



SHIRE OF JERRAMUNGUP

NOTICE OF COUNCIL MEETING

To the President and Councillors,

Please be advised that an Ordinary Meeting of the Council of the Shire of Jerramungup is to be held on

Wednesday, 30 November 2022
At the Council Chambers,
Jerramungup
Commencing at 8:30am

Council Meeting Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceeding, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s Code of Conduct, policies and decisions of the Shire.

Martin Cuthbert
CHIEF EXECUTIVE OFFICER
25 November 2022

AGENDA

This page has been left intentionally blank

OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

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

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

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

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

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

COPYRIGHT

Any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

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

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

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

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

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

Regulation 34C (Impartiality) states;

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

2023 MEETING DATES

At its Ordinary Meeting of Council on 26 October 2022, Council adopted the following meeting dates for 2023:

| | | | |
|-----------|-------------------|---------|-------------------------------------|
| January | - | - | Council in Recess |
| Wednesday | 22 February 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 22 March 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 26 April 2023 | 10.00am | Emergency Services Shed, Bremer Bay |
| Wednesday | 24 May 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 28 June 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 26 July 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 23 August 2023 | 10.00am | Emergency Services Shed, Bremer Bay |
| Wednesday | 27 September 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 25 October 2023 | 10.00am | Council Chambers, Jerramungup |
| Wednesday | 22 November 2023 | 8.30am | Council Chambers, Jerramungup |
| Wednesday | 20 December 2023 | 8.30am | Emergency Services Shed, Bremer Bay |

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

APPLICATION FOR LEAVE OF ABSENCE

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

Shire of Jerramungup

Table of Contents

Ordinary Meeting of Council

Wednesday 30 November 2022

| | | |
|-------------|--|-----------|
| 1.0 | DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS | 8 |
| 2.0 | RECORD OF ATTENDANCE | 8 |
| 2.1 | ATTENDANCE | 8 |
| 2.2 | APOLOGIES..... | 8 |
| 2.3 | APPROVED LEAVE OF ABSENCE..... | 8 |
| 2.4 | ABSENT | 8 |
| 2.5 | DISCLOSURE OF INTERESTS..... | 8 |
| 2.5.1 | <i>DECLARATIONS OF FINANCIAL INTERESTS.....</i> | <i>8</i> |
| 2.5.2 | <i>DECLARATIONS OF PROXIMITY INTERESTS.....</i> | <i>8</i> |
| 2.5.3 | <i>DECLARATIONS OF IMPARTIALITY INTERESTS</i> | <i>8</i> |
| 3.0 | APPLICATIONS FOR LEAVE OF ABSENCE | 9 |
| 4.0 | ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS..... | 9 |
| 5.0 | RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE..... | 9 |
| 6.0 | PUBLIC TIME..... | 9 |
| 6.1 | PUBLIC QUESTION TIME..... | 9 |
| 6.2 | PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS | 9 |
| 7.0 | CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS | 9 |
| 8.0 | RECOMMENDATIONS AND REPORTS OF COMMITTEES | 9 |
| 9.0 | REPORTS | 10 |
| 9.1 | TECHNICAL SERVICES | 10 |
| 9.1.1 | WORKS REPORT FOR NOVEMBER 2022..... | 10 |
| 9.2 | CORPORATE SERVICES | 12 |
| 9.2.1 | ACCOUNTS FOR PAYMENT – OCTOBER 2022 | 12 |
| 9.2.2 | MONTHLY FINANCIAL REPORT – OCTOBER 2022 | 15 |
| 9.3 | DEVELOPMENT SERVICES | 18 |
| 9.3.1 | PROPOSED MANAGEMENT ORDER OVER UNMANAGED RESERVE NO.33534 – NEEDILUP SIDING AA DAM | 18 |
| 9.4 | EXECUTIVE SERVICES | 20 |
| 9.4.1 | INFORMATION BULLETIN NOVEMBER 2022..... | 20 |
| 9.4.2 | GREAT SOUTHERN WALGA ZONE ROADS COMMITTEE – FUNDING REQUEST | 22 |
| 10.0 | MATTERS FOR WHICH THE MEETING MAY BE CLOSED | 25 |
| 11.0 | MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN | 25 |
| 12.0 | COUNCILLOR REPORTS..... | 25 |
| 13.0 | NEW BUSINESS OF AN URGENT NATURE | 25 |
| 14.0 | CLOSURE | 25 |
| 14.1 | DATE OF NEXT MEETING | 25 |
| 14.2 | CLOSURE OF MEETING | 25 |

ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atam by the Shire President.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

2.4 ABSENT

2.5 DISCLOSURE OF INTERESTS

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14A of the *Local Government (Administration) Regulations 1996* Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by Absolute Majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

Nil

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Ordinary Council Meeting held 26 October 2022.

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chambers, Jerramungup on 26 October 2022 be CONFIRMED

LEMC Meeting

Local Emergency Management Committee (LEMC) Meeting held 12 September 2022

That Council RECEIVE the Minutes of the LEMC meeting.

BFAC Meeting

Bush Fire Advisory Committee (BFAC) Meeting held 10 October 2022

That Council RECEIVE the Minutes of the BFAC meeting.

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil

9.0 REPORTS**9.1 TECHNICAL SERVICES****9.1.1 WORKS REPORT FOR NOVEMBER 2022**

| | |
|------------------------------------|--|
| 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: | 21 September 2022 |
| Attachments: | Nil |
| Authority/Discretion: | Information |

SUMMARY:

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

BACKGROUND:**Road Construction**

This month the construction crew have been busy on Swamp Road with drainage and gravel sheeting works in preparation for the sealing crew on 28 November. They have also completed works at the Bremer Bay Airstrip for the RFDS taxi way and Swarbrick Road.

The construction crew will then move on to Doubtful Island Road to start a 3km gravel sheeting and drainage program.

Town Services

With Christmas quickly approaching the town services crew are right into holiday preparations with the pruning of the walk trails clearing any overhanging foliage, getting our parks pruned and weeded for the incoming tourists as well as continuously spraying weeds in both townsites to combat the wet spring we have experienced. Both airstrips are currently mowed to remove weeds from surrounding the lights and cones as well as critical infrastructure ready for this years fire season.

Road Maintenance

The maintenance crew have been repairing roads and flood crossings following the significant rainfall we have received in the past couple of weeks.

CONSULTATION:

Internal

COMMENT:

This report is for information only to advise Council on the previous months 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;
Advocate for improved road and communication connectivity to support rural and agricultural businesses and environmental tourism.

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

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 November 2022.

9.2 CORPORATE SERVICES**9.2.1 ACCOUNTS FOR PAYMENT – OCTOBER 2022**

| | |
|------------------------------------|---|
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| File Reference: | N/A |
| Author: | Sarah Van Elden, Accounts Officer |
| Responsible Officer: | Charmaine Solomon, Deputy Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 8 November 2022 |
| Attachments: | a) List of Accounts Paid to 31 October 2022 b) Credit Card Statement 28 September 2022 – 27 October 2022 |
| 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 October 2022.

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 Office 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 October 2022. Lists detailing the payments made are appended as an attachment.

| FUND | VOUCHERS | AMOUNTS |
|--------------------------------|-----------------|-----------------------|
| Municipal Account | | |
| Last Cheque Used | 28179 | |
| EFT Payments | 20053 – 20212 | \$1,119,059.02 |
| Cheque Payments | 28180 | \$117.07 |
| Direct Deposits | | \$91,330.86 |
| Municipal Account Total | | \$1,210,506.95 |
| Trust Account | | |
| Trust Account Total | | \$0.00 |
| Grand Total | | \$1,210,506.95 |

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; 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 October 2022 as detailed in Attachment 9.2.1(a).**
- b) The Credit Card Statement 28 September 2022 – 27 October 2022 as detailed in attachment 9.2.1(b).**

9.2.2 MONTHLY FINANCIAL REPORT – OCTOBER 2022

| | |
|------------------------------------|---|
| 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: | 21 November 2022 |
| Attachments: | a) Monthly Financial Report for the period ending 31 October 2022 |
| Authority/Discretion: | Information |

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 October 2022 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 October 2022.

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 October 2022 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; Implement systems and processes that meet our legal and audit obligations.

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 October 2022 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 RECEIVES the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 October 2022 in accordance with section 6.4 of the *Local Government Act 1995*.

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED MANAGEMENT ORDER OVER UNMANAGED RESERVE NO.33534 – NEEDILUP SIDING AA DAM

| | |
|------------------------------------|--|
| Location/Address: | Reserve 33534, Lot 2024 corner Gnowangerup-Jerramungup and Needilup Road South, Needilup |
| Name of Applicant: | Shire of Jerramungup |
| File Reference: | A1606518 |
| Author: | Noel Myers, Manager of Development |
| Responsible Officer: | Martin Cuthbert, Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 8 November 2022 |
| Attachments: | a) Location Plans b) Site Plan |
| Authority/Discretion: | Administrative |

SUMMARY:

The purpose of this report is for Council to accept a Management Order over a portion of the existing unmanaged Reserve No. 33534 for the purposes of an Emergency Water Supply in the future.

It is recommended that the Council accepts the Management Order.

BACKGROUND:

- The subject land is an unmanaged Crown Reserve. The nominated land use is Dam;
- There is an existing Dam located in the north-east corner of the property;
- The land is Reserved *Public Purpose – Drainage* under the Shire’s Local Planning Scheme No.2;
- In 2019, the Department of Planning Lands and Heritage (DPLH) received a proposal from the Department of Water and Environmental Regulations (DWER) seeking management over the reserve. Due to Native Title investigations, the case was placed on hold awaiting the outcome of the South West Settlement (SWS);
- Following the SWS, the Native Title Agreements and Partnerships (NTAP) within the Department have advised that the Reserve is currently under investigation for inclusion on the Noongar Land Base (NLB). However, excision of the dam from the reserve to be managed by the Shire would be acceptable. The remaining land area could then remain under investigation for inclusion in the NLB.
- The balance of the reserve is a mixture of uncleared vegetated land to the south of the dam whilst land to the west of the dam serves as a catchment area;

COMMENT:

The Shire has worked in collaboration with the Department of Water over recent years to sure up and expand the network and capacity of emergency community water supply sites. This project has seen the roll out of new tank farms and upgrades to dams which has included the dam located on the subject lot being cleaned out to improve capacity.

The grant of the management order to the Shire will enable the Council to better manage the dam that will supply water to the Needilup community which includes the adjacent Needilup Hall and Motocross Club who currently access water from the dam for reticulation on and around the buildings and infrastructure.

Should the Council be agreeable to accept the management order over a portion of the Reserve where the dam is sited, it will also be necessary to include the adjoining catchment area in the redefined lot to ensure the Shire has the ability to properly manage the infrastructure.

The attached site plan identifies the proposed area of the dam and the adjoining catchment area.

STATUTORY ENVIRONMENT:

Land Administration Act 1997 – in respect to the transfer of the management order.

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.

Environment Built – Deliver sustainable long-term planning for the built environment that meets the needs of the community;

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

FINANCIAL IMPLICATIONS:

- The future maintenance of the dam and associated infrastructure will be included within Council's future operating budgets;
- Costs associated with the transfer of the management order to the Shire (preparation of and registration of documentation with Landgate) are anticipated at \$6,500.00.

WORKFORCE IMPLICATIONS:

The Shire will become responsible for the maintenance of the existing and new dams and ensuring the land is compliant with the annual firebreak notice. The Shire has the capacity to deliver the additional works through their annual works program, there will be no requirement for additional works staff to maintain the area.

POLICY IMPLICATIONS:

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

SUMMARY:

In the face of past and predicted future drier weather conditions that deplete both on-farm and State Government managed community water supplies, the Shire has been working closely with DWER to secure alternative sources of emergency water.

The opportunity to secure the management order over an area of the Reserve will enable the Council to better manage the supply of community water to the Needilup community.

Having regard to the matters set out above, it is the recommendation of the Administration that Council accepts a management order over a portion of Reserve 33534.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That **COUNCIL:**

1. **Advises the Department Planning, Lands and Heritage that the Shire of Jerramungup accepts a proposed management order over a portion of Reserve 33534 being lot 2024 on Deposited Plan 18192 and specifically to include that area of the Reserve developed with the dam and associated catchment area – marked as Attachment No.1;**
2. **Requests that the Management Order include the Power to Lease for 21 years with the approval of the Minister for Lands;**
3. **Advises the Department Planning, Lands and Heritage that the Shire accepts that the reserve and all associated infrastructure will be transferred in its current state and condition and the Shire accepts responsibility for the future operation and maintenance of the infrastructure;**
4. **Undertakes to cover all costs associated with the transfer of Reserve 33534 to the Shire and allocates a budget provision of \$6,500.00.**

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN NOVEMBER 2022

| | |
|------------------------------------|---|
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| File Reference: | N/A |
| Author: | Rachel Smith, Executive Assistant |
| Responsible Officer: | Martin Cuthbert, Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 25 November 2022 |
| Attachments: | a) October/November 2022 Information Bulletin |
| Authority/Discretion: | Information |

SUMMARY:

To advise Council on the information items for October/November 2022 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 months of October/November 2022.

CONSULTATION:

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

COMMENT:

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

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

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

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

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

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

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

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Community Plan 2021 – 2031;
Provide informed and transparent decision making that meets our legal obligations and the needs of our diverse community

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of October/November 2022.

9.4.2 GREAT SOUTHERN WALGA ZONE ROADS COMMITTEE – FUNDING REQUEST

| | |
|------------------------------------|--|
| Location/Address: | Shire of Jerramungup |
| Name of Applicant: | Shire of Jerramungup |
| File Reference: | N/A |
| Author: | Martin Cuthbert, Chief Executive Officer |
| Responsible Officer: | Martin Cuthbert, Chief Executive Officer |
| Disclosure of any Interest: | Nil |
| Date of Report: | 24 November 2022 |
| Attachments: | a) Excerpt of GS Zone Minutes, 28 October 2022 |
| Authority/Discretion: | Executive |

SUMMARY:

For Council to consider the request from the Great Southern Roads Committee (GSRC) and the Great Southern Zone of WALGA for a financial contribution of \$4,000.00 to enable the Committee to progress the preparation of a feasibility study for additional road funding for the member Councils.

BACKGROUND:

The WALGA GSRC was formed from local governments in the Great Southern region with the intent of investigating current road infrastructure across the networks as to their suitability from a freight task, road safety and efficiency perspective. Once the data has been established the group will make recommendations to the Great Southern Zone of WALGA in order for them to advocate and seek funding to remedy the shortfalls.

This Committee has been working to identify strategic roads within the Zone that could potentially be earmarked for additional road funding in the future.

The Committee's Terms of Reference are as follows:

To investigate the current road infrastructure right across the networks (State, Regional Road Group roads and other local roads) as to their fit for purpose from a freight task and road safety and efficiency perspective both now and in the next 20 years.

- Reviewing the impact and compliance of AMMS concessional loading on the Local Government Road Network; and
- The compliance and implication of RAV access to the Local Government Road network and effectiveness in the Local Government CA07 conditions.

The WALGA Great Southern Country Zone consists of the following local governments; Woodanilling, Katanning, Kojonup, Broomehill-Tambellup, Kent, Gnowangerup, Jerramungup, Albany, Denmark, Cranbrook, Albany and Plantagenet. The Shire of Ravensthorpe may be considered at a later date as they are part of the Regional Road Group but not the WALGA Great Southern Zone.

The GSRC plans to emulate the funding success of the Wheatbelt Secondary Freight Network (WSFN). The Wheatbelt region, consisting of 42 local governments, has obtained in excess of \$500 million towards developing and maintaining the secondary (non-state) freight routes through a collaborative approach across municipal boundaries.

The GSRC provided the following report to the WALGA Great Southern Zone meeting on 28 October 2022:

Great Southern Roads Committee Report

A meeting of this committee was held last Friday 21 October in Tambellup. Committee members were on hand with MRWA's Brad Lenton, and the GSDC's Pippa Hepburn along with Juliet Grist online from Rural and Regional Economics.

Juliet Grist presented her involvement with the Wheatbelt Secondary Freight Network (WSFN) detailing how data was collected and made sense of. She fielded questions after her presentation and is available to work for us in the initial stages should we choose to utilize her services and firsthand knowledge of the WSFN.

RDA Great Southern was represented by Andrus Budrikis the Chair and he and RGAGS are supportive of this study and are likely to co-fund a portion of it.

The GSDC was represented by Pippa Hepburn who indicated that they could be involved with working with the group to investigate funding pathways going forward.

MRWA's Brad Lenton supported the groups objectives and suggested that the list of roads be narrowed down to focus on routes with freight as importance. He suggested that the construction standards used in the Wheatbelt region be mirrored for consistency across boundaries.

He advised that the majority of roads in the great southern are rated RAV 7, and that there is a potential increase in length of vehicles in this classification to 42m under the PBS.

Priority Roads: It was agreed that this list be reviewed to ensure there are no double ups and that the data collected informs the final list. Mapping will be used also to inform the list.

The following steps to be taken from here –

- *Update the list of roads and mapping, the group to agree on the final list*
- *Collection of data from Shires, up to 5 years of data if available*
- *Determine who to send the data to*
- *Request financial contributions/commitment from Shires*

To that end a motion was put and carried by the Great Southern Roads Committee:

MOTION

Moved Cr Crosby, Seconded Cr Gale

That WALGA Great Southern Zone Shires be requested to each make a contribution of \$4,000.00 to the Great Southern Road Committee as initial seed funding to begin preliminary work for data collation and analysis; and that a formal request be made to Regional Development Australia Great Southern for a contribution of \$10,000.00.

CARRIED

Therefore, at the GSCZ meeting on the Friday, 28 October the following motion was moved and duly carried:

Moved: Cr Scott Crosby Seconded: Cr Kevin Gale

That the Great Southern Roads Report be received and the \$4,000.00 per Zone Local Government funding request be forwarded to all Local Governments for their consideration and that a formal request be made to the Great Southern Development Commission as well as RDA Great Southern.

CONSULTATION:

The GSRC is well represented with Great Southern Zone members and includes a number of staff members who assist with technical enquiries. The Great Southern Development Commission (GSDC) and Regional Development Australia (RDA) have also provided representatives.

COMMENT:

At the WALGA Great Southern Zone meeting held in Woodanilling on 28 October 2022, the Chair of the GSRC (Councillor L Handasyde) presented a report that detailed a request from the GSRC for a contribution from all local governments within the Zone.

An excerpt from the meeting minutes is attached to this report for information. The minutes provide good background on the Committee's Terms of Reference with the report tabled by Councillor Handasyde and the motion voted on unanimously at the meeting being self-explanatory as to the reasons for the request.

The funding should be regarded at this stage as seed funding towards the preparation of a further funding request to either Infrastructure WA or Infrastructure Australia or both.

RDA and GSDC have also offered some funding towards this initiative but the final amounts are unknown at this stage.

With all local governments, RDA and GSDC participating a pool approaching \$55,000.00 is expected.

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

FINANCIAL/BUDGET IMPLICATIONS:

The \$4,000.00 contribution, if approved, will be adjusted at the Budget Review in February 2023.

The proposed contribution amount of \$4, 000.00 is requested from the Shire of Jerramungup for seed funding for road data collation and analysis with the intent of obtaining road funding.

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:

- 1. That Council approve a contribution of \$4,000.00 to be made to the Great Southern Zone of WALGA to enable the Great Southern Roads Committee to progress the development of a detailed report to identify strategic routes within the Great Southern Region with the view to securing additional road funding for these roads.**
- 2. The Chief Executive Officer be authorised to make the payment once suitable financial hosting arrangements can be made for the Great Southern Roads Committee through one of the participating local governments.**

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

(CONFIDENTIAL MATTERS)

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 COUNCILLOR REPORTS

13.0 NEW BUSINESS OF AN URGENT NATURE

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 21 December 2022, commencing at 8.30am, in the Emergency Services Shed, Bremer Bay.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atam

These minutes were confirmed at a meeting held

.....

Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: