant
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	16 April 2024
<b>Attachments:</b>	a) March/April 2024 Information Bulletin
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

To advise Council on the information items for March/April 2024 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 March 2024.

#### 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;

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

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

**FINANCIAL IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of March 2024.**

### 9.4.2 WALGA ROADWISE COUNCIL

<b>Location/Address:</b>	Shire of Jerramungup
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	N/A
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	16 April 2024
<b>Attachments:</b>	a) Register as a RoadWise Council
<b>Authority/Discretion:</b>	Executive

#### SUMMARY:

The purpose of this report is to recommend that Council accept the invitation from WALGA to register as a RoadWise Council. This will demonstrate leadership towards initiatives and actions to improve road safety outcomes for our communities.

#### BACKGROUND:

Correspondence has been received from WALGA inviting the Shire of Jerramungup to sign up to a new initiative and register as a RoadWise Council.

The new RoadWise Councils Framework informs the approach WALGA's road safety team takes in supporting Local Governments in working towards delivering best practice road safety. The Framework takes into account the elements which determine the level of safety of the road transport system within the context of Local Governments.

To register, Local Governments can accept the invitation by providing a Council resolution or a written declaration of commitment to road safety and nominating at least two personnel (Officers and/or Elected Members) to be the primary point of contact for road safety matters.

The benefits for Local Governments that register as RoadWise Councils include:

- use of the RoadWise logo,
- priority access to WALGA's road safety services and products,
- exclusive quarterly meetings and support from a Road Safety Advisor,
- priority access to participate in WALGA's road safety policy development, training, professional development forums and knowledge-sharing workshops offered by WALGA,
- access to incentives and sponsored programs, and
- participation in the new RoadWise Recognised initiative.

The RoadWise Recognised aspect of being a RoadWise Council provides formal recognition for, and enables benchmarking and monitoring of road safety management, actions and interventions. RoadWise Recognised will assist Local Governments with continuous improvement in road safety actions and outcomes through regular support, monitoring and sharing of information.

Local Governments are encouraged to remain registered RoadWise Councils to ensure they have access to specialist advice and assistance in managing road safety at a local level to the best of their capacity and capability.

The Shire also recognises that the Safe System approach to road safety is considered best practice and supports the application of this approach to the local road network with the support of the RoadWise Council Framework.

**CONSULTATION:**

Executive Management Team

WALGA

**COMMENT:**

The Shire of Jerramungup recognises that it invests significant resources in managing an extensive network of local roads and is well placed to influence road safety performance.

The RoadWise Recognised Program provides the opportunity for the Shire to improve road safety outcomes on the local road network through our role in building, maintaining and managing roads.

**STATUTORY ENVIRONMENT:**

Road authorities owe all road users a duty of care and must do what is reasonable to be aware of deficiencies in the road transport system, to assess and prioritise them, and have a system for remedying them.

**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.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications for this report at this time, but there is the potential for future financial implications stemming from subsequent actions or organisational directions.

**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:

1. **ACCEPT WALGA’s invitation to register as a RoadWise Council; and**
2. **NOMINATE 1. \_\_\_\_\_ and 2. \_\_\_\_\_ to be the primary points of contact for road safety matters.**

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

**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, 22 May 2024, commencing at 10.00am, in Jerramungup.

**14.2 CLOSURE OF MEETING**

The Presiding Member closed the meeting at .....am

These minutes were confirmed at a meeting held

.....

Signed: .....

Presiding Person at the meeting at which these minutes were confirmed

Date: .....