



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 May 2023
At the Council Chamber,
Jerramungup
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 May 2023

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.”

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 April 2023.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Emergency Services Shed, Bremer Bay on 26 April 2023 be CONFIRMED.

7.2 Bush Fire Advisory Committee Annual General Meeting held 24 April 2023

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 24 April 2023.

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

8.1 Bush Fire Advisory Committee Annual General Meeting held 24 April 2023.

RECOMMENDATION

That Council adopt the following recommendations from the Bush Fire Advisory Committee (BFAC) meeting held on 24 April 2023:

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 Anthony Thomas and Mr Paul Hislop 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 Anthony Thomas and Mr Paul Hislop was declared elected to the positions 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 2023/24 Season

NAME	POSITION	BRIGADE	RADIO CALL SIGN
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

NAME	POSITION	BRIGADE	RADIO CALL SIGN
Ron Pocock	FCO/Captain	Needilup BFB	Needilup 1
Jye Duggan	FCO	Needilup BFB	Needilup 2
Wade Brown	FCO	Needilup BFB	Needilup 3
Chad Sounness	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
Jye Duggan	FCO	Jerramungup/Gnowangerup	Needilup 2
Stuart Hocking	FCO	Jerramungup/Albany	Boxwood 1
Wade Brown	FCO	Jerramungup/Kent	Needilup 3

BFAC Recommendation 2

The Jerramungup Bushfire Advisory Committee move to include the following amendments to the 2023/2024 Fire Break Notice and set the following Restricted and Prohibited Burning Times for the 2023/2024 bushfire season:

- *Under Section 4. Camping & Cooking Fires insert Point 3. Registered fire pits are not permitted where a property is operated for short term accommodation uses.*
- *As a measure for preventing the spread or extension of a bush fire which may occur, all owners and occupiers of the land within the Shire’s district are required, before Tuesday 10 October 2023 to clear firebreaks or to take measures in accordance with this Notice up to and including Tuesday 30 April 2024.*

Zone 1-4 – Shire of Jerramungup		Zone 5 – Bremer Bay/Pt Henry	
Restricted	1 October 2022 – 31 October 2023	Restricted	1 September 2023 – 31 October 2023
Prohibited	1 November 2023 – 7 February 2024	Prohibited	1 November 2023 – 5 April 2024
Restricted	8 February 2024 – 30 April 2024	Restricted	5 April 2024 – 31 May 2024

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR APRIL/MAY 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:	10 May 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 has completed works on Doubtful Island Road including the widening, formation/drainage upgrade, and gravel sheeting from SLK 0.00 to 3.00. Four new culverts were also installed to help with the drainage issues during winter.

The construction crew has since moved to Cowalleup Road to continue gravel re-sheeting works from SLK 6.42 to 9.42.

Road Maintenance

The maintenance grader was out of action for a week due to a hydraulic block failure. It is up and running again, and has started maintenance grading of Taidia Road, after which it will proceed to Rabbit Proof Fence Road, Diagonal Road, Nyerilup Road, McHardy Road, and Brown Road North.

Due to lack of moisture the team has not yet started their winter grades.

Town Services

Bremer Bay

Works projects within Bremer Bay include the revitalisation of the Bremer Bay Cemetery grounds and Bremer Bay entry statements. Other projects include weed control activities and pruning of vegetation.

Regular town maintenance activities include:

- Rubbish removal along roads/footpaths and within the parks and gardens.
- General maintenance activities within Pelican Park, Paperbarks, and Bremer Bay CRC grounds.

Jerramungup

Over the last couple of weeks, Town Services staff have been conducting weed control activities within the Jerramungup townsite, including entry statements, parks and gardens, and streets and footpaths.

Environment

Victorian Tea Tree control has commenced along Swamp Road targeting an area that has formed a monoculture. The removal of Vic tea tree in this area will minimise the spread and potential colonisation with ecologically sensitive areas including the south western section of the Fitzgerald Biosphere.

Meechi Road revegetation project will continue over the next couple of weeks with weed control activities followed by direct seeding of select native plant species.

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 2022/2023 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for April/May 2023.

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – APRIL 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:	5 May 2023
Attachments:	a) List of Accounts Paid to 30 April 2023 b) Credit Card Statement 28 March 2023 – 26 April 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 April 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 2022-23 Annual Budget as adopted by Council at its meeting held 27 July 2022 (Minute No. OCM220707 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

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

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28180	
EFT Payments	20690 – 20721	\$176,870.54
EFT Payments	20722	CANCELLED
EFT Payments	20723 – 20771	\$353,365.35
Direct Deposits		\$55,472.62
Municipal Account Total		\$585,708.51
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$585,708.51

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 30 April 2023 as detailed in Attachment 9.2.1(a).**
- b) **The Credit Card Statement 28 March 2023 – 26 April 2023 as detailed in attachment 9.2.1(b).**

9.2.2 MONTHLY FINANCIAL REPORT – APRIL 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:	10 May 2023
Attachments:	a) Monthly Financial Report for the period ending 30 April 2023
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 April 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 30 April 2023.

BACKGROUND:

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

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year-to-date position to 30 April 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 27 July 2022, Council adopted (Minute No. OCM220707 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2022-23 financial year:

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

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

and

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 30 April 2023 has been incurred in accordance with the 2022-23 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 April 2023 in accordance with section 6.4 of the *Local Government Act 1995*.

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED PLANTATION – PLANNING APPLICATION

Location/Address:	Lot 1854 (No. 1287) Boxwood Hill-Ongerup Road, Boxwood Hill
Name of Applicant:	Bush Heritage Australia
File Reference:	A70841 / P23-026
Author:	Noel Myers, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	None
Date of Report:	14 May 2023
Attachments:	<ul style="list-style-type: none"> a) Planning Approval Application Form Annexures b) Ediegarrup Viability Report c) Ediegarrup Reserve Plantation Management Plan d) Ediegarrup Bushfire Management Plan e) Ediegarrup Revegetation Site Plan f) Letters of Support (i. – v.)
Authority/Discretion:	Administrative

SUMMARY:

The purpose of this report is for Council to consider an application proposing the revegetation of 600ha of cleared land on the subject property, staged over three years. The revegetation will include a biodiverse mix of local native species, to provide connectivity between large remnant bushland areas to the east and west, and establish habitat values that will promote sustainability of native species in the area.

BACKGROUND:

The subject property is located approximately 13km north-west of the Boxwood Hill townsite and has a total area of 1,066ha.

The property has been developed with a number of buildings, including machinery sheds, a shearing shed and silos.

600ha of the property has been cleared for broad acre agricultural purposes and a previously approved carbon sequestration plantation occupies an area of approximately 100ha. (**Council Resolution OCO0912 16 June 2009**). The 300ha balance of the land remains as natural bush.

The property was acquired by Bush Heritage Australia in 2022.

CONSULTATION:

- The application was received on 5 April 2023 and was referred to DPIRD on 6 April 2023, with comments requested to be received by 12 May 2023.

At the time of compiling this report a response had not yet been received (should a response be received, it will be circulated to Councilors under separate cover, together with comment by the administration);

- Letters of support have been provided from:
 - i. South Coast NRM;
 - ii. Fitzgerald Biosphere Conservation Committee;
 - iii. Gondwana Link;
 - iv. North Stirlings Pallinup Natural Resources Group; and
 - v. Nowanup Noongar Boodja Ltd

COMMENT:**Zoning and Landuse Permissibility**

The subject lot is zoned Rural under the Shire of Jerramungup Local Planning Scheme No.2 (the Scheme).

Under the Scheme, the proposed landuse is construed as “plantation”, which is a discretionary use meaning that the *“use is not permitted unless the local government has exercised discretion by granting planning approval”*.

In the absence of specific landuse definition for “rehabilitation”, the proposal has been construed as a plantation as the “best fit” land use classification, being the most similar to the use, which also acknowledges the aspect of carbon sequestration that is associated with the project.

Description of Application

Bush Heritage Australia is one of many organisations and individuals working across the southwest to arrest habitat fragmentation and ecological decline, and reverse this decline through application on the ground of connectivity conservation principles. Their focus is on the 70-kilometre-long tract of country between the Stirling Range and Fitzgerald River National Parks ('the Fitz-Stirling'). Their connectivity conservation recipe is set out in the following three principles:

1. Protect remnant bushland;
2. Implement landscape-scale ecological restoration; and
3. Work with traditional owners, neighbours and the local community to maintain our social licence to operate in a 'working landscape'.

The second of these, landscape-scale ecological restoration, is the strategy most critical to achieving the broad vision of reconnected country, and is a core focus for Bush Heritage Australia’s program in the south west of Western Australia.

The subject lot has been acquired by Bush Heritage Australia as it provides an excellent opportunity to connect Red Moort Reserve, currently surrounded by cleared agricultural land, to other important remnant bushland areas, and aligns with the broader objectives set out above.

The proposal is to revegetate the 600ha of cleared area on the property with a biodiverse mix of local native species, to provide connectivity between large remnant bushland areas to the east and west and establish habitat values that will promote sustainability of native species in the area. The restoration project will both sequester carbon and improve ecological outcomes, both on the property and in surrounding bushland and reserves.

The proposed revegetation strategy will be delivered over three years (Figure 3), commencing in winter 2023, to ensure sufficient resources are available to deliver the project to a high standard, as well as managing weeds and pest animals, including rabbits.

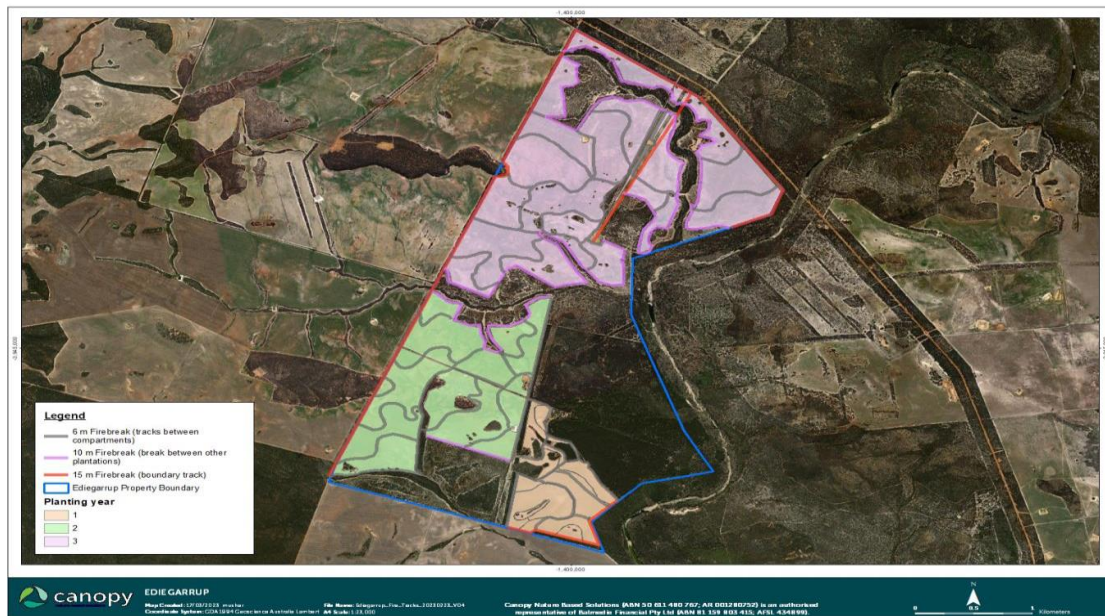


Figure 3. Ediegarrup Plantation sequence and tracks/firebreaks

Relevant Scheme Requirements

The objectives of the Rural zone include:

- *‘to ensure the continuation of broad hectare farming as the principal landuse in the district and encouraging where appropriate the retention and expansion of agricultural activities where the land is capable of such development.’*
- *To consider non rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources of the environment.’*
- *To help protect rural land from degradation and further loss of biodiversity by encouraging rehabilitation of salt affected areas.*
- *To promote the sustainable management of natural resources, and the prevention of land degradation.’*

Clause 5.25.3 of the Scheme has specific requirements applicable to the ‘Development of Agroforestry and Plantations’ and lists matters to be considered, as summarised below:

Matters for consideration under the Scheme	Comment
The Code of Practice for Timber Plantations in WA	Complies. The Code of Practice is mainly orientated towards commercial plantations such as timber harvesting. There are applicable aspects such as weed control etc which the application complies with.

Matters for consideration under the Scheme	Comment
Submission of Plantation Management Plan in accordance with the protocol in the Code of Practice	Complies. The proposed project complies with the Code of Practice for Timber Plantations in WA and will meet the minimum standards outlined in the Code.
The need to encourage the commercial production of trees which is of significance to the national, regional and local economy.	Not applicable to the intended scope of, and purpose of, the project.
The benefits of agroforestry and plantations in addressing land degradation including soil erosion and salinity.	Complies. The application proposes to plant a local vegetation buffer adjacent to the perimeter of existing remnant vegetation along creek lines, to further enhance and protect the creek line area.
The role of agroforestry and plantations in protecting water quality and preventing adverse effects on ground water re-charge.	Complies. Water quality of nearby waterbodies and creek lines will not be impacted by the plantation as no fertiliser, and limited chemicals for weed and pest control, will be applied as part of the plantation development. In fact, the establishment of the natural vegetation proposed in this application will likely improve water quality entering the creek lines, due to the removal of sheep from the property and stabilisation of soils.
The location of the land in relation to land zoned for residential, industrial, commercial uses.	Complies. The lot is surrounded by Rural zoned land and reserves.
The suitability of the current and future road systems.	No harvesting is proposed for the plantation at Ediegarrup, hence consideration of impacts on the road network is not relevant to this application.

Local Planning Policy No.10 – Agroforestry and Plantations

Local Planning Policy No.10 has been adopted by Council as a guide for both applicants and Council.

The objectives of the Policy are:

- To actively encourage the integration of agroforestry and plantations with existing agricultural uses over the Shire as a complementary but ancillary use.
- To facilitate retention of traditional agriculture as the predominant use on the land.
- To support applications that actively integrate agroforestry or plantations with farms in recognition of the economic, environmental and social benefits.
- To encourage planting areas with linkages to existing remnant vegetation on the same lot or adjacent lots. Where appropriate, encourage linkages with vegetation on adjacent reserves, however consult with the relevant reserve authority or manager.
- To protect and enhance native vegetation, wetlands and water courses and assist in the reduction of salinity, waterlogging and erosion.

- To support continuing broad acre agriculture and production as the primary and priority landuse in the Rural zone.
- To generally discourage the use of whole farms for plantations (particularly where it contains a dwelling) unless the applicant has clearly demonstrated extenuating circumstances or provided significant justification warranting support for a variation to any aspect of the Policy.
- To achieve agroforestry and plantation designs which do not compromise the fire safety of the local community or of biodiversity conservation and management of reserves.
- To minimise the potential for any loss of population or agricultural land through the use of whole farms for plantations and encourage agroforestry or plantations that provide a supplementary income to farmers.
- To achieve agroforestry and plantation designs which do not compromise the fire safety of the local community or of biodiversity conservation and management of reserves.
- To achieve high quality fire management plans which are independent and self-sufficient unless the relevant authority managing land outside of the application has endorsed a fire management plan which relies on external fire management methods (such as major protective burning of adjacent reserves).
- To encourage the selection of tree species that are complementary to native remnant vegetation will assist in maintaining landscape function.

Matters for consideration under the Draft Policy	Comment
<p>10.1 Continuing agricultural activities</p> <p>The Policy is aimed at ensuring traditional agricultural activities such as cropping, grazing and food production remain the predominant landuse with agroforestry or plantations as an ancillary and complementary use.</p>	<p>Does not comply.</p> <p>The proposal will revert the whole of the property away from cropping, grazing and food production in favour of environmental objectives.</p> <p>In line with the Policy Objectives, the applicant has sought to clearly demonstrate the extenuating circumstances and justifications warranting support for a variation to this aspect of the Policy.</p> <p>Those arguments are based on sound environmental precedents and rationales pertaining to land viability.</p> <p>Further comment is provided within the body of this report and set out within the Annexures to the report.</p>
<p>10.2 Location and compatibility with adjacent land uses</p> <p>The Policy recognises that there should be separation to residential and premises which are sensitive to chemical spraying.</p>	<p>Complies.</p> <p>Surrounded by Rural land.</p>

Matters for consideration under the Draft Policy	Comment
<p>10.3 Economic benefits</p> <p>The Policy recognises that Council is to have regard for economic benefits however places a higher priority on continued agricultural use in recognition that it is difficult to quantify the extent of any local economic benefits.</p>	<p>The applicant has put the argument forward that the current proposal will not result in diminished population as there are and have not been residential premises onsite.</p> <p>The property has been leased for at least the past five (5) years and as described in the attached Ediegarrup Land Viability Report (Appendix 1), is considered poor to marginal as agricultural land and would require significant investment to enable even a low profit margin.</p> <p>Notwithstanding the reversion of the land to bushland, the applicant advises that the property will continue to contribute to the local economy through ongoing active land management practices and purchases and also creates future eco-tourism and academic economic opportunities.</p>
<p>10.4 Environmental benefits</p> <p>There are already broad environmental benefits associated with plantations and the Policy lists more specific examples of environmental matters that will be taken into account such as mitigating salinity, creating vegetation links/corridors, using local native plantings to protect water courses.</p>	<p>Complies.</p> <p>The application proposes the restoration of the property with native vegetation found in the local environment.</p> <p>The broader vision is to create connectivity between the Stirling Ranges and the Fitzgerald River National Park, to expand and create habitat on the grounds of connectivity conservation principles.</p> <p>The subject lot is strategically located to link an existing property known as Red Moort Reserve, currently surrounded by cleared agricultural land, to other important remnant bushland and other bushland areas within the landscape.</p> <p>Further comment on this matter is provided below.</p>
<p>10.5 Code of Practice for Timber Plantations in Western Australia (as amended)</p> <p>This Policy does not attempt to reiterate all of the requirements in the Codes of Practice, however they should be addressed by each applicant.</p>	<p>Complies with conditions.</p> <p>A Reserve Plantation Management Plan prepared has been developed in accordance with guidelines contained in the Code of Practice for Timber Plantations in Western Australia, 2014.</p>
<p>10.6 Fire Management Plans</p> <p>The Policy seeks to outline minimum requirements for fire management plans and ensure that they are comprehensive. It also requires fire management plans to be compiled by a qualified fire consultant as many are compiled by consultants who do not have fire expertise.</p>	<p>Complies.</p> <p>A Bushfire Management Plan has been prepared by an accredited bushfire assessor and the various actions and recommendations detailed within the Bushfire Management Plan have been incorporated into the Plantation Management Plan.</p>

Matters for consideration under the Draft Policy	Comment
<p>10.7 Water Quality and Buffers to Water Bodies (creek lines)</p> <p>The Policy states adequate buffers are required between any plantation and watercourses on private land where the end use is not for public water supply.</p>	<p>Complies.</p> <p>The application proposes to plant a local vegetation buffer adjacent to the perimeter of existing remnant vegetation along creek lines, to further enhance and protect the creek line area. Further, no future harvesting is proposed, and no fertiliser use is proposed.</p>
<p>10.8 Plantation Management Plan</p> <p>The Policy requires the preparation of a Plantation Management Plan to accompany applications in accordance with the protocol of the Code of Practice.</p>	<p>Complies.</p> <p>A Plantation Management Plan has been provided that addresses the various requirements of the Code of Practice as it applies to this project, covering matters which include establishment and maintenance plan, fire management plan, weed control, planting details, native vegetation management etc.</p>
<p>10.9 The Suitability of the Current and Future Road Systems (for harvesting only).</p>	<p>Not applicable to this application – no harvesting is proposed.</p>

Economic Benefits

The loss of productive agricultural land and consequential depopulation of the Shire is identified as a matter of concern within the LPP No.10 and is reflected within the matters for consideration.

To this end the applicant has provided the following comments in their justifications for the variance to the Policy objectives:

Despite not being considered a traditional farming enterprise, the establishment of native vegetation for restoration and carbon capture, means there will be an income to support ongoing management of the property into the future. Bush Heritage state that they work closely with local businesses and providers to purchase services and products relevant to the management of the property, including maintenance of tracks and firebreaks, weed and pest control and fire management and equipment.

Staff are regularly onsite to undertake these management actions and actively monitor the site for weeds, pests and progress towards conservation outcomes.

Over the past decade, Bush Heritage has invested well over \$5 million (excluding the purchase of new properties) in managing the reserves and developing infrastructure that promotes the ability to manage conservation reserves in the region.

The establishment of the Michael Tichbon Field Station on Red Moort Reserve at a cost of approximately \$1 million, is a perfect example of the economic development Bush Heritage has promoted in furthering our programs and supporting other conservation groups and initiatives being delivered within the Shire. Since opening the Field Station in 2018, over 3,000 people have stayed at the facility, including staff, volunteers, researchers, conservation supporters, schools and government representatives. With a new walk trail being planned on Red Moort and the opportunity to connect it up to Nowanup via Ediegarrup, it will offer a perfect opportunity to showcase the conservation and restoration initiatives being delivered in the region and also offer opportunities for Nowanup Aboriginal Corporation and the Noongar rangers to develop cultural tourism options.

The establishment of native bushland on Ediegarrup will not diminish population of the local community as previously stated, and it will provide other benefits including assisting agricultural productivity for neighbouring properties by stabilising soils, actively managing pests and weeds and reducing the water table that expresses salinity.

Continuing Agricultural Activities

The LPP No.10 outlines the Council's desire for traditional agricultural activities to remain the predominant landuse. It further outlines that "Council will not generally support the planting of whole lots or farms for tree planting" due to the potential displacement of agricultural pursuits, rural population, and loss of agricultural land.

The applicant has identified that the proposal will not result in diminished population as there has not been residential premises onsite. The property has been leased for at least the past five years and as described in the attached Ediegarrup Land Viability Report (Attachment 9.3.1 b)), is considered poor to marginal as agricultural land and would require significant investment to enable even a low profit margin.

LPP No.10 acknowledges that the Shire can only consider economic benefits in the broader sense and there is an onus on the applicant to demonstrate the particular merits of a proposal or justification for an assessment on a 'whole farm' basis.

To this end the applicant has commissioned a Viability Report on the property from a consultant, who has provided advice that alternative uses, other than traditional grazing and cropping, would be the most viable for the property.

Given that the application proposes the total reversion of the property to conservation and sequestration purposes (in addition to the existing plantation), the application has been referred to the Department of Primary Industry and Regional Development (DPIRD) for review and comment. At the time of compiling this report, their advice had not been received.

Notwithstanding that pending advice, it is considered that the applicant has addressed the purposes of the Policy in support of their proposal, and provided a considered justification based on the land being put to a 'higher and better use', which in this case is considered to be the focus on environmental outcomes for the local and regional environment.

CONCLUSION

Notwithstanding the outstanding advice from DPIRD regarding the proposal, and having regard to the matters set out above and in the supporting Annexures, it is considered that the applicant has provided sufficient justification for the Council to be able to consider a variation to the Council Scheme and Policy objectives that seek to retain traditional agricultural activities as the predominate landuse generally, and at the individual property level.

The proposal will deliver demonstrable environmental benefits by helping to create important linkages between existing bushland areas on land that has been independently assessed as being more suited to other uses than traditional agricultural pursuits.

Whilst it is acknowledged that support of the proposal may create an undesirable precedent towards the creep of other plantation/carbon sequestration projects that can have an adverse effect on local economies and communities, each application will always need to be considered on its individual merits.

It is the recommendation of the administration that in this instance there are sufficient grounds for Council to be able to approve the application lodged by Bush Heritage Australia for a 'plantation' on the subject property.

STATUTORY ENVIRONMENT:

- Local Planning Scheme No.2 – Clause 5.26.3 - Development of Agroforestry and Plantations;
- Local Planning Policy No.10 – Agroforestry and Plantations;
- State Planning Policy 3.7 – State Planning Policy and associated Guidelines for Planning in Bushfire Prone Areas;
- Department of Fire and Emergency Services (DFES) Guidelines for Plantation Fire Protection (as agreed upon by the Forest Industries Federation of Western Australia (FIFWA)).

STRATEGIC IMPLICATIONS:

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

Environment Natural

Support and promote the conservation values and the unique attractions in the Shire.

FINANCIAL/BUDGET IMPLICATIONS:

No financial implications arise from the consideration of this matter.

WORKFORCE IMPLICATIONS:

No workforce implications arise from the consideration of this matter.

POLICY IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council approve the application lodged by Bush Heritage Australia for a plantation on Lot 1854 Boxwood Hill-Ongerup Road, and the Chief Executive Officer be delegated authority to issue the approval, subject to:

- 1. There being no objection to the proposal received from the Department of Primary industry and Regional Development;**
- 2. The following conditions being attached to the approval:**
 - a) That the matters detailed within the Plantation Management Plan and Bushfire Management Plan submitted with the application for Development Approval be implemented in perpetuity; and**
 - b) That a notice be placed on the Certificate of Title notifying any future owner as to the presence of, and requirements of, the Bushfire Management Plan.**

9.3.2 ST JOHN WA – NEW AMBULANCE SUBCENTRE, BREMER BAY

Location/Address:	Portion Reserve No. 48293 Lot 500 Bremer Bay Road, Bremer Bay.
Name of Applicant:	St John WA
File Reference:	
Author:	Noel Myers, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	None
Date of Report:	14 May 2023
Attachments:	a) Site Plans/Floor Plans/Elevations
Authority/Discretion:	Administrative

SUMMARY:

Council is to consider plans for the new St John WA Ambulance Subcentre in Bremer Bay.

This report recommends that Council may provide in-principle support to the development, with a formal approval being subject to the finalisation of land tenure arrangements.

BACKGROUND:

- St John WA's Ambulance Depot is presently located within the Department of Fire Emergency Services Shed (DFES), which they cohabit with the Bremer Bay Volunteer Bush Fire Brigade and Volunteer Marine Rescue Group;
- Council had previously instigated the amalgamation of Lots 802 and 803 on DP47189 to create one consolidated lot forming Reserve No. 48293 to provide sufficient area on which to establish an Emergency Services Precinct, whereby St John WA, DFES and WA Police could all locate their buildings and operations;
- The action to progress the land amalgamation to create the Emergency Services Precinct was determined at **Ordinary Meeting of Council held 26 May 2021 – MOTION: OCM210509**
- Point 4 of that Council resolution was:
 4. *Advises St John WA that the Council supports their written request dated 18 May 2021 that the Shire, subject to the finalisation of land amalgamation of Lots 802 and 803 on DP47189 Bremer Bay Road, confirms its willingness to enter into lease negotiations with St John WA to facilitate the development of a new standalone St John Ambulance facility.*
- Since the date of that meeting, the land amalgamation has been finalised and St John WA have progressed with the planning of their new building, to the point where they now have a set of drawings that are sufficient for them to apply for Development Approval;
- Discussions have also been initiated with both WA Police and DFES regarding future planning and tenure requirements, with further meetings to be held.

CONSULTATION:

Both DFES and WA Police are aware of St John WA's development intent, however, no external consultation has been undertaken in respect to form and composition of the proposed building.

All current and future occupants of the site will have interests in common surrounding access and tenure arrangements, however, it is considered that these can be determined as separate matters to the layout and orientation of the new St John building which has been developed specifically to meet the requirements of that organisation, both now and into the future.

COMMENT:**Zoning and Landuse Permissibility**

The subject lot is a Local Scheme Reserve for Civic and Cultural Purposes under the Shire of Jerramungup Local Planning Scheme No.2. (the Scheme);

The landuse for the Reserve is identified as *Emergency Services* and the Shire holds a Management Order over the land with the Power to Lease subject to the Minister's approval;

Under the Scheme, there is no specific landuse definition for an Ambulance Depot, however, there would be little conflict in describing the proposed development and use of the land as being an Emergency Service and therefore the proposed development can be deemed consistent with purposes for which the reserve has been created for.

Description of Application

The application proposes to construct a standalone purpose built Ambulance Subcentre that will incorporate garaging for ambulances, amenities for volunteers and associated office and training spaces. The layout has also been designed to provide opportunity for the short-term accommodation of volunteers from other St John sub branches.

The building has been sited in the south east corner of the Reserve with the building's façade and public entrances being orientated towards Bremer Bay Road.

The building is considered to be of an appropriate form for the location and acknowledges its primary function and purpose is to accommodate parking of Ambulances, and ensuring that those vehicles can be dispatched from the garage with maximum ease of movement and efficiency. To this end, the Ambulance depot has been designed so as that ambulances may drive through the garage and then circulate back onto Bremer Bay Road. The building will be finished in Colourbond Monument which is considered to be a suitable pallet for a building of this scale and will complement the finish of the existing DFES shed. Details of any signage has not been provided at this stage, however, it reasonable to anticipate that signage will be installed that would be the typical St John WA livery.

There are limited options to locate a discrete and separate driveway to service the new St John building. The limitations arise from the site's proximity to the Bremer Bay Wellstead Road intersection and therefore it is proposed that access and egress would be taken from the existing crossover that is located forward of the existing DFES shed. Objectively, the use of a common crossover is unlikely to cause any substantial operational difficulties for either organisation when regard is had to the manner in each of the buildings are used and operated. Both buildings would attract relatively light traffic volumes moving to and from the site, apart from volunteers attending emergency call outs and or for training events.

The spatial arrangement of the buildings on the property will provide clear visual clues to persons entering the site as to the direction they should proceed when visiting the building, and its design incorporates windows and door entries that face towards Bremer Bay Road, providing further legality for visitors needing to access the building.

Car parking for visitors and volunteers has been provided between the building and the front boundary, and further parking is provided at the rear of the building.

Relevant Scheme Requirements

Clause 3.4 Use and Development of Local Reserves: identifies (in part) that *a person must not commence or carry out development on a Reserve without first having obtained planning consent;*

and under

Clause 3.4.2 b) (in part): *in determining an application for planning approval the local government is to have due regard to the ultimate purpose for the Reserve.*

As previously described, the assigned land use purpose for the subject Reserve is Emergency Purposes and it is reasonable to classify the establishment of an Ambulance Subcentre as a use and development of land that is considered within the purpose of the Reserve and can therefore be approved by the Council.

There are no specific development guidelines that apply to the zones, therefore the application has been assessed against the general development provisions set out within the Scheme as they apply to the proposed building:

Clause 5.9 Carparking:

Table 2 within the Scheme sets out the ratio of carparking for various development scenarios. An Ambulance sub centre is not an identified land use, however if the requirements for a Club Premises are adopted as a closest option then a reasonable consideration of carparking adequacy can be made as set out below:

Landuse	Ratio based on per square metre	Proposed
Adopt club premises definition	1 for every 45m ² floor area Adopt 480m ² /45m = 10 bays	15 bays

- Based on the above assessment, it is regarded that the proposed parking provision is sufficient to service the anticipated demand;
- Plans indicate that the carparking and driveways are to be drained and sealed, consistent with Scheme provisions.

Clause 5.12 – Appearance of buildings

The Scheme nominates that the local government is to be satisfied as to the appearance of the building.

As previously stated, it is the advice of the administration that the proposed building is of a form and type that is suitable for the location and having regard to the primary purpose for the building. The building has a similar scale to the adjoining DFES shed and the arrangement of the buildings on the lot sees the building’s bulk step down from the large garage element to a more domestic scaled amenities and office component of the building. It is considered to be a design that would be reasonably expected of a building of this type.

Tenure

Council has previously provided its support to the grant of a lease to St John WA to facilitate the construction of the new subcentre. As identified in preceding sections of this report, there has been a take up of interest since the amalgamation of the Reserve was finalised by both WA Police and DFES to formalise tenure for their existing and future development intentions. By virtue of this, there will be matters of common interest to all parties which are primarily centred around access arrangements and potentially the need to formalise reciprocal rights of access.

DFES have agreed to take the lead in coordinating a proposed meeting between all stakeholders to progress this matter. That meeting is anticipated to be set within coming weeks, however, St John WA have requested that they be able to present the plans for their proposed development now, so they may have the confidence to continue to progress planning for the project.

Given that St John do not currently hold tenure, and that there may be some potential need to modify the proposed lease areas as shown on plans submitted with the application (Attachment a), formal approval could not be granted at this time, however, Council may provide its *in principle* support now, and final and formal approval could be granted upon resolution of the tenure arrangements.

CONCLUSION:

Council has been aware and supportive of the proposal by St John WA to establish a stand-alone subcentre in Bremer Bay for some time, and has provided previous endorsements and budget allocations towards the project.

The proposed plans are not considered to be contentious in terms of the building siting, appearance or scale, and will have a range of flow-on beneficial effects for the organisation itself and for the broader community.

As such, it is the recommendation of the Administration that Council may provide its support towards the plans as presented, and then approve the development once the matter of the tenure is finalised.

STATUTORY ENVIRONMENT:

Shire of Jerramungup Local Planning Scheme No.2.

STRATEGIC IMPLICATIONS:

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

Community

Encourage and support volunteers and community groups to grow an active volunteer base.

Environment Built

Advocate for strategic projects that will benefit residents, workers and visitors to the Shire.

FINANCIAL/BUDGET IMPLICATIONS:

Planning Application fees are applied to Development Applications in accordance with the Planning and Development Regulations.

Final costings for the development have not been identified, however fees are applied on a sliding scale based on the dollar amount. An application up to \$1.5 million would typically attract a fee based on:

- \$1,700 for the first \$500k
- .257% for every \$1 above \$500k
- Total fee: \$4,270

Council may wish to consider the waiver of this fee as a further financial contribution toward the future project.

Additional fees expected to be incurred will be for the document and registration costs associated with the lease, including the survey. Generally, Council has incurred these costs for community groups. Anticipated costs in this regard would be in the range of \$8,000.

Council has made a provision in the 2022/2023 budget for \$150,000 to go towards the Bremer Bay Sub Centre build. As construction works have not yet commenced, the allocation of \$150,000 was transferred to the Capital Works Reserve through the budget review process.

Council has also conditionally agreed to allocate a further \$150,000 in the 2023/2024 annual budget to a maximum total contribution of \$300,000. The total contribution of \$300,000 is on the condition that St John successfully receives funding to deliver the project.

If agreed to as set out above, the total financial contribution by Council toward the new Subcentre will total \$312, 270 (exclusive of staff and administrative costs) over two financial years.

WORKFORCE IMPLICATIONS:

None arising from consideration of 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:

1. That Council provides its in-principle support towards the plans submitted with the planning application by St John WA for the new Bremer Bay Ambulance Subcentre on portion of Reserve 48293 Lot 500 Bremer Bay Road, Bremer Bay;
2. That St John WA be advised that formal approval to the application will be granted following final resolution of the future tenure arrangements over the whole of the Reserve and that such future arrangements being to the satisfaction of the Shire;
3. That Council authorises the Chief Executive Officer and Shire President to take all necessary actions to prepare, execute and finalise a lease with St John WA and that such a lease be for a nominal \$5 per annum fee;
4. That Council considers allocating funds in the 2023/2024 budget to meet all survey, documentation and lodgment fees associated with the preparation of a lease agreement with St John WA up to a maximum of \$8,000, with any monies over and above that amount to be met by St John WA;
5. That Council agrees to waiver the planning application fee proposing the development of the new St John WA Bremer Bay Ambulance Subcentre.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN APRIL/MAY 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:	10 May 2023
Attachments:	a) April/May 2023 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for April/May 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 April/May 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 April/May 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, 28 June 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:

