



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, 25 June 2025
At the Council Chamber,
Jerramungup
Commencing at 1:00pm

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 June 2025

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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RECORDINGS

The Meeting will be recorded. The recording will be made publicly available as soon as is practical following the meeting.

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."

2025 MEETING DATES

At its Ordinary Meeting of Council on 28 August 2024, Council adopted the following meeting dates for 2025.

January	-	-	Council in Recess
Wednesday	26 February 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	26 March 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	30 April 2025	1.00pm	Bremer Bay Hall, Bremer Bay
Wednesday	28 May 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	25 June 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	30 July 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	27 August 2025	1.00pm	Bremer Bay Hall, Bremer Bay
Wednesday	24 September 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	22 October 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	26 November 2025	1.00pm	Council Chamber, Jerramungup
Wednesday	17 December 2025	1.00pm	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

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ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atpm 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

RECOMMENDATION

That _____ be granted Leave of Absence from the Ordinary Council Meeting to be held on _____ 2025.

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.

RECOMMENDATION

That Cr Gavin Mair be granted permission to be present at the Ordinary Council Meeting to be held on 25 June 2025 by audio contact.

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 28 MAY 2025

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 28 May 2025 be **CONFIRMED**.

7.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 9 JUNE 2025

Attachment 7.2 a) Minutes

That Council **RECEIVE** the Minutes of the Local Emergency Management Committee Meeting held on 9 June 2025.

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR MAY-JUNE 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Gordon Capelli, Works Supervisor
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 June 2025
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 a 3km gravel resheet from SLK 3.00 to SLK 6.00 on Exchange Road, which included replacing drainage.

The Crew has commenced a gravel resheet on Cardininnup Road from SLK 7.82 to SLK 10.82. This will also include drainage and will be the last construction job for the 2024/25 budget.

Road Maintenance

The road maintenance grader has been out on Mallee Road, Fitzgerald Road and Witt Road.

The construction grader has been on Diagonal Road and Park Road.

The contract grader has graded Carlawillup Road and Carney Road.

Town Services

Bremer Bay

Town Services staff have completed the following:

- Repairing damaged signage.
- Maintenance of gardens around town.
- Pruning of walk trails.
- Spraying of weeds within gardens.
- Mowing of parklands.
- Spraying/removal of weeds at Airstrip.
- Removal/re-installing estuary fence line due to weather conditions.
- Rubbish collection within townsite.
- Pruning of vegetation along footpaths.
- Repairs to coastal reserves infrastructure.
- Filling in potholes within the townsite.
- Removal of felled tree across town road.
- Removal of peppermint trees growing into walk trails.

Jerramungup

Town Services staff have completed the following:

- Weed spraying throughout the townsite.
- Mowing of parklands and cemetery.
- Rubbish collection within townsite.
- Removal of dead trees within truck bay gardens.
- Weed spraying in gardens.
- Removal of overhanging tree limbs within Fitzgerald Biosphere Garden.
- Filling in potholes within the townsite.

Contract Work

Roe Park Softfall:

Replacement of the Roe Park playground softfall was completed on 7 June 2025.

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 2024/2025 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 May-June 2025.

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – MAY 2025**

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 June 2025
Attachments:	a) List of Accounts Paid to 31 May 2025 b) Credit Card Statement 28 April 2025 – 28 May 2025 c) Fuel Card Statement – April 2025
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 May 2025.

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.

Since 1 September 2023, Local Governments have been 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 2024/25 Annual Budget as adopted by Council at its meeting held 24 July 2024 (Minute No. OCM240713 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 May 2025. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	23311 - 23437	\$784,987.16
Direct Deposits		\$112,670.27
Municipal Account Total		\$897,657.43
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$897,657.43

Included within the EFT payments from the Shire's Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$4,410.96.

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:

- a) The List of Accounts Paid to 31 May 2025 totalling \$897,657.43.**
- b) The Credit Card Statement 28 April 2025 – 28 May 2025 as detailed in Attachment 9.2.1 (b).**
- c) The Fuel Card Statement April 2025 as detailed in Attachment 9.2.1 (c).**

9.2.2 MONTHLY FINANCIAL REPORT – MAY 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Finance Manager
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 June 2025
Attachments:	a) Monthly Financial Report for the period ending 31 May 2025
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 May 2025 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 May 2025.

BACKGROUND:

At its meeting held 24 July 2024 (Minute No. OCM240713 refers), Council adopted the annual budget for the 2024/25 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 May 2025 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 24 July 2024, Council adopted (Minute No. OCM240716 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2024/25 financial year:

Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2024/2025 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 May 2025 has been incurred in accordance with the 2024/25 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 May 2025 in accordance with section 6.4 of the *Local Government Act 1995*.

9.2.3 SUPERANNUATION PAYMENTS FOR COUNCIL MEMBERS

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Charmaine Wisewould, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 June 2025
Attachments:	
Authority/Discretion:	Legislative

SUMMARY:

This report recommends that Council consider paying superannuation contributions for Councillors as permitted under the *Local Government Act 1995*. It is not compulsory for Band 4 local governments such as the Shire of Jerramungup.

This was previously discussed with Councillors through a Briefing session and this report reflects the outcome from that discussion.

BACKGROUND:

Recent updates from the Department of Local Government, Sport and Cultural Industries (DLGSC) advise that, effective from 1 February 2025, local governments may resolve by Absolute Majority to pay superannuation contributions to Councillors in addition to existing fees and allowances. This provision formed part of the implementation of the *Local Government Amendment Act 2024*.

Band 1 and 2 local governments are required to pay superannuation to Councillors from 19 October 2025 however it is optional for Band 3 and 4 local governments. The Shire of Jerramungup is a Band 4 local government, therefore the provision to pay superannuation contributions is available but not compulsory.

Council can resolve to:

- Agree to not make superannuation contribution payments to its Council Members; or
- Agree to make superannuation contribution payments to its Council Members.

Should Council agree to make superannuation contribution payments to its Council Members, individual Members would have the option to opt out by providing written notice to the Chief Executive Officer.

Council Members receiving the superannuation contribution payments would need to nominate a superannuation account.

In addition, if a Councillor is paid fees and allowances in advance and subsequently resigns or is suspended, they would be required to repay any overpaid superannuation contributions under Section 5.99E of the *Local Government Act 1995*.

If Council resolved to make superannuation contribution payments to Councillors, relevant information would be provided including a recommendation that Councillors obtain independent financial advice.

The superannuation contribution rate aligns with the *Commonwealth Superannuation Guarantee (Administration) Act 1992*, which will increase to 12% on 1 July 2025. Section 5.99B of the *Local Government Amendment Act 2024* enables this option. Where a Council resolves to make superannuation contribution payments to its Councillors, the amount of the payment is to be equivalent to the amount the Council would have been required to contribute under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as superannuation as though the Councillors were employees of the local government.

For superannuation purposes, the following payments to Councillors are considered Ordinary Time Earnings (OTE):

- Meeting attendance fees; and
- Annual allowance for the President and Deputy President.

At the July 2024 Ordinary Meeting of Council, the following annual allowances and meeting attendance fees were identified in the 2024/25 Budget:

- Annual Attendance Fee of \$8,105 per Councillor.
- Annual President's Attendance Fee of \$16,658.
- Annual ICT/Telecommunications Allowance of \$1,000 to all Councillors and the Shire President.
- Presidential Allowance of \$17,110 per annum.
- Deputy Presidential Allowance of \$4,277 per annum.

The following payments are not considered Ordinary Time Earnings and therefore would not attract superannuation contributions:

- Expenses reimbursed on claim (eg travel, vehicle, childcare and professional development); and
- Annual allowance in lieu of reimbursement of expenses.

CONSULTATION:

WALGA has provided information to the local government sector on this matter.

Consultation has occurred between the Shire's Executive team and Councillors.

COMMENT:

Feedback from Councillors was sought regarding this opportunity for Councillors to receive superannuation contributions from the Shire. At that time, Councillors did not support receiving superannuation contribution payments.

Council does, however, have the option to resolve to make superannuation contributions to Councillors and allow individual Councillors to opt out of receiving these contributions.

Shire officers recommend the position of Council be revisited after each Ordinary Council Election to ensure the Council of the day can determine its position on this matter.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 5.99B Superannuation for council members: main provision

A local government may decide, by an absolute majority, to pay superannuation contribution payments for its Council members.

*Local Government Act 1995**Section 5.99C Superannuation for council members: opt outs*

Where the local government has resolved to make superannuation contribution payments for its Council members, a Council member may opt in or opt out by providing a written notice to the Chief Executive Officer.

*Local Government Act 1995**Section 5.99D Superannuation for council members: other exceptions*

Council members must nominate an approved superannuation scheme for any superannuation contribution payments to be made into.

*Local Government Act 1995**Section 5.99E Superannuation for council members: supplementary provisions*

A local government may recover any returnable amounts from the Council member where incorrect information is provided.

STRATEGIC IMPLICATIONS:

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

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

FINANCIAL IMPLICATIONS:

Should Council resolve to pay superannuation contributions to Councillors, there will be an increase in the Shire's expenditure. The financial impact will depend on the number of Councillors who choose to receive contributions. This would be factored into future budget considerations.

The following annual allowances and meeting attendance fees are currently paid to Councillors:

- Annual Attendance Fee of \$8,105 per Councillor. ($\$8105 \times 6 = \$48,630$)
- Annual President's Attendance Fee of \$16,658.
- Presidential Allowance of \$17,110 per annum.
- Deputy Presidential Allowance of \$4,277 per annum.
- Annual ICT/Telecommunications Allowance of \$1,000 to all Councillors and the Shire President. ($\$1000 \times 7 = \$7,000$). Note: This Allowance is not considered for superannuation purposes and is not included in calculations below.

Using 2024/25 total Councillor attendance, the fees and allowances amount to \$86,675. If Council resolved to pay superannuation to Councillors, the indicative additional cost to the Shire in the 2025/26 Annual Budget would be approximately \$10,401 based on an assumption of 12% superannuation, all Councillors participating, and total eligible sitting fees and allowances of \$86,675.

WORKFORCE IMPLICATIONS:

There are no additional workforce implications as a result of this item.

POLICY IMPLICATIONS:

There are no current Shire of Jerramungup policies related to Councillor superannuation contributions. Should Council resolve to pay such superannuation, an appropriate policy may be developed for consistency and clarity.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council by ABSOLUTE MAJORITY, regarding Superannuation Payments for Council Members, and pursuant to Section 5.99B of the *Local Government Act 1995*, –

- 1. Agrees to not make superannuation contribution payments to its Council Members.**

9.2.4 2025/2026 PROPOSED FEES AND CHARGES

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sophie Browning, Asset Manager Charmaine Wisewould, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 June 2025
Attachments:	a) 2025/2026 Proposed Fees and Charges
Authority/Discretion:	Executive

SUMMARY:

This item addresses setting Council's fees and charges for the 2025/2026 financial year. The proposed fees and charges are provided as an attachment and the recommendation seeks to adopt the fees and charges for advertising.

BACKGROUND:

In preparation for the 2025/2026 budget period the attached proposed fees and charges are submitted for Council adoption. By adopting the fees and charges prior to the budget any applicable advertising can be undertaken and the new charges can be incorporated into the draft budget workings.

The attachment provides a listing of Council's fees and charges and comparatives to the current financial year.

Council's fees and charges contain clauses that allow fees set by external bodies to override those advertised and published by Council.

CONSULTATION:

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

Fees and Charges as set by external statutory bodies.

COMMENT:

The 2025/2026 schedule of fees and charges has been formulated using the 2024/2025 year as a basis and factoring in current economic conditions.

When the annual budget agenda report is presented in July, Council will still set additional fees and charges for rates for rural and townsite properties.

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

STATUTORY ENVIRONMENT:***Local Government Act 1995******Subdivision 2 — Fees and charges******6.16. Imposition of fees and charges***

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.'*

- (2) *A fee or charge may be imposed for the following —*
- (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - (b) *supplying a service or carrying out work at the request of a person;*
 - (c) *subject to section 5.94, providing information from local government records;*
 - (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - (e) *supplying goods;*
 - (f) *such other service as may be prescribed.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
- (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*
- * Absolute majority required.*

6.17. Setting the level of fees and charges

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors*
- (a) *the cost to the local government of providing the service or goods;*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) *under section 5.96;*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.18. Effect of other written laws

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
- (a) *determine an amount that is inconsistent with the amount determined under the other written law; or*
 - (b) *charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of-

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

STRATEGIC IMPLICATIONS:

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

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

FINANCIAL IMPLICATIONS:

Fees and charges make up approximately \$1,150,000 of annual income.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Significant Accounting Policies as detailed within the Monthly Financial Report.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Adopt the 2025/2026 Schedule of Fees and Charges as presented; and**
- 2. ENDORSE the adopted 2025/2026 Schedule of Fees and Charges to be implemented and effective from 1 July 2025.**

9.2.2 PROPOSED BUDGET AMENDMENT 2024/2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Wisewould, Deputy Chief Executive Officer & Tamara Pike, Finance Manager
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 June 2025
Attachments:	Nil
Authority/Discretion:	Executive

SUMMARY:

This report seeks approval from Council for the proposed budget amendments as detailed.

BACKGROUND:

Council adopted its 2024/2025 Annual Budget on 24 July 2024 (Minute No. OCM240713). Council is being requested to consider an alteration in Reserve transfers for:

- (a) The additional interest earned on Reserve funds;
- (b) The transfer of the net difference between the truck's purchase and plant sale proceeds into the Reserve account for the future purchase of the truck;
- (c) Adjustment of the transfers out of Reserve based on expenditure incurred for the financial year; and
- (d) Transferring of surplus funds into the Reserve accounts for projects that were not completed, allowing these funds to be utilised for future capital expenditure.

CONSULTATION:

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

COMMENT:Additional Interest

Additional interest of \$42,545 was received on reserve funds. Any funds transferred in or out of reserve must be recognised in the budget, including interest. It is requested that the additional interest be recognised in the various reserve accounts as below:

Additional interest to transfer into reserve accounts:

Leave Reserve	\$1,306
Plant Reserve	\$3,184
Community Recreation Reserve	\$4,412
Bremer Bay Youth Camp Reserve	\$494
General Building Reserve	\$3,401
Bremer Bay Retirement Units Reserve	\$183
Jerramungup Retirement Units Reserve	\$891

Jerramungup Entertainment Centre Reserve	\$549
Effluent Reserve	\$9,949
Point Henry Reserve	\$1,394
Bremer Bay Boat Ramp Reserve	\$210
Capital Works Reserve	\$11,411
Swimming Pool Reserve	\$1,402
Roe Park Reserve	\$2,438
Skatepark Reserve	\$469
Regional Landfill Facility Reserve	\$786
Developer Contributions Fund Reserve	\$66
TOTAL:	\$42,545

The following table outlines budgeted capital and operating expenditures that will not be incurred in 2024/2025, along with plant that will not be sold. The unrequired funds will be transferred to various reserve accounts.

These adjustments will have no net impact on the budget, as the reductions in capital and operating expenses are either being reallocated to reserve accounts or will result in reduced transfers from reserves.

Jerramungup Entertainment centre ventilation and floor works were not completed therefore reduce Building Capital Expenditure and reduce the transfer from the Community Recreation reserve account.	\$70,476
Roe Park project came under budget, reduce Other Infrastructure capital expenditure and reduce the reserve transfer.	\$50,000
As the St John ambulance building construction has not started the financial contribution is not required. Reduce Materials and Contractors and will not need the transfer from Capital Works reserve.	\$300,000
The provision for the dredging at the boat ramp was not required, reduce Materials and Contractors and transfer to Boat Ramp reserve.	\$100,000
Consultant fees for the Cultural precinct not expected to be paid this financial year, reduce Materials and Contractors and transfer to Building reserve.	\$70,000
Boardwalk project not completed, reduce other Infrastructure Capital expenditure and transfer to Building reserve.	\$25,000
Sea container at waste facility not purchased, reduce Other Infrastructure capital expenditure and transfer to Building reserve.	\$5,950
Collins Street unit painting and floor replacement not carried out as property tenanted, reduce Building Capital Expenditure and transfer to Building reserve.	\$14,500
Jerramungup Administration building - replace/repaint fascia boards and eaves lining not completed, reduce Building Capital Expenditure and transfer to Building reserves.	\$20,000
Cleanaway changed their bins at the waste facility and the winch/hoist is not required, reduce Plant and Equipment Capital Expenditure and transfer to Regional Waste Facility reserve.	\$32,000
UD truck delivery delayed, reduce Plant and Equipment Capital expenditure and transfer to Plant reserve.	\$264,851

As purchase of truck delayed, will not sell the truck this financial year. Reduce proceeds of Sale of Asset.	-\$100,000
Reduction of the profit on sale of asset as the truck not sold for \$13,927 (noncash item).	\$13,927
Town Services vehicle was not sold as used for fire mitigation works. Reduce proceeds on sale of asset.	-\$9,000
Construction ute not sold as required by the Works team. Reduce proceeds on sale of asset.	-\$24,545
Reduction in profit on sale of assets as two utes will not be sold \$6,429 (noncash item).	\$6,429
Reduce the transfer from Community Recreation Reserve – ventilation.	-\$70,476
Reduce the transfer from Roe Park reserve.	-\$50,000
Reduce the transfer from Capital Works reserve - St John ambulance building contribution.	-\$300,000
Transfer to Boat Ramp reserve - dredging provision.	-\$100,000
Transfer to Building reserve - Cultural precinct, boardwalk, sea container, Collins St unit and Shire Administration building.	-\$135,450
Transfer to Regional Landfill Facility reserve – winch.	-\$32,000
Transfer to Plant reserve.	-\$131,306

STATUTORY ENVIRONMENT:

Section 6.8 of the *Local Government Act 1995* applies.

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

STRATEGIC IMPLICATIONS:

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

Deliver sustainable long-term planning for the built environment that meets the needs of the community

FINANCIAL IMPLICATIONS:

This item proposes to transfer the additional interest received on reserve funds and the net difference from the adjustment to purchase and sale of the truck into the reserve accounts, which will not result in any additional cost to Council. The amendment to reduce the transfers from Community Recreation, Roe Park and Capital Works reserves will be offset by a reduction in Building Capital Expenditure, Other Infrastructure Capital Expenditure, and Materials and Contractors, and therefore will have no effect on closing surplus.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Significant Accounting Policies as detailed within the Monthly Financial Report.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY, AUTHORISE the following 2024/2025 budget amendments:

1. **APPROVE** a budget amendment to increase interest of \$42,545 received on reserve funds and transfer the interest of \$42,545 into the various Reserve accounts as listed below:

Leave Reserve	\$1,306
Plant Reserve	\$3,184
Community Recreation Reserve	\$4,412
Bremer Bay Youth Camp Reserve	\$494
General Building Reserve	\$3,401
Bremer Bay Retirement Units Reserve	\$183
Jerramungup Retirement Units Reserve	\$891
Jerramungup Entertainment Centre Reserve	\$549
Effluent Reserve	\$9,949
Point Henry Reserve	\$1,394
Bremer Bay Boat Ramp Reserve	\$210
Capital Works Reserve	\$11,411
Swimming Pool Reserve	\$1,402
Roe Park Reserve	\$2,438
Skatepark Reserve	\$469
Regional Landfill Facility Reserve	\$786
Developer Contributions Fund Reserve	\$66
TOTAL:	\$42,545

2. **APPROVE** a budget amendment to reduce the transfer of \$70,476 from Community Recreation Reserve and to reduce the capital expenditure for Buildings by \$70,476.
3. **APPROVE** a budget amendment to reduce the transfer of \$50,000 from the Roe Park Reserve and reduce the Other Infrastructure capital expenditure by \$50,000
4. **APPROVE** a budget amendment to reduce the transfer of \$300,000 from Capital Works Reserve to nil and reduce Materials and Contracts expenditure by \$300,000.

- 5. APPROVE a budget amendment to transfer \$131,306 into the Plant reserve and reduce Plant Capital expenditure by \$264,851 and to reduce Asset Sale proceeds by \$133,545 and profit on Asset Disposal by \$20,356.**
- 6. APPROVE a budget amendment to transfer \$135,450 into the Building Reserve and reduce Materials and Contractors by \$70,000 and reduce Building capital expenditure by \$65,450.**
- 7. APPROVE a budget amendment to transfer \$100,000 into the Bremer Bay Boat Ramp Reserve and reduce Materials and Contracts by \$100,000.**
- 8. APPROVE a budget amendment to transfer \$32,000 into the Regional Landfill Facility Reserve and reduce Plant and Equipment expenditure by \$32,000.**

9.3 DEVELOPMENT SERVICES

Nil.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN MAY-JUNE 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Forbes, Executive Administration Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 June 2025
Attachments:	a) May-June 2025 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for May-June 2025 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 May 2025.

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 Administration Officer uploads each decision of Council into the spreadsheet and allocates it to the relevant Shire officer 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 months of May-June 2025.

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 URGENT BUSINESS INTRODUCED BY DECISION OF THE COUNCIL

13.0 CLOSURE

13.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 30 July 2025, commencing at 1.00pm, in Jerramungup.

13.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atpm

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: