



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, 27 March 2024
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
21 March 2024

AGENDA

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OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

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

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

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

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

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

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NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

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

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

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

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

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

Regulation 34C (Impartiality) states;

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

2024 MEETING DATES

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

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

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

APPLICATION FOR LEAVE OF ABSENCE

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

Shire of Jerramungup
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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 28 FEBRUARY 2024**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 28 February 2024 be CONFIRMED.

7.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 11 MARCH 2024

Attachment 7.2 a) Minutes

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 11 March 2024.

7.3 BUSH FIRE ADVISORY COMMITTEE MEETING HELD 16 OCTOBER 2023

Attachment 7.3 a) Minutes

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 16 October 2023.

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

8.1 COMPLIANCE AUDIT RETURN 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	GR.AU.1
Author:	Glenda Gray, Executive Assistant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 March 2024
Attachments:	a) Compliance Audit Return 2023
Authority/Discretion:	Legislative

SUMMARY:

For the Council to adopt and authorise the signing of the Compliance Audit Return (CAR) for 2023 prior to it being submitted to the Department of Local Government, Sport and Cultural Industries.

BACKGROUND:

The 2023 CAR was made available to local government authorities by the Department of Local Government, Sport and Cultural Industries via its centralised portal. The structure of the return is similar to previous years with a focus on areas of compliance considered high risk.

In accordance with the *Local Government Act 1995* and *Local Government (Audit) Regulations 1996* a local government is required to complete an annual Compliance Audit Return for the period 1 January to 31 December each year. The CAR is to be forwarded to the Department of Local Government, Sport and Cultural Industries by 31 March each year after being presented to the Audit Committee and adopted by Council.

The aim of the CAR is to build good governance by promoting and enforcing compliance and encouraging all local governments to move beyond minimum compliance through continuous improvement.

The CAR contains the following compliance categories:

- Commercial Enterprises by Local Governments (5)
- Delegation of Power/Duty (13)
- Disclosure of Interest (21)
- Disposal of Property (2)
- Elections (3)
- Finance (7)
- Integrated Planning and Reporting (3)
- Local Government Employees (5)
- Official Conduct (4)
- Optional Questions (9)
- Tenders for Providing Goods and Services (22)

CONSULTATION:

The CAR does not require community consultation, however, Shire officers with compliance responsibilities were consulted.

Source documents such as minutes of meetings, declarations of interest, annual and primary returns, resolutions of Council and various registers were used as evidence when completing the CAR.

The Department of Local Government, Sport and Cultural Industries (the Department) has provided guidance via government circulars, guidelines and direct contact.

COMMENT:

The period examined by this audit is 1 January to 31 December 2023. The completed CAR is required to be:

- Reviewed by the Audit Committee;
- Considered and adopted by Council;
- Certified by the President and CEO following Council adoption;
- Submitted to the Department, together with a copy of the Council Minutes, by 31 March 2024.

The CAR assists the Shire to monitor legislative compliance by examining a range of prescribed requirements under regulation 13 of the *Local Government (Audit) Regulations 1996* in detail. The Shire's findings must be recorded in the CAR pro forma which is duly completed and provided as an attachment.

No areas of non-compliance were identified while completing the 2023 CAR.

STATUTORY ENVIRONMENT:***Section 7.13(i) of the Local Government Act 1995******7.13. Regulations as to audits***

(1) Regulations may make provision—

(i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are—

- (i) of a financial nature or not; or*
- (ii) under this Act or another written law.*

Local Government (Audit) Regulations 1996 – 14 and 15:***Regulation 14 – Compliance audits by local governments***

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

Regulation 15 – Compliance audit return, certified copy of etc. to be given to Executive Director

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with –*
- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) any additional information explaining or qualifying the compliance audit,*
- is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
- (2) *In this regulation – certified in relation to a compliance audit return means signed by –*
- (a) the mayor or president; and*
 - (b) the CEO.*

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:

There are no financial implications to be considered as part of 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:

- 1. ADOPTS the completed 2023 Compliance Audit Return for the period 1 January 2023 to 31 December 2023 as attached;**
- 2. AUTHORISES the Shire President and Chief Executive Officer to sign the joint certification; and**
- 3. SUBMITS the completed Compliance Audit Return, and any additional information explaining or quantifying the compliance audit, to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.**

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR FEBRUARY/MARCH 2024

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:	15 March 2024
Attachments:	Nil
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

The Road Construction Crew have completed a 3km gravel resheet of Doubtful Island Road, along with the realignment of the 60kph corner.

They have also started a gravel resheet and a drainage upgrade on Exchange Road, from SLK 0.00 to SLK 3.00, which will be finished by the end of March.

A 3km gravel resheet of Cameron Road, from SLK 3.45 to SLK 6.75, is programmed to follow.

Road Maintenance

The road maintenance grader has been out grading west of Jerramungup (Rabbit Proof Fence Road, Diagonal Road), and will then head south towards Boxwood Hill. A contractor is also assisting with grading of roads around Bremer Bay.

Town Services

Bremer Bay

In preparation for the Easter Holidays and the expected high visitation of tourists to Bremer Bay, Town Services staff have been busy preparing the town's parks, gardens and reserves. Works projects include:

- Weed control and vegetation pruning along streets, footpaths and verges.
- Landscaping and mulching of gardens, including the Community Resource Centre grounds, Pelican Park and entry statements.
- Mowing of street verges, including weed control activities.
- Pruning of vegetation around Paperbarks ablution block, including the removal of Kikuyu grass to minimise the fuel risk.
- Removal of beehive from peppermint tree behind the Paperbarks ablution block.

Jerramungup

Over the last month, Town Services staff have been busy preparing the town's parks and gardens in preparation for the Easter Holidays and ANZAC Day. This month's works projects include:

- Completion of landscaping around the Electric Vehicle recharging station.
- Pruning of street trees and weed control of streets and verges.
- Mowing and general tidy up of Roe Park, Cameron Business Centre Grounds, Rootpickers Hall grounds, and Lions Park grounds.
- Weed control and general tidy up of entry statements.
- General daily maintenance activities of all parks and gardens, including rubbish removal.
- Spraying of weeds and rubbish removal from laneway access points.
- Rock pitching of drainage systems.

Environment

Over the last four weeks Town Services staff have been working on various invasive weed control projects both in Bremer Bay and Jerramungup. These include:

- Weed control of Vic Teatree and Polygala within the riparian zones of the Wellstead Estuary. Note that work will continue over the following months to contain further spread within the riparian vegetation zones.
- Vic Teatree outbreaks within the Bremer Bay Airstrip have been contained with hand spraying and physical removal of smaller plants, including spraying along Don Ende Drive.
- Weed control activities have also been carried out within the green waste disposal area of the Waste Transfer Station, with a key focus on controlling the spread of several invasive weed species including Aniseed Weed, African Daisy, African Boxthorn, and Vic Teatree (conducted on a quarterly basis).

In addition, an extensive and systematic Fauna Survey of the Bremer Bay Airstrip was completed, in support of the proposed cross runway extension.

Over the next couple of months Town Services staff will be conducting extensive weed control programs along the Shire's rural road network. Staff will be targeting Vic Teatree along Gairdner South Road, Swamp Road and several retired gravel pits that support small populations.

CONSULTATION:

Internal

COMMENT:

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

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Economy

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

Environment Built

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

Environment Natural

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

FINANCIAL/BUDGET IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for February/March 2024.

9.2 CORPORATE SERVICES

9.2.1 ACCOUNTS FOR PAYMENT – FEBRUARY 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 March 2024
Attachments:	<ul style="list-style-type: none"> a) List of Accounts Paid to 29 February 2024 b) Bankwest Credit Card Statement 12 February 2024 – 14 February 2024 c) CBA Credit Card Statement 25 January 2024 – 26 February 2024 d) Fuel Card Statement January 2024
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 February 2024.

BACKGROUND:

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

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

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

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

The table below summarises the payments drawn on the funds during the month of February 2024. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	21708 – 21802	\$434,225.70
Direct Deposits		\$66,335.76
Municipal Account Total		\$500,561.46
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$500,561.46

Included within the EFT payments from the Shire’s Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$3,534.48.

CERTIFICATE

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

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- **The List of Accounts Paid to 29 February 2024 totalling \$500,561.46.**
- **The Bankwest Credit Card Statement 12 February 2024 – 14 February 2024 as detailed in attachment 9.2.1(b).**
- **The Commonwealth Credit Card Statement 25 January 2024 – 26 February 2024 as detailed in attachment 9.2.1(c).**
- **The Fuel Card Statement January 2024 as detailed in Attachment 9.2.1(d).**

9.2.2 MONTHLY FINANCIAL REPORT – FEBRUARY 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Finance Manager
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 March 2024
Attachments:	a) Monthly Financial Report for the period ending 29 February 2024
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 29 February 2024 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 29 February 2024.

BACKGROUND:

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

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year-to-date position to 29 February 2024 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

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

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

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

and

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 29 February 2024 has been incurred in accordance with the 2023/24 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 29 February 2024 in accordance with section 6.4 of the *Local Government Act 1995*.

9.2.3 BUDGET REVIEW 2023/2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer and Tamara Pike, Finance Manager
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 March 2024
Attachments:	a) Budget Review Report 2023/2024
Authority/Discretion:	Information

SUMMARY:

To consider the Shire of Jerramungup financial position as at 29 February 2024 and performance for the period 1 July 2023 to 29 February 2024 in relation to the adopted annual budget and projections estimated for the remainder of the financial year.

BACKGROUND:

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The report for the period 1 July 2023 to 29 February 2024 shown in the attachment has been prepared incorporating year to date budget variations and forecasts to 30 June 2024 and is presented for Council's consideration.

Consideration of the status of various projects and programs was undertaken to ensure any anticipated variances were captured within the attached budget review document where possible.

CONSULTATION:

Internal consultation was undertaken with Executive Staff regarding the status of budget projects included within their area of responsibility.

COMMENT:

The budget review report includes at Note 4 a summary of predicted variances contained within the Statement of Financial Activity, including whether variances are considered to be permanent (where a difference is likely between the current budget and the expected outcome to 30 June) or due to timing (eg where a project is likely to be delayed).

Features of the budget review include:

Mining tenements written off as the mining company is no longer in operation and Shire unable seek a payment. A large subdivision was inadvertently overcharged in prior years therefore the rates were refunded to the ratepayer based on schedule provided by Landgate.	(\$9,318)
Annual Federal Assistance Grants increase to income to align to confirmed residual funding amount for 2023/24 (majority of funding pre-released in June 2023 by the WALGGC).	\$79,465
Increase in income – Successful grant Australia Day Grants Program 2024	\$10,000
Reduction in grant income – Jerramungup Sports Oval Water Resilience Project budget provision estimated to be \$70,000 actual grant \$64,974. At time of budget adoption project scope was still being finalised.	(\$5,026)

MAF 23/24 Round 2 – grant funding recognised in 23/24	\$150,000
MAF 23/24 expenditure predicted in 23/24, contract awarded in March 2024	(\$150,000)
Reserve transfer not expected to occur in 23/24, waiting on grant announcement for the proposed St John building project. Budget amendment will be required if successful with submission for project.	(\$300,000)
Increase expenditure to engage an architectural consultant for the St John Sub centre	(\$20,000)
Proceeds from new borrowing not required project will carryover into 24/25	(\$900,000)
Reduce the RAUP grant for cross runway as project delayed and funds will be recognised in 24/25	(\$770,564)
Reduce expenditure on cross runway as project delayed until 24/25	\$1,670,564
Increased investment returns from higher interest rates	\$100,000
Increased investment returns from higher interest rates on reserve funds	\$35,000
Increase income associated with Building and Planning fees	\$22,000
Increase expenses relating to animal control for additional Ranger Services	(\$6,600)
Jerramungup Sports Club – additional costs for the retaining wall	(\$15,600)
Transfer of reserve funds for the Jerramungup Ablution Block project identified in the annual budget. Grant was successful, expenditure towards the project factored into budget review	(\$33,388)
Increase in capital expense relating to sealing works undertaken at the Jerramungup airstrip	(\$15,870)
Decrease cost for the outright purchase of the new John Deere Loader	\$22,000
Payments of principal portion of lease liabilities – new Dr car and BRPC ute	(\$15,210)
Lease interest – new Doctor vehicle and BRMC vehicle, photocopier lease adjusted	(\$1,764)
Increase proceeds from disposal of assets – Higher sale price for roller	\$18,460
Reduction in elected members training costs as members were able to do the training online	\$15,456
Reduce WAEC council election expenses	\$2,689
Reduce elected member conference expense due to the timing of 2023 elections	\$5,000
Reduce tyres and tubes provision – tyres were booked to parts and repairs budget	\$20,000
Reduce provision for legal expense and administration consultant fees	\$24,123
Increase waste income for Bremer Bay Transfer Station	\$2,500
Increase income relating to sanitation – household refuse	\$2,000
Increase income relating to sanitation – household recycling	\$2,000
Increase income relating to LSL – Shire Kent	\$11,360
Movement in liabilities associated with restricted cash	\$50,116
Adjustment to opening surplus	\$607
Overall Change (surplus/deficit)	\$0

At the time of completing the budget review announcements had not been made for the Growing Your Regions Grant Program. If the Shire is successful in their application for the Bremer Bay St John Sub Centre project a separate budget amendment will be presented to Council for their consideration to bring in the income and expenditure associated with the project. As Council had agreed to project manage at the December 2023 Ordinary Meeting, income from St John Ambulance WA for the project will also need to be recognised.

The Bremer Bay Airstrip project tender works are being finalised. No amendment has been made through the review process as expenditure at 30 June 2024 could not be predicted. A budget amendment may be required once tender is awarded as the \$900,000 loan identified in the annual budget may not be required this financial year.

The budget review has been prepared to include the information required by the *Local Government Act 1995*, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 26 July 2023, Council adopted (Minute No. OCM230709 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2023/24 financial year:

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

Should Council accept the Officer's recommendation to amend the budget as per the attached budget review, the overall net impact on the end-of-year position is nil. The original budget as adopted was based on the assumption of a balanced budget and a zero year-end surplus brought forward position as at 30 June 2024.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

Part 3 Annual budget — s. 6.2

33A. Review of budget

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.*
- (3) *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

STRATEGIC IMPLICATIONS:

The budget review has been developed having regard for the Shire of Jerramungup's integrated planning and reporting documents.

FINANCIAL IMPLICATIONS:

Authorisation of expenditure through budget amendments recommended. Other specific financial implications are as outlined in the body of this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

There are no known policy implications arising from this report.

Significant Accounting Policies as detailed within the Budget Review Report

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council adopt, by ABSOLUTE MAJORITY, the 2023/2024 budget review as attached and notes that the estimated closing funds are based on current revenue and expenditure trends.

9.3 DEVELOPMENT SERVICES

Nil.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN FEBRUARY/MARCH 2024

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:	18 March 2024
Attachments:	a) February/March 2024 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for February/March 2024 including actions that have been undertaken in relation to decisions of Council and actions performed under delegated authority.

BACKGROUND:

There is no specific requirement to report on actions performed under delegated authority to Council. However, to increase transparency this report has been prepared for Council and includes actions performed under delegated authority for the month of February 2024.

CONSULTATION:

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

COMMENT:

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

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

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

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

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

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

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

STRATEGIC IMPLICATIONS:

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

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

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 COUNCILLOR REPORTS

13.0 NEW BUSINESS OF AN URGENT NATURE

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 24 April 2024, commencing at 10.00am, in Bremer Bay.

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: