



SHIRE OF JERRAMUNGUP

ORDINARY COUNCIL MEETING

Held at the Council Chamber,
Jerramungup, on
Wednesday, 28 June 2023

MINUTES

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Shire of Jerramungup

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Ordinary Meeting of Council

Wednesday 28 June 2023

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ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 10.05am 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:

Cr Joanne Iffla	Shire President (Chair)
Cr Julie Leenhouders	Deputy Shire President
Cr Robert Lester	Councillor
Cr Drew Dawson	Councillor
Cr Rex Parsons	Councillor
Cr Andrew Price	Councillor
Cr Neil Foreman	Councillor

STAFF:

Martin Cuthbert	Chief Executive Officer
Charmaine Solomon	Deputy Chief Executive Officer
Noel Myers	Manager of Development
Gordon Capelli	Works Supervisor
Glenda Gray	Executive Assistant

VISITORS:

Nil.

GALLERY:

Virginia Miles

2.2 APOLOGIES

Nil.

2.3 APPROVED LEAVE OF ABSENCE

Nil.

2.4 ABSENT

Nil.

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

8.1 Martin Cuthbert

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

9.3.1 Cr Rex Parsons

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

Nil.

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION: OCM230601

MOVED: Cr Parsons

SECONDED: Cr Dawson

That Cr Neil Foreman be granted Leave of Absence from the Ordinary Council Meeting to be held on 26 July 2023.

CARRIED: 7/0

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

Virginia Miles asked whether there would be an increase in rates in 2023/2024.

She was advised by the Deputy Chief Executive Officer that due to the current economic market there continues to be significant increases to capital and operating costs. The Shire is currently working on a 5% rate increase to the total rates levied in 2022/2023. A number of Local Governments are considering 5-7% rate increases for the 2023/2024 financial year. The budget is expected to be adopted at the July Council meeting.

Virginia Miles asked whether Council was being kept informed in relation to the *Aboriginal Cultural Heritage Act 2021*.

The Manager of Development advised that the Chief Executive Officer and himself had attended a workshop in Albany on 27 June 2023 where the Department of Lands, Planning and Heritage gave a presentation regarding this. The main take-away from the workshop was that there are different levels of actions required according to the planned activity. Some activities are exempt, whereas some require approvals. For the farmer who is putting in his crop each year, the new Act will have no impact. Building a house on a residential block in a townsite will not require any action, however building on some rural residential blocks may need approval. This does not necessarily mean the process is arduous or difficult.

The original *Aboriginal Heritage Act 1972* had much the same requirements, the new Act is a review of what was already there with modernisation and improvements to various elements. There is more awareness of the responsibilities of individuals with the new Act, however they did exist previously, just a bit more open ended and not clearly articulated. The new legislation is trying to get some shape and boundaries around what costs might be.

The principal aim is to preserve areas of cultural significance for Aboriginal people. There is a website which shows where important sites have been identified. Surveys have been taken and important information collected at various sites, and these are marked on plans to indicate further investigation is required.

Cr Parsons commented that Aboriginal cultural heritage sites on his property were identified many years ago, and he has not and will not disturb them, so he does not need a survey to be carried out. If he was planning to disturb the site, it would need to be surveyed. He recommended that anyone who had one ounce of concern about an area get it assessed.

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil.

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 ORDINARY COUNCIL MEETING HELD 24 MAY 2023

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 24 May 2023 be CONFIRMED.

MOTION: OCM230602

MOVED: Cr Dawson

SECONDED: Cr Price

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 24 May 2023 be CONFIRMED.

CARRIED: 7/0

7.2 CEO REVIEW COMMITTEE MEETING HELD 16 JUNE 2023

That the Minutes of the CEO Review Committee Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 16 June 2023 be CONFIRMED.

MOTION: OCM230603

MOVED: Cr Dawson

SECONDED: Cr Price

That the Minutes of the CEO Review Committee Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 16 June 2023 be CONFIRMED.

CARRIED: 7/0

7.3 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 12 JUNE 2023

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 12 June 2023.

MOTION: OCM230604

MOVED: Cr Dawson

SECONDED: Cr Price

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 12 June 2023.

CARRIED: 7/0

7.4 BREMER BAY COMMUNITY DEVELOPMENT COMMITTEE MEETING HELD 7 JUNE 2023

That Council RECEIVE the Minutes of the Bremer Bay Community Development Committee Meeting held on 7 June 2023.

MOTION: OCM230605

MOVED: Cr Dawson

SECONDED: Cr Price

That Council RECEIVE the Minutes of the Bremer Bay Community Development Committee Meeting held on 7 June 2023.

CARRIED: 7/0

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES**OFFICER RECOMMENDATION:**

That the meeting be closed to the general public to discuss Confidential Item 8.1 pursuant to the *Local Government Act 1995* section 5.23 (2)(a) relating to a matter affecting an employee or employees.

MOTION: OCM230606

MOVED: Cr Leenhouders

SECONDED: Cr Dawson

That the meeting be closed to the general public to discuss Confidential Item 8.1 pursuant to the *Local Government Act 1995* section 5.23 (2)(a) relating to a matter affecting an employee or employees.

CARRIED: 7/0

Chief Executive Officer, Martin Cuthbert, declared a Financial Interest in Item 8.1, as it relates to his contract of employment and salary package.

Martin Cuthbert, Noel Myers, Charmaine Solomon, Gordon Capelli and Virginia Miles left the meeting at 10.22am.

CONFIDENTIAL MATTERS**8.1 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW**

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	Personnel File
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Financial – relates to the authors contract of employment and salary package
Date of Report:	16 June 2023
Attachments:	a) Confidential – Shire of Jerramungup CEO Annual Performance Review Report
Authority/Discretion:	Legislative

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

- 1. NOTES that Mr Martin Cuthbert’s Performance Review in his role as Chief Executive Officer for the Shire of Jerramungup for the 2022/23 appraisal period has been undertaken;**
- 2. ENDORSES Mr Cuthbert’s overall rating of “Meets Performance Requirements”;**
- 3. SCHEDULES the next review of the Chief Executive Officer’s performance to be completed by 31 July 2024;**
- 4. ENDORSES the Performance Criteria for the 2023/24 appraisal period;**
- 5. REVIEWS Mr Cuthbert’s Total Reward Package in accordance with contractual requirements, and within the terms of the Determination of the Salaries and Allowances Tribunal of 6 April 2023 (effective 1 July 2023);**
- 6. APPROVES a 3.5% increase to the Chief Executive Officer’s salary and superannuation co-contribution allowance effective as of 16 April 2023;**
- 7. ENDORSES the process to renew the Contract and finalise a remuneration package with the Chief Executive Officer, Martin Cuthbert, for a term of five (5) years, expiring 15 April 2029, as per section 5.39 of the *Local Government Act 1995*.**

MOTION: OCM230607

MOVED: Cr Parsons

SECONDED: Cr Dawson

That Council, BY AN ABSOLUTE MAJORITY:

- 1. NOTES that Mr Martin Cuthbert’s Performance Review in his role as Chief Executive Officer for the Shire of Jerramungup for the 2022/23 appraisal period has been undertaken;**
- 2. ENDORSES Mr Cuthbert’s overall rating of “Meets Performance Requirements”;**
- 3. SCHEDULES the next review of the Chief Executive Officer’s performance to be completed by 31 July 2024;**
- 4. ENDORSES the Performance Criteria for the 2023/24 appraisal period;**

5. **REVIEWS Mr Cuthbert’s Total Reward Package in accordance with contractual requirements, and within the terms of the Determination of the Salaries and Allowances Tribunal of 6 April 2023 (effective 1 July 2023);**
6. **APPROVES a 3.5% increase to the Chief Executive Officer’s salary and superannuation co-contribution allowance effective as of 16 April 2023;**
7. **ENDORSES the process to renew the Contract and finalise a remuneration package with the Chief Executive Officer, Martin Cuthbert, for a term of five (5) years, expiring 15 April 2029, as per section 5.39 of the *Local Government Act 1995*.**

CARRIED BY ABSOLUTE MAJORITY: 7/0

OFFICER RECOMMENDATION:

That the meeting again be opened to the general public.

MOTION: OCM230608

MOVED: Cr Leenhouwers

SECONDED: Cr Price

That the meeting again be opened to the general public.

CARRIED: 7/0

Martin Cuthbert, Noel Myers, Charmaine Solomon, Gordon Capelli and Virginia Miles returned to the meeting at 10.24am.

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR MAY/JUNE 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Gordon Capelli, Works Supervisor
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 June 2023
Attachments:	Nil
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

The Road Construction Crew has completed works on Cowalleup Road, consisting of forming up of the road and resheeting with 150mm gravel and road signs at SLK6.42 -9.42.

The crew is now heading to Bremer Bay to start shoulder grading on Wellstead Road and Point Henry Road.

Road Maintenance

The maintenance grader has been working on Rabbit Proof Fence Road and Diagonal Road, and is now repairing roads after all the rain in the week 2 to 10 June.

The maintenance grader will be heading to Bremer Bay to team up with the construction grader to do the shoulders on Wellstead Road and Point Henry Road.

Town Services

Bremer Bay

The Town Services crew has been carrying out general maintenance activities of parks, gardens and reserves, including:

- Installation of new signage where required.
- Weed control along footpaths and roads.
- Pruning of street trees within the townsite.
- Coastal reserves maintenance.
- Rubbish removal along Wellstead Road, Point Henry Road and within the townsite.

Jerramungup

In Jerramungup, the Town Services crew has carried out general maintenance activities of parks and gardens including:

- Weed control.
- Rubbish removal.
- Pruning of street trees.

Environment

Town Services staff have been busy carrying out restoration works of coastal dune system at Short Beach, Bremer Bay.

Currently investigating (via a referral application to DWER) whether a Clearing Permit is required for the Doubtful Islands works project (road re-alignment to minimise sightline issues).

Initiation of several community engagement projects to showcase the Shire of Jerramungup's unique and diverse fauna.

CONSULTATION:

Internal

COMMENT:

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

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Economy

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

Environment Built

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

Environment Natural

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

FINANCIAL/BUDGET IMPLICATIONS:

The works completed are included in the 2022/2023 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

MOTION: OCM230609

MOVED: Cr Foreman

SECONDED: Cr Lester

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

CARRIED: 7/0

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

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 June 2023
Attachments:	a) List of Accounts Paid to 31 May 2023 b) Credit Card Statement 26 April 2023 – 29 May 2023
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

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

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2022-23 Annual Budget as adopted by Council at its meeting held 27 July 2022 (Minute No. OCM220707 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

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

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28180	
EFT Payments	20772 - 20872	\$376,099.34
Direct Deposits		\$87,616.52
Municipal Account Total		\$463,715.86
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$463,715.86

CERTIFICATE

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- a) The List of Accounts Paid to 31 May 2023 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 26 April 2023 – 29 May 2023 as detailed in attachment 9.2.1(b).

MOTION: OCM230610**MOVED: Cr Price****SECONDED: Cr Dawson**

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 2023 as detailed in Attachment 9.2.1(a).
- b) The Credit Card Statement 26 April 2023 – 29 May 2023 as detailed in attachment 9.2.1(b).

CARRIED: 7/0

9.2.2 MONTHLY FINANCIAL REPORT – MAY 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Senior Finance Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 June 2023
Attachments:	a) Monthly Financial Report for the period ending 31 May 2023
Authority/Discretion:	Information

SUMMARY:

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

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

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

BACKGROUND:

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

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

The following detail is included in the financial report:

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

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 27 July 2022, Council adopted (Minute No. OCM220707 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2022-23 financial year:

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

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

and

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 May 2023 has been incurred in accordance with the 2022-23 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

MOTION: OCM230611

MOVED: Cr Parsons

SECONDED: Cr Foreman

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

CARRIED: 7/0

9.2.3 2023/2024 PROPOSED FEES AND CHARGES

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	21 June 2023
Attachments:	a) 2023/2024 Proposed Fees and Charges
Authority/Discretion:	Executive

SUMMARY:

This item addresses setting Council's fees and charges for the 2023/2024 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 2023/2024 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 2023/2024 schedule of fees and charges has been formulated using the 2022/2023 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 \$870,000 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 2023/2024 Schedule of Fees and Charges as presented; and**
- 2. ENDORSE the adopted 2023/2024 Schedule of Fees and Charges to be implemented and effective from 1 July 2023.**

MOTION: OCM230612

MOVED: Cr Leenhouders

SECONDED: Cr Price

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Adopt the 2023/2024 Schedule of Fees and Charges as presented; and**
- 2. ENDORSE the adopted 2023/2024 Schedule of Fees and Charges to be implemented and effective from 1 July 2023.**

CARRIED BY ABSOLUTE MAJORITY: 7/0

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED SEVENTEEN FREEHOLD LOT RESIDENTIAL SUBDIVISION

Location/Address:	Lot 1 Bremer Bay Road, Bremer Bay
Name of Applicant:	Harley Dykstra P/L on behalf BVA Investments P/L
File Reference:	WAPC Ref 163641- A160852
Author:	Noel Myers, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 June 2023
Attachments:	a) Subdivision Report b) Detailed Area Plan c) Aerial Plan
Authority/Discretion:	Legislative

SUMMARY:

- Council is to consider a subdivision application to create seventeen (17) residential zoned lots fronting Bremer Bay Road, Bremer Bay;
- It is recommended that the application be supported subject to conditions;
- Council is to provide a recommendation on the application to the Western Australian Planning Commission (WAPC).

BACKGROUND:

Zoning

The subject Lot is Zoned Residential R15/30 under the Shire of Jerramungup Local Planning Scheme No.2 (LPS 2).

The objectives of the Residential Zone include:

- *To retain the single house as the predominant form of residential development in the town.*
- *To provide for lifestyle choice in and around a town with a range of residential densities.*
- *To allow for the establishment of non-residential uses subject to local amenities not being adversely affected.*

In addition to this Zone, the Lot accommodates a special control area more specifically defined as a Special Design Area. Section 6.3 of LPS 2 indicates the requirements associated with Special Design Areas. The purpose of these areas is to provide for co-ordinated development that has regard for environmental considerations and infrastructure requirements.

LPS 2 dictates that the Local Government shall not consider recommending subdivision or development of land unless an approved structure plan has been prepared, adopted and endorsed by the WAPC.

A Detailed Area Plan which covers the extent of the site has been prepared and approved by the WAPC.

Previous Considerations

This subdivision application seeks to apply for subdivision approval over Lot 1 which has been subject to previous applications, being:

- WAPC reference 131320 which provided for the development of 117 lots. Stage 1 of that approval comprised 33 lots which were completed to the satisfaction of the Shire on 13 September 2012; and
- WAPC reference 146869 which resulted in the separation of the balance of title into two separate parcels, one of which being Lot 1 that is the subject of this application.

The landowner of Lot 1 wishes to pursue a subdivision over this land parcel in accordance with the previous approvals and the approved Outline Development Plan. The proposed subdivision seeks to create similar residential lots to those previously created in Stage 1, to the west of the site.

Clause 5.30.2 of LPS 2 acknowledges that any Subdivision Guide Plan duly approved by both the local government and endorsed by the Western Australian Planning Commission shall have the same force and effect as if it was approved as a Structure Plan in accordance with Clause 5.29.6. The effect of this Clause is that the future subdivision of land that falls within the area of an approved Subdivision Guide Plan is required to be developed in accordance with that approved Plan.

CONSULTATION:

The WAPC has referred the application to the Shire for comment along with other service authorities with an interest in the land, which includes Western Power and the Water Corporation.

COMMENT:

Location and Site Description

The subject Lot is located within the “Seadunes Estate” and is bound by Peppy Avenue to the west, Bremer Bay Road to the north, Blossoms Avenue to the south and abuts the Bremer Bay Caravan Park to the east.

The subject site has an area of 1.248ha, is vacant, generally level and vegetated.

Past Approvals

As mentioned, the WAPC had previously issued a subdivision approval over the land, but this has now expired. Conditions applied to that approval pertained to the new lots being connected to services, the land being drained and filled and provided with vehicle and pedestrian accessways.

As the further subdivision of the subject land has not been progressed under that past approval, those conditions are yet to be fulfilled and therefore the current application will need to be conditioned in a similar manner. In particular, conditions will need to require the land to be filled to satisfy coastal inundation risks, new infrastructure is developed to Local Government Subdivisional Guidelines and that stormwater management across the frontage of the lot where it intersects with property crossovers is adequately managed. A condition is also to be applied requiring the proponent to install a uniform boundary fence along the length of the eastern side of the subdivision.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The intent of State Planning Policy (SPP) 3.7 Planning in Bushfire Prone Areas (Department of Planning and Western Australian Planning Commission, 2015) is to ensure that bushfire risks are considered in a timely manner and that planning documents demonstrate the appropriate application of the various policy measures.

Accordingly, the applicant has had a Bushfire Management Plan prepared to assess the level of risk, to ensure that the land is suitable for the intended purpose, and that all lots are capable of achieving a rating of BAL 29 within the building envelopes.

In order to achieve this rating across the whole of the subdivision, one of the proposed lots, nominated as being Lot 396 in the Bushfire Management Plan, but as Lot 356 in the subdivision plan, requires that vegetation be cleared to a distance of 21m. The area to be cleared in order to achieve the BAL29 rating encroaches onto the Shire managed Reserve No.51389. The area has been cleared by the developer with the approval of the Shire and it is proposed that the area will be maintained by the proponent for a period of 12 months from the date of the approval of the subdivision and thereafter the area would be maintained in a low threat state by the Shire in perpetuity.

Reserve 51389 is a Shire-managed Public Recreation Reserve. A large retention basin, which forms part of the overall stormwater management scheme that conveys water from the surrounding subdivisions towards the estuary, is located within the Reserve and toward the rear of the proposed subdivision.

There is a need to manage that area to ensure the stormwater system operates effectively, particularly as further development occurs on existing lots created within Stage 1 of the Seadunes Estate. The area requiring maintenance as proposed under the Bushfire Management Plan also abuts a sensitive land use, being the western boundary of the Bremer Bay Caravan Park.

Further, the area surrounding the Caravan Park has been identified within the Shire's Townsite Bushfire Prone Vegetation Mapping and BAL Contour Plan as requiring mitigation works to minimise and reduce the risk of bushfire. As such, the proposal for the Shire to take longer term responsibility to maintain the area in the vicinity of the proposed subdivision as BAL29 is not seen as being contrary or an unreasonable burden over and above annual mitigation works already identified and planned for.

The Bushfire Management Plan assessment indicates that the land is suitable for the intended purpose and there are no peculiar or untoward mitigation measures required to be set in place to maintain the BAL rating.

The Proposal

The proposed subdivision seeks to create 17 additional lots for the purpose of single residential housing, in accordance with the approved Subdivision Guide Plan, to promote the existing lifestyle choice associated with the Bremer Bay Townsite. In this manner, the proposed development is considered to appropriately reflect the objectives of the Residential Zone.

As previously mentioned, the subject land is identified to be located within a Special Design Area. Section 6.3 of LPS 2 indicates the requirements associated with Special Design Areas. The purpose of these areas is to provide for co-ordinated development that has regard for environmental considerations and infrastructure requirements.

LPS 2 dictates that the local government shall not consider recommending subdivision or development of land unless an approved structure plan has been prepared and adopted and endorsed by the WAPC.

A Detailed Area Plan which covers the extent of the site has been prepared and approved by the WAPC.

The current subdivision plan proposes a minor variation only to the Detailed Area Plan insofar as the yield has been reduced by two (2) lots from nineteen (19) lots to seventeen (17) lots. It was considered that provision of fewer lots would accommodate larger lot sizes, which would assist in meeting the objectives of the Detailed Area Plan, specifically by providing usable backyard space. The provision of larger lots is also reflective of the intent of the Residential Zone in relation to LPS 2, in assisting with preserving the 'single dwelling' lifestyle associated with the Bremer Bay Townsite.

The rationale is supported and the minor variation to the previously approved Detailed Area Plan is supported on that basis.

Aboriginal Sites and Heritage Places

Lot 1 has been identified as a site with Aboriginal significance under the Aboriginal Heritage registrar. The site forms a part of place-id 5000 John Cove 1. Online mapping indicates that this location has been identified to potentially hold scattered artifacts.

In conjunction with previous subdivision approvals a Section 18 notice has been approved by the Hon. Michelle Roberts. This provides authority to undertake site works in accordance with set conditions. Based on that approval, it is anticipated that the proposed subdivision can be undertaken and that no further investigative works are required to facilitate the implementation of the subdivision.

It is however recognised that full implications of the new Aboriginal Cultural Heritage Act 2021 have not yet been fully realised and that the WAPC may require additional obligations of the proponent, either prior to their approval of the application or by way of conditions applied to any approval that is issued.

Servicing Considerations

Water, sewer, power and telecommunications infrastructure servicing is all available to the site. The extension of these services to the new lots would be provided by way of standardised conditions of approval applied by the WAPC based on recommendations from the responsible agencies.

Previous Conditions of Approval

The previous subdivision approval applied 37 conditions, 26 of which were the responsibility of the Shire of Jerramungup. Those requirements are summarised in the table below along with the status of each condition and whether it remains applicable to the new proposal.

It is noted that a number of the conditions applied to the original subdivision deal with issues that were applicable to Stage 1 and have since been satisfied. For clarity, conditions noted in the table below as Stage 2 apply to this application.

Condition	Comment	Status
Condition 6 Preparation and submission of earthworks/retaining wall masterplan and 3D model.	The detailed construction drawings show the detail required by the 3D drawings adequately and control the earthworks on the site at the time of subdivision. The Detailed Area Plan guidelines control cut and fill during the future development of the land.	Satisfied
Condition 7 Prepare Construction Management Plan.	A Construction Management Plan prepared by the contractor.	Stage 1 satisfied Stage 2 required
Condition 8 Geotechnical Report.	As recommended in the Geotechnical Report, the site is to be assessed during construction.	Stage 1 satisfied Stage 2 required
Condition 9 Land being filled and drained – Easements and Reserves necessary. Advice Notes 5 and 6 Fill above 1:100 and climate change. Storm water retained on site.	The finished floor levels of the lots met the requirements of the applicable State Planning Policy for coastal development at the time. This Policy has since been reviewed by the WAPC and more fill may be required as part of Stage 2.	Stage 1 satisfied Stage 2 required
Conditions 11 and 12 Implementation of the stormwater drainage management plan.	Concept drainage design accepted for entire subdivision. Detailed design is to be provided as each stage progresses.	Stage 1 satisfied Stage 2 required
Conditions 13 and 14 Land being graded and stabilized. All areas of disturbance to be stabilized against dust nuisance.	Provided as part of detailed Specifications and in Construction Management Plan – will be required for this new application.	Stage 1 satisfied Stage 2 required
Condition 15 Provide road frontage to lots. Streetlights to roads and paths.	Roads constructed to Shire's satisfaction. Condition will apply to extension of Blossoms Avenue.	Stage 1 satisfied Stage 2 required
Condition 16 Arrangements for upgrading and construction of Progress Drive and Bremer Bay Road.	Upgrading of Bremer Bay Road has been completed. Condition not required.	Stage 1 satisfied Stage 2 required
Condition 17 Street corners truncated to 8.5m.	Satisfied in Stage 1, will be required for new application.	Stage 1 satisfied Stage 2 required
Condition 18 Prepare and implement detailed Traffic and Pedestrian Movement Study and Development Plan for Bremer Bay Road.	Plan received to Executive Manager Infrastructure Services satisfaction. No requirement for widening of Bremer Bay Road.	Satisfied
Conditions 19 and 20 Battle-axe legs being constructed and drained.	No battle-axe legs are proposed.	Satisfied

Condition	Comment	Status
Conditions 21 and 22 Prepare and submit detailed plan for DUP/Cycleway including proposed boardwalk prior to site works. Paths and boardwalks being constructed.	Not applicable to this application	Satisfied
Condition 23 Vehicle crossovers being constructed.	Details to be provided that identify location of any new crossovers onto Bremer Bay Road.	Required
Condition 24 Clear numbering for each lot being provided	Signs showing lot numbers have been provided on each lot.	Stage 2 required
Condition 25 Deletion of northernmost lots abutting POS and shown as Reserve for Recreation.	Not applicable to this application.	Satisfied
Condition 27 Identification and protection of vegetation prior to works.	A Vegetation Assessment by consultants Regeneration Technology Pty Ltd was submitted to the Shire, DoP and EPA as part of the original subdivision (WAPC 130377). This assessment covered all of the Seadunes Development and found no declared rare or priority flora species on the site.	Satisfied
Condition 28 Prepare and implement detailed plan for development and management of recreation areas in accordance with previous undertakings.	POS and foreshore reserve ceded as part of stage 1. Fencing, drainage basins and swales constructed. Commitment to create seating and parking area as part of stage 2.	Stage 1 satisfied Stage 2 required
Condition 30 Implementation of Foreshore Management Plan.	Two issues to be followed up over time: 1. Rehabilitation of foreshore area cleared for sewer infrastructure has started, needs ongoing weed management by developer. 2. Implementation of FMP opposite Lot 231 to take place in next stage, including placement of bollards along eastern boundary of foreshore reserve.	Stage 1 satisfied Stage 2 required
Condition 31 Uniform visually permeable fencing/walls to all lot boundaries adjoining POS being constructed.	Complete, more fencing required for future lots. Uniform fencing required on common boundary with Bremer Bay Caravan Park.	Stage 1 satisfied Stage 2 required
Condition 33 Prepare Detailed Design Guidelines.	Prepared and adopted by Council as Local Planning Policy.	Satisfied

Condition	Comment	Status
Condition 34 70A Notification advising of design guidelines and Special Design Area.	Completed and required as part of next stage.	Stage 1 satisfied Stage 2 required
Condition 35 Prepare and lodge staging plan prior to site works. Hazard separation zones and fire management measures between stages.	Strategic fire break constructed along existing road alignment to 2WD trafficable standard. Hydrants in subdivision. Other road reserves to be cleared and upgraded for fire management purposes as part of Stage 2.	Stage 1 satisfied Stage 2 required
Condition 36 Prepare and implement plan showing fire emergency infrastructure.	Provided as part of detailed engineering drawings.	Stage 1 satisfied Stage 2 required

Conditions to be Applied

The current application is essentially a repeat of past applications and approvals. The Shire holds approved engineering drawings that show the scope of works required to be undertaken to 'deliver' the seventeen (17) new individual lots. In applying conditions to this new application, the Shire must reference the WAPC's Schedule of Model Subdivision Conditions. Typically, the Shire may only apply standardised conditions unless there are extenuating circumstances.

At the time of completing this report the administration was cross-referencing conditions applied to this land in past approvals to the current standardised conditions as set by the WAPC. This matter is ongoing, and to ensure that this report could be finalised in time for the Council Agenda it is proposed that Council delegate authority to the CEO to advise the WAPC of the conditions under which Council supports the application being approved.

As this is a reapplication and no major changes have occurred to the Shire's Local Planning Scheme requirements since its original approval, it is recommended that the subdivision be supported subject to similar ongoing conditions as previously applied.

STATUTORY ENVIRONMENT:

The Shire of Jerramungup is a referral body only in the assessment of subdivisions. Decisions are made by the Western Australian Planning Commission (WAPC) assessed against the WAPC State Planning Policies, Development Control Policies and having due regard to the Shire's Local Planning Scheme.

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

STRATEGIC IMPLICATIONS:

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

Environment Built

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

FINANCIAL/BUDGET IMPLICATIONS:

The release of new freehold lots will raise additional rates for the Shire.

Costs incurred with maintaining the portion of Reserve 51389 in a low threat bushfire state would be provided through the Shire's annual bushfire mitigation budget.

WORKFORCE IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

SUMMARY:

The proposed subdivision is uncontentious in that it is consistent with the original subdivision intent for the area, is generally consistent with the Shire's endorsed Detailed Area Plan and represents a natural continuation of the broader subdivision. The proposed development will create lots that are readily able to be developed and are consistent with the prevailing R15/30 Coding that applies to the land.

Having regard to the above, it is the recommendation of the Administration that the subdivision be supported subject to conditions.

VOTING REQUIREMENT:

Absolute majority

OFFICER RECOMMENDATION:**That COUNCIL:**

1. **Support the proposed subdivision of Lot 1 Bremer Bay Road, Bremer Bay into seventeen (17) residential freehold lots as proposed by way of WAPC Application No. 163641, subject to conditions as set by the Chief Executive Officer; and**
2. **By Absolute Majority, delegates authority to the Chief Executive Officer to submit the list of Conditions of Approval to the subdivision to the Western Australian Planning Commission.**

Cr Rex Parsons declared a Proximity Interest in Item 9.3.1. Due to the nature of this interest, Cr Parsons did not leave the meeting.

MOTION: OCM230613

MOVED: Cr Dawson

SECONDED: Cr Lester

That COUNCIL:

1. **Support the proposed subdivision of Lot 1 Bremer Bay Road, Bremer Bay into seventeen (17) residential freehold lots as proposed by way of WAPC Application No. 163641, subject to conditions as set by the Chief Executive Officer; and**
2. **By Absolute Majority, delegates authority to the Chief Executive Officer to submit the list of Conditions of Approval to the subdivision to the Western Australian Planning Commission.**

CARRIED BY ABSOLUTE MAJORITY: 7/0

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN MAY/JUNE 2023

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Gray, Executive Assistant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 June 2023
Attachments:	a) Information Bulletin May/June 2023
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

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

CONSULTATION:

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

COMMENT:

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

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

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

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

Cr Andrew Price left the meeting at 11.10am.

MOTION: OCM230614**MOVED: Cr Leenhouders****SECONDED: Cr Lester****That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the months of May/June 2023.****CARRIED: 6/0**

9.4.2 REVIEW OF CORPORATE BUSINESS PLAN 2021-2025

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 June 2023
Attachments:	a) Corporate Business Plan 2021-2025
Authority/Discretion:	Executive

SUMMARY:

Council is requested to consider the adoption of the review of the Shire of Jerramungup's Corporate Business Plan 2021-2025.

BACKGROUND:

All local governments in Western Australia are required to develop a Plan for the Future as prescribed under section 5.56(1) of the *Local Government Act 1995* (Act). In 2011, amendments were made to the *Local Government (Administration) Regulations 1996* (Regulations), specifically the inclusion of regulation 19BA which in summary states that a Plan for the Future is to incorporate a Strategic Community Plan and a Corporate Business Plan.

The Strategic Community Plan provides the long-term view (10 plus year timeframe) for the Shire and sets out the vision, aspirations and objectives of the community. Council adopted the initial Strategic Community Plan at the Ordinary Meeting of Council held 21 November 2012 (Minute No. OC121107 refers).

The Corporate Business Plan is responsible for translating the strategic direction of the Shire, articulated within the Strategic Community Plan, into specific priorities and actions at an operational level. The Corporate Business Plan also draws together actions contained within the Long Term Financial Plan, Capital Works Programs and various informing strategies. It provides a medium term snapshot of operational actions and priorities to inform the annual planning and budgeting process.

CONSULTATION:

Senior Staff

COMMENT:

The content of the Corporate Business Plan has been reviewed by staff with no major changes recommended given that a major review of the Integrated Planning and Reporting Framework was undertaken during the 2020-21 financial year, with a new Strategic Community Plan adopted May 2021 (Minute No. OCM210511 refers) and Corporate Business Plan adopted June 2021 (Minute No. OCM210613 refers). A new Action has been included under Community at 1.1.5 to include a reference to education opportunities within the Shire.

As per the requirements of the *Local Government (Administration) Regulations 1996* the Corporate Business Plan has been updated to be a rolling four year document, with 2024-2025 being the final year of the adopted Plan. A local government is to review its current Corporate Business Plan every year, of which reference is made to the Corporate Business Plan annually when developing the annual budget.

STATUTORY ENVIRONMENT:**Local Government Act 1995****5.56. Planning for the future**

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996**19BA. Terms used**

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

19CA. Information about modifications to certain plans to be included (Act s.5.53(2)(i))

- (1) This regulation has effect for the purposes of section 5.53(2)(i).
- (2) If a modification is made during a financial year to a local government's strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.
- (3) If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.

19C. Strategic community plans, requirements for (Act s.5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

19DA. Corporate business plans, requirements for (Act s.5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

STRATEGIC IMPLICATIONS:

The Corporate Business Plan has been developed based on the priority areas and aspirations expressed by the community as contained within the Strategic Community Plan.

FINANCIAL/BUDGET IMPLICATIONS:

The Corporate Business Plan, once adopted by Council, will provide guidance on the priorities for resource allocations for the next four (4) years.

Officers are currently preparing the Draft 2023-2024 Annual Budget.

It must be noted that a majority of capital projects outlined within the Corporate Business Plan are reliant on external funding. If external funding is not forthcoming, projects could be delayed or will not be completed.

WORKFORCE IMPLICATIONS:

The Corporate Business Plan will set direction for staff over the next four years.

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:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY, ADOPTS the review of the Shire of Jerramungup Corporate Business Plan 2021-2025 as contained within Attachment 9.4.2 a).

MOTION: OCM230615

MOVED: Cr Lester

SECONDED: Cr Foreman

That Council, BY AN ABSOLUTE MAJORITY, ADOPTS the review of the Shire of Jerramungup Corporate Business Plan 2021-2025 as contained within Attachment 9.4.2 a).

CARRIED BY ABSOLUTE MAJORITY: 6/0

9.4.3 2023 WA LOCAL GOVERNMENT CONVENTION AND APPOINTMENT OF VOTING DELEGATES

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 June 2023
Attachments:	a) WALGA Local Government Convention 2023 Program
Authority/Discretion:	Executive

SUMMARY:

For Council to nominate which two members will be the voting delegates for this year's Annual General Meeting (AGM) of the WA Local Government Association (WALGA) to be held during the 2023 WA Local Government Convention.

BACKGROUND:

WALGA has advised that the 2023 WA Local Government Convention will be held at the Crown Perth from Sunday, 17 September to Wednesday, 20 September 2023.

WALGA's 2023 AGM will be held during the WA Local Government Convention in Perth. All member Councils are entitled to be represented by two voting delegates, being Elected Members or serving employees. Two proxy voting delegates are also required to be nominated.

Only registered delegates or proxies will be permitted to exercise voting entitlements on behalf of the Shire of Jerramungup.

CONSULTATION:

Nil.

COMMENT:

The format of the 2023 Convention is as follows:

Sunday, 17 September

3.00pm – 5.00pm	Mayors and Presidents' Forum
5.00pm – 8.30pm	Opening Welcome Reception (Local Government Awards)

Monday, 18 September

7.00am – 9.00am	Breakfast with Heads of Agencies
9.00am – 11.30am	WALGA Convention Opens
12.00pm – 1.15pm	State Political Panel Session with Ben Harvey
2.00pm – 5.00pm	WALGA Annual General Meeting
6.30pm – 9.30pm	Gala Cocktails

Tuesday, 19 September

7.30am – 9.00am	Convention Breakfast with Michelle Payne
9.00am – 9.50am	Federal Minister Address and Q&A
10.00am – 3.00pm	Planning Showcase
9.50am – 11.00am	Diversity Panel Session
11.30am – 1.00pm	Plenary Sessions: Active Mobility and Regional Housing
1.45pm – 3.30pm	Closing Keynote and President’s Close
3.00pm – 5.00pm	Planning Sundowner
3.30pm – 5.00pm	Construction Forum

Wednesday, 20 September

9.00am	Showcase opens
9.00am – 12.00pm	Procurement Forum
1.00pm – 3.30pm	Energy Forum
4.30pm	Showcase closes

WALGA’s annual Local Government Convention brings together hundreds of Elected Members and Local Government staff from across Western Australia to discuss and examine important issues and trends facing the sector.

Themed *Local Futures*, this year’s Convention will explore how Local Governments can enact and drive change for the benefit of their communities and the diversity of solutions that can emerge when you start local.

There will be inspiring keynote speakers, plenary sessions delving into topical issues and, for the first time, a Supplier Showcase featuring WALGA preferred suppliers showcasing the latest innovations across service industries such as transport and waste management.

The WA Local Government Convention is an excellent opportunity for the Shire President, Elected Members and Chief Executive Officer to meet with Ministers, Government agencies and others, if required. It is also a good opportunity for Elected Members to attend training sessions prior to and after the convention.

More information on WALGA Training opportunities can be found on WALGA’s Training Website.

Taking place alongside the WALGA Local Government Convention 2023 is the WALGA Supplier Showcase 2023.

This is a unique opportunity to meet with key suppliers and learn about the latest innovations and technologies available across the sector.

The Supplier Showcase is hosted outdoors at Crown on September 19-20 and is ideal for exhibitors with large-scale products and machinery such as transport and waste management suppliers.

STATUTORY ENVIRONMENT:

The Western Australian Local Government Association Constitution states that each Ordinary Member of the Association is entitled to be represented by two delegates at any Annual General Meeting or Special General Meeting.

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/BUDGET IMPLICATIONS:

There will be an allocation in the 2023/2024 budget for Elected Members to attend conferences.

WORKFORCE IMPLICATIONS:

Government Policies provide direction for all Shire of Jerramungup employees.

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 with respect to the 2023 WA Local Government Convention, Council:

1. **APPOINT** President Jo Iffla and Deputy Shire President Julie Leenhouders to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Monday, 18 September 2023; and
2. **APPOINT** Chief Executive Officer Martin Cuthbert and Councillor _____ as proxy voting delegates for the Western Australian Local Government Association's Annual General Meeting, to be held on Monday, 18 September 2023.

Cr Price returned to the meeting at 11.13am.

MOTION: OCM230616

MOVED: Cr Foreman

SECONDED: Cr Leenhouders

That with respect to the 2023 WA Local Government Convention, Council:

1. **APPOINT** President Jo Iffla and Deputy Shire President Julie Leenhouders to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Monday, 18 September 2023; and
2. **APPOINT** Chief Executive Officer Martin Cuthbert and Councillor Drew Dawson as proxy voting delegates for the Western Australian Local Government Association's Annual General Meeting, to be held on Monday, 18 September 2023.

CARRIED: 7/0

9.4.4 CHILD SAFE AWARENESS POLICY

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 June 2023
Attachments:	a) AP14 – Child Safe Awareness Policy
Authority/Discretion:	Legislative

SUMMARY:

Council is requested to consider the adoption of a new Child Safe Awareness Policy which emphasises the Council and Shire’s commitment to ensure the safety and wellbeing of children. It is based on a template supplied by the Department of Local Government, Sport and Cultural Industries (DLGSC).

BACKGROUND:

The need for this policy has resulted as an outcome from the Royal Commission into Institutional Responses to Child Sexual Abuse – Recommendation 6.12. This proposed policy is one of the ways that the Council and Shire can demonstrate its commitment to being child safe and having a zero-tolerance approach to child abuse.

In 2018, the State Government accepted, or accepted in principle, all 310 recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) applicable to Western Australia.

The Royal Commission acknowledged the role that local governments play in creating and maintaining child safety in their communities and made a number of recommendations aimed at using this role to promote the safety and wellbeing of children and young people.

The Child Safe Awareness Policy template (the template) has been developed in response to Royal Commission Recommendation 6.12 and commits local governments in WA to build and maintain child safety awareness and knowledge by providing information for the organisations and individuals that operate in their communities and promoting child safe messages.

Following WALGA State Council support of the template on 3 March 2023, DLGSC has created a landing page for the template and associated implementation resources so that all local government staff can access the most current versions of the documents when required.

DLGSC recommends that local governments use the template to create their own Child Safe Awareness Policy and fulfill their obligations under the Royal Commission Recommendation 6.12.

CONSULTATION:

Given the broad nature of this policy the Administration is of the view that external consultation, with the community, regarding the adoption of the Policy, is not required.

Internal consultation has occurred with the DLGSC and Western Australian Local Government Association (WALGA).

COMMENT:

The Child Safe Awareness Policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that the Shire is uniquely placed within the local community to demonstrate leadership by assisting local organisations to be child safe and to protect children and young people from harm and/or abuse.

This Policy provides the framework that outlines the role of the Shire will provide in supporting local organisations through awareness and the sharing of relevant information.

STATUTORY ENVIRONMENT:

The following legislation relates to this Policy:

- *Child Care Services Act 2007;*
- *Children and Community Services Act 2004;*
- *Civil Liability Act 2002*
- *Corruption, Crime and Misconduct Act 2003;*
- *Equal Opportunity Act 1984;*
- *Freedom of Information Act 1995;*
- *Parliamentary Commissioner Act 1971;*
- *Public Interest Disclosure Act 2003;*
- *Public Section Management Act 1994;*
- *Work Health and Safety Act 2020;* and
- *Working with Children (Criminal Record Checking) Act 2004.*

STRATEGIC IMPLICATIONS:

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

Deliver programs and services that bring people together and support community health and wellbeing.

Governance and Leadership

Work cohesively with groups from across the community to improve engagement and to promote community participation.

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/BUDGET IMPLICATIONS:

The adoption of the new Child Safe Awareness Policy will have minimal financial impact for the organisation. Administrative resources may be required to reference State and Commonwealth developed and supplied child safety materials.

WORKFORCE IMPLICATIONS:

The Policy provides direction for Elected Members and staff in dealing with the safety and wellbeing of children.

POLICY IMPLICATIONS:

The proposal is to adopt a new Policy, consistent with the requirements of legalisation and advice of DLGSC.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That with respect to the Royal Commission into Institutional Responses to Child Sexual Abuse – Recommendation 6.12, Council ADOPT the draft Policy “AP14 – Child Safe Awareness Policy” as attached to this report (9.4.4 a)).

MOTION: OCM230617

MOVED: Cr Leenhouders

SECONDED: Cr Lester

That with respect to the Royal Commission into Institutional Responses to Child Sexual Abuse – Recommendation 6.12, Council ADOPT the draft Policy “AP14 – Child Safe Awareness Policy” as attached to this report (9.4.4 a)).

CARRIED: 7/0

9.4.5 REVIEW OF MEETING ATTENDANCE AND MEMBER ALLOWANCES 2023/2024

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 June 2023
Attachments:	a) Determination of the Salaries and Allowances Tribunal on Local Government CEOs and Elected Members 2023
Authority/Discretion:	Executive

SUMMARY:

To determine the amount to be provided for Elected Members meeting attendance fees and reimbursement of allowable expenses in the drafting of the Shire of Jerramungup (the Shire) 2023-2024 annual budget.

BACKGROUND:

Since 1 July 2013, all Councillor Remuneration has been subject to the determinations of the Salaries and Allowances Tribunal (SAT).

The *Local Government Act 1995* (the Act) provides for the payment to Members of fees for attending Council Meetings on either per meeting, or annual basis. The amounts are set annually by the SAT. Each Council is placed into a band to determine applicable fees. The Shire of Jerramungup is categorised as band four (4).

The Act also allows for the reimbursement of, or an allowance for, covering certain expenses incurred by Elected Members.

The remuneration amounts are independently set by SAT, and are commensurate with the responsibilities, duties and effort required to fulfil the role of an Elected Member for the Shire of Jerramungup.

For 2022-2023, the Shire of Jerramungup paid fees to its Elected Members as follows:

- (a) Councillor's Meeting Fees \$7,000
- (b) President's Meeting Fees \$14,000
- (c) Presidential Allowance \$12,000
- (d) Deputy Presidential Allowance \$3,000
- (e) ICT/Telecommunications Allowance \$1,000

The SAT is established to review the ranges for both Local Government CEOs and Elected Members on an annual basis. The SAT released their latest determination on 6 April 2023, to come into effect 1 July 2023, with the following outcome:

The Tribunal has determined Elected Member attendance fees, and annual allowance ranges be increased by 1.5%, rounded to the nearest \$5. The Tribunal considered this appropriate given the expectation of a degree of voluntary service as an elected member, and as fees and allowances are not intended to be full time salaries.

CONSULTATION:

Salaries and Allowances Tribunal

Elected Members

Senior Staff

COMMENT:

The ranges of fees in the table below apply where a local government determines to pay an Elected Member an annual fee rather than on a per meeting basis.

Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$25,219	\$32,470	\$25,219	\$48,704
2	\$15,237	\$23,811	\$15,237	\$31,928
3	\$7,880	\$16,776	\$7,880	\$25,976
4	\$3,679	\$9,742	\$3,679	\$20,022

Additional fees can be paid to the Shire President and Deputy Shire President in recognition of additional responsibilities of the respective roles. The following table applies effective 1 July 2023.

Table 10: Annual allowance for a mayor or president of a local government

For a mayor or president		
Band	Minimum	Maximum
1	\$52,539	\$91,997
2	\$15,761	\$64,938
3	\$1,051	\$37,881
4	\$526	\$20,565

The following table summarises current payments made to Elected Members and the recommended amounts for 2023/24. It should be noted that amounts payable have not increased since at least 2013/14.

Allowance	2022/2023 Current	2023/2024 Recommended
Councillor's Meeting Fees	7,000	8,000
President's Meeting Fees	14,000	15,000
Presidential Allowance	12,000	13,000
Deputy Presidential Allowance	3,000	3,250
ICT/Telecommunications Allowance	1,000	1,000
Travel Reimbursement	As per Local Government Officers' (WA) Award 2021	As per Local Government Officers' (WA) Award 2021

Historically, Elected Members have been paid “Annual attendance fees in lieu of per Council Meeting, committee meeting and prescribed meeting attendance fees”. There is the option to change to a pay by meeting scenario.

The Shire’s current Council meeting and allowance fees are within the Salaries and Allowances Tribunal permissible range. Council does have the option to set their allowances within the prescribed range at other than the current levels.

When considering setting the meeting and allowance fees which may be paid to Elected Members, several considerations exist:

- SAT permissible range;
- The circumstances of the Shire: Its size, location, isolation, and any unique challenges, which would exceed those of other local governments and those closer to, or based in, the metropolitan area;
- The commitment in both time, predominantly in preparing for and attending meetings, the associated travel, foregone opportunities and expenses incurred;
- The significance of the role of Councillor: Remuneration as incentive to encourage competitive community participation to benefit the Shire; and
- The comparative meeting and allowance fees paid at neighbouring local governments.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Division 8 — Local government payments and gifts to its members

5.98. Fees etc. for council members

(1A) In this section —

determined means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.

- (1) A council member who attends a council or committee meeting is entitled to be paid —*
- (a) the fee determined for attending a council or committee meeting; or*
 - (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.*
- (2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —*
- (a) the fee determined for attending a meeting of that type; or*
 - (b) where the local government has set a fee within the range determined for meetings of that type, that fee.*
- (2) A council member who incurs an expense of a kind prescribed as being an expense —*
- (a) to be reimbursed by all local governments; or*
 - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement,*
is entitled to be reimbursed for the expense in accordance with subsection (3).
- (3) A council member to whom subsection (2) applies is to be reimbursed for the expense —*
- (a) where the extent of reimbursement for the expense has been determined, to that extent; or*
 - (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.*

- (4) *If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.*
- (5) *The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —*
- (a) the annual local government allowance determined for mayors or presidents; or*
 - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.*
- (6) *A local government cannot —*
- (a) make any payment to; or*
 - (b) reimburse an expense of,*
- a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.*

5.98A. Allowance for deputy mayor or deputy president

- (1) *A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).*

** Absolute majority required.*

- (2) *An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.*

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or*
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.*

** Absolute majority required.*

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

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

FINANCIAL/BUDGET IMPLICATIONS:

The recommendations in this report will be accommodated within the 2023-2024 Budget.

The quantifiable cost to the Shire would depend on the actual amounts that are adopted by the Council. A provision for reimbursement will need to be included as an estimate, as done each financial year.

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:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, **BY AN ABSOLUTE MAJORITY, ENDORSE** the following annual allowances and meeting attendance fees for inclusion in the drafting of the 2023 – 2024 annual budget, to be paid annually in October:

1. Annual Attendance Fee of \$8,000 per Councillor.
2. Annual President's Attendance Fee of \$15,000.
3. An Annual ICT/Telecommunications Allowance of \$1,000 to all Councillors and the Shire President.
4. A Presidential Allowance of \$13,000 per annum.
5. A Deputy Presidential Allowance of \$3,250 per annum.

MOTION: OCM230618

MOVED: Cr Dawson

SECONDED: Cr Price

That Council, **BY AN ABSOLUTE MAJORITY, ENDORSE** the following annual allowances and meeting attendance fees for inclusion in the drafting of the 2023 – 2024 annual budget, to be paid annually in October. Allowances and fees are to be calculated at 80 per cent of the maximum determined by the Salaries and Allowances Tribunal for Band 4 Councils, as follows:

1. Annual Attendance Fee of \$7,794 per Councillor.
2. Annual President's Attendance Fee of \$16,018.
3. An Annual ICT/Telecommunications Allowance of \$1,000 to all Councillors and the Shire President.
4. A Presidential Allowance of \$16,452 per annum.
5. A Deputy Presidential Allowance of \$4,113 per annum.

CARRIED: 6/1

Cr Lester voted against the Motion

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

Nil.

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12.0 COUNCILLOR REPORTS**Cr Parsons**

Attended Golf Club Community Meeting.

Attended meeting with Department of Water and Environmental Regulation staff in relation to tanks. They offered to fund new tanks at the Jerramungup oval.

Attended Budget Workshop.

Attended CEO Review Committee Meeting.

Attended a Live Export Meeting in Lake Grace. Don't know how we can convince the Government to change their policy. There were a lot of very interesting speakers at the meeting.

Cr Price

Attended Budget Workshop.

Attended CEO Review Committee Meeting.

Cr Lester

Attended BBCDC Meeting. A motion was put "That the BBCDC recommend to Council that the BBCDC be disbanded", however it was Lost 2/3. The proposal had not been through meetings of the Committees represented. Bremer Bay Progress Association Chairperson and Secretary attended. A Special Meeting of the BBCDC will be held in August to consider the future of the Committee.

Attended CEO Review Committee Meeting.

Attended Budget Workshop.

Attended SCA Meeting via Zoom. Juliet Grist provided an excellent report supporting the need to upgrade the South Coast Highway, and a briefing which can be presented at Regional Road Group or Minister level. The consensus is generally that the South Coast Highway is the worst highway in Western Australia. Unfortunately, at Regional Road Group level, other roads take over. The report should be forwarded to other Jerramungup Councillors and executive staff.

Cr Dawson

Attended Budget Workshop.

Attended CEO Review Committee Meeting.

Attended Bremer Bay Cleanup Day. It was a good day and a lot of area was covered. A great job by Leonie and sponsors.

Attended winter solstice cleanup at Back Beach and other beaches on the other side of peninsula, including Blossoms Beach and Dillon Bay. It was a good community day.

Cr Leenhouders

Attended Budget Workshop.

Attended CEO Review Committee Meeting.

Attended Bremer Bay Cleanup Day.

Attended WALGA Zone meeting last Friday in Plantagenet. It was a good forum, and worthwhile going. The Telstra presentation advised that the 3G network will be turned off on 30 June 2024. In our area we have a lot of 3G EFTPOS devices. Businesses need to talk to banks and get an upgrade. We have a slow uptake of conversion in our Shire.

Cr Foreman

Attended a meeting of the FBG. They are proactive in seeking funding for various activities, and have obtained an equipment grant. Watersmart trials are up and running. They are planning for events including Dancing in the Dirt in March 2024, Women's Day in August, and a Spring Field Day in September.

Attended the Safe for Kids session at the school, which was very informative.

Cr Iffla

Attended BBCDC Meeting. Agreed with Cr Lester's comments. In addition, there was some discussion that the Bremer Bay Progress Association would replace the BBCDC, however it was agreed that was not the appropriate forum for groups to be represented at, it is for individual community members. The Progress Association may wish to participate in the BBCDC. The Trails Group seems to be going well, and the FBG always gives a comprehensive update.

Attended Budget Workshop.

Attended CEO Review Committee Meeting.

Attended Bremer Bay Cleanup Day. Shire staff are doing a really good job, as there was no rubbish in town. Had to go in the bush to find rubbish.

Attended WALGA Zone meeting.

Attended SCA Meeting via Zoom. Juliet Grist provided an excellent document supporting South Coast Highway.

Noel Myers, Manager of Development

Attended regular meetings with Synergy about the progress of the Electric Vehicle charging station near the Op Shop in Jerramungup. They have done preliminary site inspections and are now getting ready to do the installation. Synergy provided a survey of the area to forward to engineering colleagues. This is being designed up at the moment. Hole to be dug this week, ready for Western Power to install the transformer. This will also upgrade power into the Op Shop and Lion's Park toilet block building.

Wellstead Estuary Group has been reactivated and the Weed Action Group is active at Short Beach and John Street Reserve. The Progress Association is also getting started. There is group activity which gives real purpose again for the BBCDC.

The Wellstead Estuary Group is 100% supportive of the estuary fence being installed when needed.

13.0 NEW BUSINESS OF AN URGENT NATURE

Nil.

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 26 July 2023, commencing at 10.00am, in Jerramungup.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 11.57am

These minutes were confirmed at a meeting held

.....

Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: