



SHIRE OF JERRAMUNGUP

NOTICE OF COUNCIL MEETING

To the President and Councillors,

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

Wednesday, 24 July 2024
At the Council Chamber,
Jerramungup
Commencing at 10:00am

Council Meeting Procedures

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

Noel Myers
ACTING CHIEF EXECUTIVE OFFICER
18 July 2024

AGENDA

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OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

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

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

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

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

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

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NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

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

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

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

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

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

Regulation 34C (Impartiality) states;

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

2024 MEETING DATES

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

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

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

APPLICATION FOR LEAVE OF ABSENCE

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

Shire of Jerramungup

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ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atam by the Shire President.

I would like to begin today by acknowledging the Goreng people who are the Traditional Custodians of the land on which we meet today, and the Shire of Jerramungup would like to pay their respect to their Elders both past and present.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

Cr Neil Foreman

2.4 ABSENT

2.5 DISCLOSURE OF INTERESTS

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

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

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS**2.5.2 DECLARATIONS OF PROXIMITY INTERESTS****2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS****3.0 APPLICATIONS FOR LEAVE OF ABSENCE****RECOMMENDATION**

That _____ be granted Leave of Absence from the Ordinary Council Meeting to be held on 28 August 2024.

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

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

RECOMMENDATION

That _____ be granted permission to be present at the Ordinary Council Meeting to be held on 24 July 2024 by audio contact.

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.0 PUBLIC TIME**6.1 PUBLIC QUESTION TIME****6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS****7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****7.1 ORDINARY COUNCIL MEETING HELD 26 JUNE 2024**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 26 June 2024 be CONFIRMED.

7.2 CEO REVIEW COMMITTEE MEETING HELD 24 JUNE 2024

CONFIDENTIAL Attachment 7.2 a)

That the Minutes of the CEO Review Committee Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 24 June 2024 be CONFIRMED.

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.

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 author’s contract of employment and salary package
Date of Report:	20 June 2024
Attachments:	a) Confidential Attachment – CEO Review Committee Minutes – 6 June 2024 b) Confidential Attachment – CEO Review Committee Minutes – 24 June 2024
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 2023/24 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 2025;
4. **ENDORSES** the Performance Criteria for the 2024/25 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 5 April 2024 (effective 1 July 2024);
6. **APPROVE** an increase to the Chief Executive Officer’s total reward package effective as of 1 July 2024; and
7. **APPROVE** and **AUTHORISE** the Shire President to execute Mr Cuthbert’s employment contract as detailed in confidential attachment 8.1 (b) that offers base salary, superannuation, motor vehicle, housing and other benefits including regional allowance in accordance with contractual requirements and within the terms of the Determination of the Salaries and Allowances Tribunal of 5 April 2024 (effective 1 July 2024).

OFFICER RECOMMENDATION:

That the meeting again be opened to the general public.

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR JUNE/JULY 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Gordon Capelli, Works Supervisor
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 July 2024
Attachments:	Nil
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

The Road Construction Crew have finished a gravel resheet on Marnigarup South Road from SLK 0.00 to SLK 3.00. This included drainage, white posts and road signs, and was the last job for the 2023/2024 budget.

The Road Construction Crew has gone into maintenance mode for a couple of weeks, patching potholes and repairing and replacing road signs around the Shire.

Road Maintenance

The maintenance grader has been out of action requiring repairs, so the construction grader has been maintenance grading on Carlawillup South Road, Roberts Road and Jerramungup North Road.

Town Services

Bremer Bay

Town Services staff have completed the following:

- Removal of the Estuary fence line and signage due to high tides.
- Erecting the Estuary fence line and signage back up once it was deemed safe to do so.
- Installation of steel hand rails along the new footpath adjacent to Bremer Bay Road.
- Installation of tactile ground surface indicators in required locations along the new footpath adjacent to Bremer Bay Road.
- Continued weed control within the townsite.
- Pruning within Paperbarks Park.
- Backfilling washout due to traffic along Bremer Bay Road, adjacent to the caravan park.

Jerramungup

Town Services staff have completed the following:

- Filling in potholes within the townsite.
- Pruning of trees and gardens around Roe Park and the Rootpickers Hall.
- Pruning of roses around the War Memorial.

- Installation of signage on Vasey Street, Tobruk Street and Memorial Drive to deter heavy vehicles longer than 19m from entering town streets.
- Continued mowing of parklands.
- Pruning and removal of dead trees within the Fitzgerald Biosphere grounds.
- Hand spraying throughout the townsite.
- Boom spraying laneways and Jerramungup airstrip.

CONSULTATION:

Internal

COMMENT:

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

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Economy

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

Environment Built

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

Environment Natural

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

FINANCIAL/BUDGET IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for June/July 2024.

9.2 CORPORATE SERVICES

9.2.1 ACCOUNTS FOR PAYMENT – JUNE 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	8 July 2024
Attachments:	a) List of Accounts Paid to 30 June 2024 b) Fuel Card Statement – May 2024
Authority/Discretion:	Information

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer’s delegated authority during the month of June 2024.

BACKGROUND:

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

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

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

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

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

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	22071 - 22211	\$895,891.19
Direct Deposits		\$36,422.59
Municipal Account Total		\$932,313.78
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$932,313.78

Included within the EFT payments from the Shire’s Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$3,056.35.

CERTIFICATE

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

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- **The List of Accounts Paid to 30 June 2024 totalling \$932,313.78.**
- **The Fuel Card Statement May 2024 as detailed in Attachment 9.2.1(b).**

Please note that there is no credit card statement this month as the automatic credit card payment was not made until July 2024. The June 2024 credit card statement will be provided to Council at the August 2024 meeting, along with the July payments.

9.2.2 MONTHLY FINANCIAL REPORT – JUNE 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Finance Manager
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 July 2024
Attachments:	a) Monthly Financial Report for the period ending 30 June 2024
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 June 2024 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 30 June 2024.

BACKGROUND:

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

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year-to-date position to 31 May 2024 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

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

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

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

and

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 30 June 2024 has been incurred in accordance with the 2023/24 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 June 2024 in accordance with section 6.4 of the *Local Government Act 1995*.

9.2.3 REVIEW OF MEETING ATTENDANCE AND MEMBER ALLOWANCES 2024/2025

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 July 2024
Attachments:	a) Local Government Chief Executive Officers and Elected Members Determination No 1 of 2024 b) Local Government No 1 of 2024 Variation 1 – May 2024
Authority/Discretion:	Executive

SUMMARY:

To determine the amount to be provided for Elected Members meeting attendance fees and reimbursement of allowable expenses in the Shire of Jerramungup (the Shire) 2024/2025 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.

In 2023/2024, the Shire of Jerramungup Elected Members meeting attendance fees and reimbursement of allowable expenses were as follows:

- (a) Councillor's Meeting Fees \$7,794
- (b) President's Meeting Fees \$16,018
- (c) Presidential Allowance \$16,452
- (d) Deputy Presidential Allowance \$4,113
- (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 5 April 2024, to come into effect 1 July 2024, with the following outcome:

The Tribunal has determined Elected Member attendance fees, and annual allowance ranges be increased by 4%, The Tribunal considered various submissions calling for increases, with the determined increase reflecting a variety of issues raised in the submission.

The Salaries and Allowances Tribunal has also issued a determination to allow elected members to claim the actual costs of childcare when extenuating circumstances means the actual cost is higher than the allowance provided for in the determination.

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

For a council member other than the mayor or president:

Band	Minimum	Maximum
1	\$26,624	\$34,278
2	\$16,089	\$25,137
3	\$8,320	\$17,711
4	\$3,884	\$10,286

For a council member who holds the office of mayor or president:

Band	Minimum	Maximum
1	\$26,624	\$51,412
2	\$16,089	\$33,706
3	\$8,320	\$27,425
4	\$3,884	\$21,138

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 2024.

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

Band	Minimum	Maximum
1	\$55,463	\$97,115
2	\$16,640	\$68,552
3	\$1,113	\$39,988
4	\$556	\$21,710

The following table summarises payments made to Elected Members in 2022/2023 and 2023/2024. It should be noted that Elected Members meeting attendance fees and reimbursement of allowable expenses had not had an increase for a nine (9) year period from 2013/2014 - 2022/2023.

Allowance	2022/2023 Actual	2023/2024 Actual	2024/2025 Proposed
Councillor’s Meeting Fees	7,000	7,794	8,105
President’s Meeting Fees	14,000	16,018	16,658
Presidential Allowance	12,000	16,452	17,110
Deputy Presidential Allowance	3,000	4,113	4,277
ICT/Telecommunications Allowance	1,000	1,000	1,000
Travel Reimbursement	As per Award	As per Award	As per Award

Note: Local Government Chief Executive Officers and Elected Members Determination No 1 of 2024 states ICT minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.

The proposed Councillor meeting fees, President Meeting Fees, President Allowance, Deputy Presidential Allowance only is proposed to be increased by 4% effective 1 July 2024.

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 IMPLICATIONS:

The recommendation in this report has been accommodated for within the 2024/2025 draft Annual Budget.

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 in the 2024/2025 Annual Budget, to be paid annually in October:

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

9.2.4 RENEWAL OF AGREEMENT - MEDICAL SERVICES PROVIDER

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 July 2024
Attachments:	a) CONFIDENTIAL – Contract for Provision of Medical Services
Authority/Discretion:	Executive

SUMMARY:

The Shire of Jerramungup currently engage a suitably experienced and highly qualified Medical Services Provider (Livingston Medical) to provide General Practitioner Medical Services and General Business Practice Support Services to the Shire of Jerramungup Community and surrounds.

This item requests Council support and endorsement for the renewal of agreement for the provision of a Medical Services Provider for the Shire of Jerramungup and recommends the awarding of a five (5) year renewal of contract to Livingston Medical commencing 1 September 2024. After this date, there is one extension available, for five (5) years.

BACKGROUND:

The contract with the current Medical Services Provider (Livingston Medical) for the provision of General Practitioner Medical Services and General Business Practice Support Services commenced 1 September 2021 and will be in place until 31 August 2024 with a further term of three (3) years.

The Medical Services Provider provide the Shire with support services to assist recruiting a suitably qualified General Practitioner and provides the successful candidate with business support services to allow the incumbent to focus on clinical roles.

The Shire recognises that the administrative and compliance burden placed on all medical practices is restrictive, highly specialised and presents a barrier for smaller operators and marginal businesses.

This item seeks Council's acceptance of the renewal of the contract for the Provision of Medical Services between the Shire of Jerramungup and Livingston Medical to commence upon expiry of the current agreement (31 August 2024).

CONSULTATION:

Livingston Medical Chief Executive Officer

Shire President and Deputy Shire President

McLeods Lawyers

COMMENT:

The Shire's Medical Service Provider (Livingston Medical) currently establish and facilitate the services of a General Practitioner for the Shire of Jerramungup community and surrounds. The Medical Services Provider also provides Business Services in relation to the General Practice to be funded by the Principal.

The Shire is extremely fortunate to partner with Livingston Medical. Dr Livingston is a recipient of an Australian College of Rural and Remote Medicine (ACRRM) 2023 Distinguished Service Award for his significant contribution to rural and remote medicine and general service to the community.

Livingston Medical currently operates in 10 regional locations (Bremer Bay, Jerramungup, Albany, Ravensthorpe, Hopetoun, Lake Grace, Narembeen, Newdegate, Kojonup). The Shire of Gnowangerup recently entered into a new agreement with Livingston Medical to provide Medical Services from 15 July 2024.

The Medical Services Provider must, during the term, provide the medical services to the reasonable satisfaction of the Principal and must:

- Provide all aspects of general practice services and management of the medical centres.
- Employ all clinical and administrative staff required to conduct the medical services.

The services offered under the current agreement include a permanent highly qualified and experienced General Practitioner to practice in Jerramungup and Bremer Bay, Receptionist to service the two clinics, Nurses to assist the Doctor, all medical consumables, Medicare compliance and reporting, practice and indemnity insurances, Telehealth, financial compliance and accounting and all Human Resources services to ensure practice efficiency including advice (fees and charges), income maximisation, staff recruitment, dispute resolution, IT support, banking, financial reporting, payroll, superannuation, administration and clinical compliance.

The existing contract with the Shire's Medical Service Provider commenced 1 September 2021 and will be in place until 31 August 2024 with a further term of three (3) years.

The execution of this renewal agreement finalises the way in which the Shire will provide direct resources and support to Livingston Medical.

The renewal contract includes the following key components:

- Commencement date updated to 1 September 2024 (Item 2);
- Expiry date updated to 31 August 2029 (Item 3);
- Further Term (Item 4) has been updated to five (5) years commencing 1 September 2029;
- Fee (Item 5) amended to \$200,000 ex GST per annum payable monthly and a provision for CPI review inserted;
- Vehicle (Item 7) the Shire to provide a vehicle, Toyota Prado or equivalent;
- Provision of Motor Vehicle (Clause 4.4) states the motor vehicle will remain the possession of the Shire at all times, the Shire will change the vehicle over at Council's discretion and the Shire will maintain an adequate level of vehicle insurance and ensure that the motor vehicle is registered. The Shire is responsible for scheduled vehicle servicing, tyre replacement expenses and any insurance excess.
- The Medical Services Provider is responsible for all fuel expenses relating to the motor vehicle and cleaning and maintain the motor vehicle in a good condition (Clause 4.4(f));
- Residential Premises (Item 6) in terms of accommodation the General Practitioner will be provided with the Shire's 4x2 residence, partially furnished at Lot 208 McGlade Close, Bremer Bay;
- Medical Services Provider is to maintain the property and curtilage covered by Clause. 3.3(2);
- Locum coverage (Item 1(5)) must be provided during times of absence of more than twenty one (21) days to ensure continuity of services;
- The Medical Services Provider or any Employed Medical Practitioner must comply with all laws governing medical practice in Western Australia and must maintain all necessary registrations to provide the services under the contract (Item 1(6));

- If the Medical Services Provider defaults in the observance of performance of any term or condition of this contract then termination of the contract is covered under Clause 5.2.

It should be noted it is agreed that the Shire will ensure that appropriate consulting rooms are available in Jerramungup and Bremer Bay at the local medical centres.

STATUTORY ENVIRONMENT:

Under Regulation. 11(2)(jb) of the *Local Government (Functions and General) Regulations 1996* (Regulations) tenders do not have to be publicly invited where the contract is a renewal or extension of the term of a contract for the supply of dental or medical services by a person registered under the Health Practitioner Regulation National Law (Western Australia) in the dental profession or medical profession.

In the present case, the original contract with Livingston Medical was for a term of three (3) years (expiring 31 August 2024) with a further term of three (3) years.

The Shire proposes to grant a renewal of the current Medical Services Provider agreement with the same provider (Livingston Medical) for a term of five (5) years with a five (5) year option.

The advice received from McLeods Lawyers is that they consider this would constitute a renewal or extension of the term of the original contract to which Reg. 11(2)(jb) would apply given it would be with the same provider.

On that basis McLeods Lawyers do not consider the Shire would be required to invite public tenders even if the contract consideration was over the tender threshold.

Additionally, it was advised that the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the dental profession or medical profession to be used for carrying on the person's dental practice or medical practice is an exempt disposition under Section 3.58 and Reg. 30 of the Regulations.

Accordingly, the Shire would not be required to comply with S. 3.58 in relation to the leasing of any property associated with the medical services contract.

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 well being.

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

A provision for a Medical Services Provider is allowed for each year in the preparation of the annual budget. The current "base rate" for Livingston Medical to provide Medical Services for all the new Shires is \$250,000.

Under this renewal of agreement, the Shire of Jerramungup will still be receiving a significant saving based on the standard across the board for Livingston Medical clinics.

The agreement is proposed to commence at \$200,000 per annum on 1 September 2024 and increased annually by CPI.

The agreement also provides for a Toyota Prado and housing. In 2024/25 vehicle costs under the current lease arrangements are predicted to be \$15,353 with an additional allocation of \$2,500 for servicing and tyres.

A provision for building maintenance activities of \$900 has been factored into the 2024/25 annual budget.

It should be noted that building maintenance activities are minimal due to the house being recently constructed. It is expected that, over the term of the contract, building maintenance activities will eventually increase.

The Medical Services Provider shall be responsible for the costs (including the Shire's reasonable and legal costs) of the preparation, review, negotiation, execution and stamping of this agreement and shall be responsible for any stamp duties payable.

A provision has been made in the 2024/25 annual budget for the increased cost associated with maintaining Medical Services to the Shire of Jerramungup Community and surrounds.

Based on the 2024/25 rates proposed to be raised 5.44% is attributable towards providing Medical Services to the community.

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 ABSOLUTE MAJORITY:

- 1. Endorse the Renewal of Contract for the Provision of Medical Services between the Shire of Jerramungup and Livingston Medical, as presented within the confidential agenda attachment.**
- 2. Authorise and Delegate the Shire President and Acting Chief Executive Officer to execute the Renewal of Contract for the Provision of Medical Services commencing 1 September 2024 expiring 31 August 2029 with a further term option of five (5) years.**

9.2.5 COUNCIL REPRESENTATION ON SHIRE OF JERRAMUNGUP BUSHFIRE RISK MANAGEMENT PLAN STAKEHOLDER WORKING GROUP

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 July 2024
Attachments:	a) Terms of Reference – Stakeholder Working Group
Authority/Discretion:	Administrative

SUMMARY:

Council is required to nominate a Representative to participate in the Shire of Jerramungup Stakeholder Working Group (SWG) for the review and update of the Shires Bushfire Risk Management Plan (BRMP).

BACKGROUND:

Of the 650,700 hectares within the Shire of Jerramungup, 200,415 hectares is Crown land, with 136,647ha of this managed by the Department of Biodiversity, Conservation and Attractions. The remaining 20,822ha of Crown land is unallocated or unmanaged.

By definition, Crown land is held by the State. However, in practical terms, the responsibility to manage Crown land is spread across a range of government agencies, and through them, often assigned to other entities or individuals, creating a complex patchwork of tenure arrangements.

The Shire is also identified primarily as being bushfire prone. The responsibility for managing bushfire risk is shared across community. Successful bushfire risk management requires local government, State Government, industry, private landholders, and other community members to collaboratively identify and assess risk and implement coordinated treatments across the landscape.

The Shire of Jerramungup under the State Emergency Management Framework is assigned the responsibility for Bushfire Risk Management (BRM) planning by virtue of the State Hazard Plan Fire 2023.

‘Local governments identified within this State Hazard Plan Fire as having high or extreme bushfire risk must develop a BRM Plan that applies to the entire local government area.’

—State Hazard Plan Fire 2023

- The BRMP provides contextual information to inform a structured approach to identifying, assessing, prioritising, monitoring and treating bushfire risk.
- The BRMP is to be undertaken through consultation with land and asset managers throughout its development to ensure an informed and collaborative approach to planning.
- The BRMP is to be prepared with due consideration of the principles of risk management as described in *ISO 31000:2018 Risk Management* and the Plan Guidelines (attached) published by the Office of Bushfire Risk Management.
- The Shire has engaged the Services of BioDiverse Solutions to facilitate and Chair the Committee. Terms of Reference for the Stakeholder Working Group are attached.

CONSULTATION:

The Shire of Jerramungup SWG will comprise of representation from the following agencies, local government, traditional owners, community interest groups and qualified local members:

- BioDiverse Solutions (Chair)
- BioDiverse Solutions (Facilitator)
- DBCA – Regional Leader Conservation
- DBCA – Albany District Threatened Flora Officer
- DBCA – Regional Leader Conservation
- District Officer, Great Southern Region
- Wagyl Kaip Southern Noongar Aboriginal Corporation - Representative
- Shire of Jerramungup – 2 x Council Representatives
- Shire of Jerramungup - Shire Representative
- Shire of Jerramungup – Chief Bush Fire Control Officer
- Shire of Jerramungup - Bushfire Risk Mitigation Coordinator
- Shire of Jerramungup – Community Emergency Services Manager
- Jerramungup VFES Representative
- Bremer Bay VFES Representative
- Point Henry Bushfire Ready Group Representative
- FBG / Wellstead Estuary Group Representative
- Bremer Bay Primary School Representative
- Jerramungup District Highschool Representative
- Boxwood Combined Sports Club Representative
- Gairdner Progress Association Representative
- Bremer Bay Progress Association Representative
- Bremer Bay Sports Club Representative
- Fitzgerald Biosphere Community Collective Representative
- Bremer Bay Caravan Park Representative
- Bremer Bay Beaches Resort Tourist Park Representative
- Jerramungup Sports Club Representative

COMMENT:

The SWG involvement with the Shire of Jerramungup BRMP Review is to ensure that bushfire risk management is informed by the best available information, considers stakeholders attitudes and perspectives, and that the community and other stakeholders have an appropriate level of engagement and input into understanding the process.

It is anticipated that there will be two meetings, one in early August and a follow up one in September, as well as written submissions. A Terms of Reference for the SWG is provided in the attachments.

Broadly speaking, the following communication objectives underpin the development, implementation and review of the BRMP for the Shire of Jerramungup:

1. Key stakeholders understand the purpose of the BRMP and their role in the bushfire risk management planning process.
2. Stakeholders who are essential to the bushfire risk management planning process, or can supply required information, are identified and engaged in a timely and effective manner.
3. Relevant stakeholders are involved in decisions regarding risk acceptability and treatment.
4. Key stakeholders engage in the review of the BRMP as per the schedule in place for the local government area.

5. The community and other stakeholders engage with the bushfire risk management planning process and as a result are better informed about bushfire risk and understand their responsibilities to address bushfire risk on their own land.

STATUTORY ENVIRONMENT:

Emergency Management Act 2005

Under the State Hazard Plan for Fire (Westplan Fire) an integrated BRMP is to be developed for local government areas with significant bushfire risk.

STRATEGIC IMPLICATIONS:

This item relates to the following components from the Shire of Jerramungup Community Plan 2021 – 2031; *Deliver sustainable long-term planning for the built environment that meets the needs of the community.*

FINANCIAL IMPLICATIONS:

The 2024/2025 annual budget has been based on the requirements for the update of the Bushfire Risk Management Plan.

WORKFORCE IMPLICATIONS:

The review and update of the Bushfire Risk Management Plan to the new DFES guidelines will require a strong commitment from the Executive Staff and the Shire’s Bushfire Risk Mitigation Coordinator to ensure the review is completed in a timely manner.

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, APPROVES the nomination of the following Elected Members to the Shire of Jerramungup Bushfire Risk Management Plan Stakeholder Working Group as detailed below:

Delegate 1: Cr _____

Delegate 2: Cr _____

Proxy: Cr _____ or any other Councillor

9.2.6 ADOPTION OF BUDGET FOR THE FINANCIAL YEAR 2024/2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	17 July 2024
Attachments:	a) UNDER SEPARATE COVER – Budget for the Financial Year 2024/2025 including Fees and Charges Schedule b) UNDER SEPARATE COVER – 2024/2025 Road Construction Program
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this item is to present the Annual Budget for the Financial Year 2024/2025 to Council for adoption.

BACKGROUND:

The budget preparation this year has been carried out through consultation with the elected group, senior staff and with guidance from the Shire's integrated planning documents. The Shire's operational budgets are largely derived from historical levels of expenditure with known items of maintenance or renewal derived from quotes or cost estimates.

CONSULTATION:

The draft budget has been developed with consultation between executive staff, elected members, and community submissions. The budget is also driven by the Shire's Corporate Business Plan and contains a number of projects and income/expenditure parameters from this document.

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*.

The Department of Local Government, Sport and Cultural Industries is not consulted prior to budget adoption. Once the budget is adopted, it is submitted to the Department for review.

COMMENT:

Landgate has completed the gross rental valuation (GRV) assessments of all properties in the Shire of Jerramungup as at the Date of Valuation, being 1 August 2023.

The following is a summary of changes occurring to the level of values in the 2023-24 general valuation program for the Shire of Jerramungup, with the valuations coming into force 1 July 2024.

- Residential: 555 properties with a median change of 33.98%
- Commercial: 18 properties with a median change of 34.32%
- Industrial: 31 properties with a median change of 15.66%
- Vacant Land: 252 properties with a median change of 118.68%
- Miscellaneous: 2 properties with a median change of 51.75%

The overall change in the GRV valuations was 45.75% based on 858 properties.

Landgate has also completed the rural assessments for all properties as of the Date of Valuation, which is 1 August 2023.

Below is a summary of the changes observed in the assessed values for the 2023-24 period, as part of the general valuation program conducted in the Shire of Jerramungup. These valuations will become effective on 1 July 2024.

- Total Valuation: \$617,467,300
- Average Overall Change: 30.26%

The analysis of sales at and around the date of valuation supports an increase in Unimproved Values for broadacre agricultural properties. The evidence for smaller properties generally supports more limited to no increases in Unimproved Values compared to broadacre farming properties.

Some variations to individual assessments may have occurred either as a product of the valuation process and/or inclusion of updated information.

Ratepayers are encouraged to contact Landgate if they have any queries regarding the valuation changes to their assessment.

In the 2024/2025 financial year, 30% of rates raised will be from properties on a Gross Rental Valuation (GRV) (predominantly within the townsite), and 70% will be from Unimproved Valuation (UV)(rural).

Rates are calculated by multiplying a rate in the dollar by property valuation, subject to the minimum payment. The valuation is supplied by the WA State Government Department, Landgate.

Council sets the rate in the dollar as part of each year's budget process. It is based on the Shire's expenditure requirements, both operating and capital, offset by other forms of income such as government grants and fees for service.

Unimproved Value is used for primary producers whose main source of income is derived from the land, with activities such as farming. This valuation is based on the unimproved capital value of the land.

Gross Rental Value (GRV) is used for residential, commercial, industrial and vacant properties. On improved properties, the GRV represents the gross annual rental that a property might reasonably be expected to earn annually if it were rented, including rates, taxes, insurance and other outgoings. Many factors are taken into consideration when assessing the valuation, such as location, age of the premises and size of the improvements.

For non-residential properties, GST is also included. The GRV is calculated for all rateable properties regardless of whether the property is being rented or owner occupied.

Council sets a rates minimum payment amount to ensure that all ratepayers contribute an equitable amount for Shire services.

If the calculation of valuation multiplied by the rate in the dollar is less than the minimum amount, then the minimum will be applied. If the valuation multiplied by the rate in the dollar is more than the minimum, then the higher amount is payable.

Rates contribute towards the upkeep and maintenance of the Shire's infrastructure and below is a list of significant capital and operating expenditure factored into the 2024/2025 annual budget.

It should be noted that the current economic market continues to see contractor and material costs significantly increase for capital and operating projects.

The Shire's insurance scheme membership has also seen an increase of 6.80% making the total scheme membership contribution \$365,928 per annum.

SIGNIFICANT OPERATIONAL EXPENDITURE 2024/25:

COMMUNITY AMENITIES - \$1.2M investment in regional waste facility services, replacement of townsite street bins, waste and recycling services, waste alliance, town planning activities, planning and design of cultural precinct, bird hide design and investigation contribution, FBG contribution, cemetery maintenance, enhancements to various public amenities.

LAW, ORDER, PUBLIC SAFETY - \$857K investment. Key highlights include review of the Shire's Bushfire Management Plan, mitigation activity program, Point Henry strategic break mitigation, Point Henry fire assessments, introduction of Fire Mapper Program, bushfire volunteer equipment and support, volunteer training, ranger services, emergency signage and equipment.

ECONOMIC SERVICES - \$164K investment. Key highlights include contribution to Great Southern Treasurers, building surveyor services, legal services.

EDUCATION AND WELFARE - \$20K investment. Key highlights include Leeuwin Ocean Adventure Scholarship, ongoing financial support to childcare centres and building maintenance.

GENERAL PURPOSE FUNDING - \$98K investment. Key highlights include annual rates services, valuation expenses, legal fees relating to rates collection, location information services.

GOVERNANCE - \$210k investment. Key highlights include auditor expenses, elected member expenses, donations to community groups, council memberships.

HEALTH - \$575k investment. Key highlights include General Practitioner and business support services for medical, contribution to Bremer Bay emergency services precinct, contract health services, production of public health plan.

OTHER PROPERTY AND SERVICES - \$3.1M investment. Key highlights include Shire of Jerramungup brand redevelopment, community survey, genestreams songlines sculpture, WALGA memberships and services, IT support services, business continuity management, local law review, administration software, engineering consultancy services, insurances, fuel and oil, parts and repairs, infrastructure software, employee assistance program.

RECREATION AND CULTURE - \$850K investment. Key highlights include turf management of Boxwood Hill, Bremer Bay and Jerramungup sporting ovals, reconciliation action plan, community swimming pool operational costs, revitalisation of parkland opposite shop in Bremer Bay (outdoor seating and tables, limestone path, gardening), revitalisation of Shire administration building gardens, trail signage and program, library services, install lighting at Roe Park basketball court and barbecue, fencing installation at Bremer Bay skate park.

TRANSPORT - \$781K investment. Key highlights include rural road maintenance, townsite street maintenance, street sweeping, drainage, airstrip maintenance.

HOUSING - \$101k investment in building maintenance on Shire owned assets.

KEY CAPITAL PROJECTS IN 2024/25:

LAND AND BUILDINGS - \$200K – Entertainment Centre court resurfacing, replacement of winch system basketball hoops, ventilation installation Entertainment Centre, capital upgrades to Shire assets, public amenities capital upgrades.

OTHER INFRASTRUCTURE - \$562k – Reticulation installation Bremer Bay cemetery, sealing Jerramungup Sports Club carpark, infrastructure at transfer stations, upgrade Fisheries Beach boardwalk, completion of the sports oval water resilience project.

PARKS - \$233K replacement of soft fall Roe Park.

FOOTPATH CONSTRUCTION - \$66K to construct new footpath from Roderick Street to Bennett Street, and installation of solar lighting along newly constructed footpath from Seadragon Avenue to Wellstead Road.

PLANT AND EQUIPMENT - \$695K plant replacement program.

ROADS - \$2.3M Road construction and townsite sealing program.

AERODROMES - \$2.49M Bremer Bay airfield cross runway project.

APPROVED COMMUNITY DONATIONS 2024/25:

- \$1,200 towards KidzFest in the Bay 2025
- \$2,940 towards Bremer Bombs & Beauties Car Show January 2025
- \$4,179 towards St John Ambulance AED Maintenance Plan Stage 2

Community donation towards upgrading the outdoor space at the Jerramungup Community Resource Centre request for \$9,435 declined.

COMMUNITY GROUPS AND COMMITTEE CONTRIBUTIONS 2024/25:

- \$15,000 allocated to Fitzgerald Biosphere Group (FBG) to go towards administrative and running costs to continue to work with the farming community within the Shire and deliver projects and services that encourage sustainable agriculture, healthy ecosystems and vibrant enterprises;
- \$13,000 allocated to Great Southern Treasures to build brand awareness of the tourism assets within Great Southern Treasures locally, nationally and worldwide, with the stated mission being to collectively plan and promote the tourism assets, experiences and events across member local governments;
- \$12,000 allocated to the Fitzgerald Biosphere Community Collective (FBCC) group to assist with administrative and project costs to ensure the Fitzgerald Biosphere is meeting its obligations to remain UNESCO listed and is internationally recognised for achieving outstanding biodiversity conservation outcomes;
- \$3,500 annual contributions to the Jerramungup and Bremer Bay Occasional Childcare Centres;
- \$1,500 annual contributions to the Gairdner and Needilup Progress Associations;
- \$10,000 annual contributions to the Boxwood Hill, Bremer Bay and Jerramungup Sporting Clubs, to go towards operational and maintenance costs associated with their facilities;
- \$300,000 reallocated in the 2024/25 budget for St John Ambulance Jerramungup, to go towards the construction of the new Emergency Services Precinct in Bremer Bay.

STATUTORY ENVIRONMENT:

Sections 6.2, 6.11 and 6.47 of the Local Government Act 1995

(Preparation of annual budget & Concessions), Reserve Accounts

Clauses 24 and 25 of the Local Government (Financial Management) Regulations 1996

(Service charges & fees and charges)

Section 67 of the Waste Avoidance and Resource Recovery Act 2007

(Receptacle Charges for Waste Collections)

Clause 34(5) of the Local Government (Financial Management) Regulations 1996

Section 41 of the Health (Miscellaneous Provisions) Act 1911 enables a local government to impose an annual area rate in respect to the Jerramungup effluent system

Regulation 30-34AD of the Local Government (Administration) Regulations 1996 sets the limits, parameters and types of allowances that can be paid to elected members

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:

Budget Expenditures and Revenues as detailed in the 2024/2025 annual budget.

WORKFORCE IMPLICATIONS:

A review of the salaries and wages for 2024/25 has been undertaken with total FTE for the organisation predicted to be 28.48 a net difference of 1.74 from 2023/24. Total employee salaries including superannuation and allowances is predicted to be \$2,837,676.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

AP7 – Human Resources – Remuneration, Subsidies and Other Work Arrangements

FP1 – Accounting for Non-Current Assets

FP2 – Rates and Accounts Collection

FP3 – Investments

FP6 – Procurement of Good and Services

FP7 – Pensioner Rebates on Rural Properties

FP8 – Financial Hardship

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Absolute Majority where indicated.

Simple Majority where indicated.

OFFICER RECOMMENDATION:

OFFICER RECOMMENDATION 1:

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council ADOPTS:

1.1 Adoption of Rates – Section 6.32 *Local Government Act 1995*

That Council adopt the following municipal rates in the dollar on unimproved values and gross rental valuations for the 2024/2025 financial year:

a) General Rates

Impose the following rates in dollar and minimum rates for properties within the Shire of Jerramungup:

GRV:	9.110 cents in the dollar
UV:	0.4499 cents in the dollar
GRV:	\$801 minimum rate
UV:	\$801 minimum rate

b) Effluent Rate – Townsite of Jerramungup

- i. That Council impose the following rates in dollar for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV:	4.1000c in the dollar
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- ii. That Council impose the following minimum rate for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV:	\$318.00
Non Rateable First Fixture:	\$318.00
Additional Fixture:	\$178.00

c) Point Henry Fire Levy

Impose a levy of \$110 on all properties within the Point Henry Peninsula to be used for the maintenance of firefighting equipment and firebreaks on the Point Henry Peninsula. Any balance of funds created by the levy is to be put to the Point Henry Fire Levy Reserve.

1.2 Impose the following Refuse Collection and Recycling Charges for the Shire of Jerramungup for the 2024/2025 financial year:

a) Residential Properties – 240L Bin

- i. \$454.00 per annum per occupied Lot for one 240L General Rubbish Bin serviced weekly.
- ii. \$242.00 per annum per occupied Lot for one 240L Recycling Bin serviced fortnightly.
- iii. \$454.00 per annum per additional 240L Rubbish Bin.

b) Commercial Collections – 240L Bin

- i. \$454.00 per annum per occupied Lot for one 240L Bin serviced weekly.
- ii. \$242.00 per annum per additional 240L Bin as listed on their property’s bin count.

- 1.3 Pursuant to the provisions of section 6.2 *Local Government Act 1995* and part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the Budget as contained in the agenda attachment for the Shire of Jerramungup for the 2024/2025 financial year which includes the following:**
- **Statement of Comprehensive Income by Nature and Type**
 - **Statement of Cash Flows**
 - **Statement of Financial Activity**
 - **Notes to and Forming Part of the Budget**
- 1.4 Pursuant to section 6.11 of the *Local Government Act 1995*, maintain the following reserves (noting the purpose of each reserve) detailed on page 18 of the Shire of Jerramungup 2024/2025 Budget:**
- **Leave Reserve**
 - **Developer Contributions Reserve**
 - **Carpark payment in lieu Reserve**
 - **Plant Reserve**
 - **Community Recreation Reserve**
 - **Bremer Bay Youth Camp Reserve**
 - **Building Reserve**
 - **Bremer Bay Retirement Units Reserve**
 - **Jerramungup Retirement Units Reserve**
 - **Jerramungup Entertainment Centre Reserve**
 - **Effluent Reserve**
 - **Point Henry Fire Levy Reserve**
 - **Bremer Bay Boat Ramp Reserve**
 - **Capital Works Reserve**
 - **Swimming Pool Reserve**
 - **Roe Park Reserve**
 - **Skate Park Reserve**
 - **Regional Landfill Facility Reserve**
- 1.5 The due dates for payment of Rates and Rubbish Collection Charges for 2024/2025 financial year:**
- **Pay rates in full 9 October 2024**
 - **Pay by two instalments:**
 - **First Instalment Payment: 9 October 2024; and**
 - **Second Instalment: 12 February 2025**
 - **Pay by four instalments:**
 - **First Instalment Payment: 9 October 2024;**
 - **Second Instalment: 11 December 2024;**
 - **Third Instalment: 12 February 2025; and**
 - **Fourth Instalment: 16 April 2025**

OFFICER RECOMMENDATION 2:**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT, Council IMPOSES the following Rates and Charges to provide for Administration and Interest Charges on Rating, Rubbish, Waste, Recycling, Effluent and General Debtor Collection Charges for the 2024/2025 financial year:

a) Instalment Plan Administration Fee

Pursuant to Section 6.45 of the *Local Government Act 1995*, and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an administration charge of \$8 for each instalment after the initial instalment is paid, where the owner has elected to pay rates and charges through an instalment option.

b) Instalment Plan Interest Charge

Pursuant to Section 6.45 of the *Local Government Act 1995*, and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

c) Late Payment Interest Charge

Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995*, and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 11% for rates and service charges that remain unpaid after becoming due and payable.

OFFICER RECOMMENDATION 3:**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council:

- a) In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Shire President annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$16,658.**
- b) In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Deputy Shire President and Councillor annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$8,105.**
- c) In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996*, Part 7.2(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, annual allowance for the Shire President be set at \$17,110.**
- d) In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996*, Part 7.3(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, annual allowance for the Deputy Shire President be set at \$4,277.**
- e) In accordance with Section 5.99A(b) of the *Local Government Act 1995*, Regulation 34A *Local Government (Financial Management) Regulations 1996*, and Part 9.2(2) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, the annual allowance for ICT expenses for the Shire President, Deputy Shire President and Councillors be set at \$1,000.**
- f) Annual Travel and Accommodation Allowance (allowable claims will be reimbursed).**

OFFICER RECOMMENDATION 4:

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ADOPTS a material variance level of 10% with a minimum \$10,000 variance for the 2024/2025 financial year for monthly reporting purposes.

OFFICER RECOMMENDATION 5:

VOTING REQUIREMENT: SIMPLE MAJORITY

Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, Council adopts the Fees and Charges forming part of the 2024/2025 Budget.

OFFICER RECOMMENDATION 6:

VOTING REQUIREMENT: SIMPLE MAJORITY

That Council confirms that it is satisfied that the services and facilities it provides in accordance with section 3.18(3) of the *Local Government Act 1995*:

- **Integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;**
- **Do not duplicate, to an extent that the local government considered inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and**
- **Are managed efficiently and effectively**

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED DISPOSAL OF LAND – PORTION OF RESERVE 48293 JOHN STREET, BREMER BAY

Location/Address:	Portion Reserve No.48293, 35 John Street, Bremer Bay
Name of Applicant:	Shire of Jerramungup/DFES/WA Police
File Reference:	A1604136
Author:	Noel Myers, Acting Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 July 2024
Attachments:	a) Bremer Bay Emergency Services Precinct Location Plan and Concept Plans
Authority/Discretion:	Legislative

SUMMARY:

The proposed action is to progress the future development of the Bremer Bay Emergency Services Precinct. Reserve No.48293 is to be redescribed so that discrete land areas can be allocated to Department Fire and Emergency Services (DFES) and the Western Australian Police (WAPOL). The Shire will retain an interest in a portion of the Reserve on which it is proposed to construct the new St John Ambulance Base.

Portions of the Reserve to be disposed of are regarded as being surplus to the Shire's requirements and the proposal is supported.

BACKGROUND:

- The subject land parcel is located on the corner of John Street and Bremer Bay Road, Bremer Bay;
- The land at present is developed with the DFES Emergency Services Building;
- Reserve No.48293 has previously been identified as being suitable for the development of an Emergency Services Precinct on which a future St John Ambulance Base, Police Post and expanded DFES facilities would be located;
- To progress this aspiration, Council, at its Ordinary Meeting of Council held 26/05/2021 – MOTION: OCM210509, initiated actions to acquire an adjacent parcel of Vacant Crown Land to be amalgamated into the existing Reserve. That action has since been finalised and a new Management Order (Emergency Services Site) was issued in favour of the Shire on 04/03/2022;
- Since that time, St John WA, DFES and the WAPOL have substantially progressed their development options for the site and DFES and WAPOL are now seeking to formalise tenure arrangements;
- WAPOL have now provided written confirmation that they request a portion of Reserve 48293 from the Shire to the Minister for Police to support the proposed establishment of a Police post in Bremer Bay;
- DFES have previously articulated their intention to Council to have the land held under their direct management. The matter had been held over pending a commitment from WA Police.

CONSULTATION:

Consultation has been an ongoing matter between all stakeholders.

COMMENT:

An overall concept plan has been developed by DFES on behalf of all stakeholders that identifies how the existing Reserve is to be redescribed into three separate land parcels with sufficient area to accommodate the individual needs of each agency.

The proposal to redescribe the Reserve is uncontentious insofar that the action and future development of the land is consistent with both the vision for the area and the prevailing Management Order. Further, it is common practice that State Agencies hold Management Orders over land on which their infrastructure is located upon. In this instance DFES own the existing building located on the land, WAPOL will be responsible for their future development and there is no financial disadvantage to the Shire by relinquishing its' interest in the land.

In making this resolution now, it is recognised that there will be some refinements required to the overall concept plan provided by DFES before the transfers are finalised. These adjustments would be identified when a survey for the future redescription is being prepared.

It is highlighted that the proposed parcel of land to be transferred to WAPOL does not have direct access to the surrounding road networks and would require a right of access to be created over any lot that was created for the favour of DFES, however, there are alternative options to investigate which includes the option to create an access leg over a portion of the adjoining Vacant Crown Lot located immediately to the north east of the Reserve 48293.

The creation of an access leg over that lot would provide a separate and discrete access point to connect the proposed WAPOL lot to Barbara Street. This is a matter that can be pursued as a separate action to the issue at hand which is for the Council to confirm it is willing to divest its interest in the areas of the Reserve which are to be disposed of. WAPOL are cognisant of this and have indicated their intent to continue to liaise with the Shire to identify a satisfactory solution.

STATUTORY ENVIRONMENT:

- Local Planning Scheme No.2
- Land Administration Act
- **Local Government Act - 3.58. Disposing of property**

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(5) *This section does not apply to —*

- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
- (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
- (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
- (d) *any other disposition that is excluded by regulations from the application of this section.*

STRATEGIC IMPLICATIONS:

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

Community

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

Environment Built

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

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

SUMMARY:

Given the location and vesting of the land and the purpose for which it is now proposed to be put, it is the recommendation of the Administration that the proposed disposition is supported and that the Shire advise the Department of Planning Lands and Heritage of this decision.

FINANCIAL IMPLICATIONS:

As the land is a Crown Reserve, there is no financial consideration associated with the proposed disposition of the land.

Survey and documentation costs will arise for the preparation for the redescription of the Reserve. Given the action is to the benefit of DFES and WAPOL, cost sharing arrangements with those parties is to be negotiated by the Chief Executive Officer.

Costs related to services being supplied to the redescribed lot to be retained by Council would be incorporated into the future development of the site.

WORKFORCE IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

- 1. Confirms by ABSOLUTE MAJORITY that the subject land, being portions of Reserve 48293, Lot 500 on DP2421657, 35 John Street, Bremer Bay as shown on the draft concept plan (Drawing VFRS Model V2.1) dated 16 June 2023 is surplus to its operational requirements and supports the transfer of those portions of land and buildings to the Department of Fire and Emergency Services and WA Police;**
- 2. Advise the Department of Planning, Lands and Heritage that the Shire agrees to relinquish its Management Order and Interests in land and buildings over Portion of Reserve 48293 as described in 1 above;**
- 3. Authorise the Chief Executive Officer and Shire President to execute documentation consistent with the Council's decision to dispose of the Shire's interests in the land and buildings that may be required by the Department of Planning Lands and Heritage to facilitate the transfer of the land and buildings;**
- 4. Authorise the Chief Executive Officer to negotiate a cost sharing arrangement with the Department of Fire and Emergency Services and WA Police for survey and documentation costs as is necessary for the transfer/disposal of land to be finalised.**

9.3.2 BREMER BAY AIRSTRIP – CROSS RUNWAY CONSTRUCTION PROJECT, BREMER BAY

Location/Address:	Reserve No.24521, Lot 1548 Don Ende Drive, Bremer Bay
Name of Applicant:	Shire of Jerramungup
File Reference:	A1604334
Author:	Janna Cheshire, Project Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 July 2024
Attachments:	a) Drawing No. BMR -181-DR-001
Authority/Discretion:	Administrative, Financial

SUMMARY:

The purpose of this report is for Council to consider issuing Development Approval for the proposed cross runway and incidental structures/infrastructures (including taxiways, drainage, lighting, and perimeter fencing) at the Bremer Bay Airstrip.

BACKGROUND:

In 2015 Slavin Architects were engaged by the Shire of Jerramungup to develop a Master Plan for the Bremer Bay Aerodrome located on portion of Reserve No.24521. The purpose of the Master Plan was to foster a schematic and planned approach for any future development at the Bremer Bay Airstrip. The report was endorsed by Council on 18 November 2015.

As a direct recommendation of the Master Plan, the development of a cross runway that allows for the safer use of the airstrip has been designed and costed.

The project has been successful in receiving funding under the State's RADS program and the Commonwealth's RAU program and was allocated to Council's budget for delivery in the 2023/24 and 2024/25 financial year.

Due to the identification of and presence of environmentally significant flora and fauna within the Reserve and likely to be affected by the project, the Shire has advanced applications to the State and Commonwealth Governments for the clearing of 15.6ha native vegetation to construct the proposed new cross runway and is currently awaiting the outcome of a "proposed action" assessment.

To support the Clearing Permit applications and affirm the development of a cross runway can take place in that locality, Council is asked to provide a development approval for this project.

CONSULTATION:

Public consultation has occurred during the development of the Bremer Bay Airfield Master Plan in 2015 and the feedback received assisted with formulating the recommendations made in the report, one of which is the construction of the cross runway.

Future consultation addressing the construction of the cross runway and ongoing maintenance of the Reserve will be addressed with the key stakeholders as the project advances.

COMMENT:

The proposed construction of the new cross runway is consistent with the use and current purpose of the Reserve (Aerial Landing Ground).

The proposed development complies with the requirements of the Zone under the Shire's Local Planning Scheme and is also consistent with the use of the land as identified within the Shire's Local Planning Strategy.

Significantly, the proposed development is consistent with the Bremer Bay Airfield Master Plan that was prepared and adopted for the purpose of future development of the Reserve.

The project is an identified project within Council's current financial year's budget.

As such, the project fully aligns with the Shire's strategic direction and the request for Council's endorsement in form of a development approval for the construction of the cross runway is of administrative nature only.

The Shire has engaged Airport Management Services (AMS) to design and cost the new cross runway (Plan attached). Whilst some minor modification to the plan may arise through the Clearing Permit process to better manage storm water and control the spread of die back, the fundamental design and orientation of the new cross runway will remain as detailed within the adopted Airfield Master Plan.

It is highlighted that this project may only proceed once a Clearing Permit has been secured and the Council has issued and accepted a successful tender after following its legislative obligations.

STATUTORY ENVIRONMENT:

- Shire of Jerramungup Local Planning Scheme No.2:– in respect to land use and development issues
- *Environmental Protection and Biodiversity Conservation Act 2016* and *Environmental Protection Act 1986* – regarding approvals to clear native vegetation need to be obtained to advance the project further.

STRATEGIC IMPLICATIONS:

This item relates to all but one 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

Economy

Work with the business community to attract investment, create jobs and support small business growth

Environment Built

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

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

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

FINANCIAL IMPLICATIONS:

The issue of a Development Approval for the construction of the cross runway has no financial implications for Council insofar as the approval merely supports the project progressing should Council so determine.

Costs associated with the preliminary construction documentation include the Clearing Permit applications of \$36,176 (estimate) for the Commonwealth approval and \$2,000 for the State approval. Additionally, there will be costs incurred for professionals and consultants assisting with expert advice and services throughout the project phase. These sums have been acknowledged within the Shire's adopted financial year budget for this project.

A budget of \$2,490,455 has been allocated for this project for this financial year.

The progression of the project past the Clearing Permit stage will depend on suitable construction tenders being received. At the point of reviewing the construction tenders, Council will be in a position to re-evaluate the project and its financial implications and make a decision on whether the advancement of the project past the preliminary construction documentation is financially viable and feasible.

Future budget implications post construction will result from ongoing maintenance and reporting responsibilities for matters of environmental significance and general infrastructure maintenance programs.

WORKFORCE IMPLICATIONS:

Development of the cross runway will require appropriate personnel to assist with project management, environmental management and potentially some civil construction assistance. These are matters that will be identified within future tender documents and budgets.

POLICY IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council issue Development Approval for the Bremer Bay Airstrip Cross-Runway development project, including associated infrastructure and incidentals, located on portion of Reserve No. 24521, Lot 1548 on DP94377 Don Ende Drive, Bremer Bay as shown on attached Drawing No. BMR -181-DR-001.

9.3.3 ADOPTION OF UPDATED BAL CONTOUR MAPPING

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Noel Myers, Acting Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 July 2024
Attachments:	a) Jerramungup and Bremer Bay Townsite Bushfire Prone Vegetation Mapping and BAL Contour Plan Review
Authority/Discretion:	Administrative

SUMMARY:

The purpose of this report is for Council to adopt the updated Bushfire Attack Level (BAL) Contour Plans for Jerramungup and Bremer Bay which are utilised to assign a BAL rating to residential development within these townsites. The document is also used to inform planning for the Shire of Jerramungup's annual mitigation works.

BACKGROUND:

- Local Planning Policy No.22 BAL Contour Plan for Jerramungup and Bremer Bay was adopted to aid applicants in preparing information for lodging development applications by providing a BAL Contour Plan over the Shire's two townsites.
- Clause 5.2 d) of Policy No.22 identifies that the BAL Contour Plans are to be reviewed annually in order to respond to any townsite bushfire mitigation actions completed in the previous year.

CONSULTATION:

Internal consultation has been undertaken with the Shire's Bushfire Risk Mitigation Coordinator.

No external consultation was undertaken.

The update is a technical assessment by an accredited Level 3 Bushfire Consultant and the new plans are published on the Shire's website.

COMMENT:

Local Planning Policy No.22 has been prepared having regard to the overarching Bushfire Policy Framework that was released in 2015 to guide development in bushfire prone areas.

This BAL Mapping review is essentially a technical assessment undertaken by an accredited Level 3 Bushfire Consultant. The annual review of that mapping is undertaken to reflect changes to the bushfire risk following completion of mitigation works and/or changes to the overarching bushfire framework that does occur intermittently. The report also is used to inform planning for annual mitigation works in around the two townsites.

STATUTORY ENVIRONMENT:

- Deemed Provisions within the Planning and Development (Local Planning Schemes) Amendment regulations 2015;
- Shire of Jerramungup Bushfire Risk Management Plan 2017 – 2022;
- Shire of Jerramungup Local Planning Scheme No.2;
- State Planning Policy 3.7 and supporting Guidelines; and Australian Standard 3959: Construction of buildings within bushfire prone areas.

STRATEGIC IMPLICATIONS:

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

Environment Built:

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

FINANCIAL/BUDGET IMPLICATIONS:

Annual provision is made through the Shire's fire mitigation budget to annually review the BAL Mapping.

WORKFORCE IMPLICATIONS:

None directly associated with the adoption of this item.

POLICY IMPLICATIONS:

Policy is updated in accordance with matters set out within section 5.2 – General Requirements of the Policy.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That COUNCIL:

- 1. Adopt the updated Jerramungup and Bremer Bay Townsite Bushfire Prone Vegetation Mapping and BAL Contour Plan Review prepared by BioDiverse Solutions; and**
- 2. Update Local Planning Policy No.22 – BAL Contour Plan for Jerramungup and Bremer Bay Planning Policy by adopting the updated mapping referred to in Item 1 above.**

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN JUNE/JULY 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Gray, Executive Assistant
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	10 July 2024
Attachments:	a) June/July 2024 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

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

CONSULTATION:

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

COMMENT:

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

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

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

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

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

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

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

STRATEGIC IMPLICATIONS:

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

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

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

FINANCIAL IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 COUNCILLOR REPORTS

13.0 NEW BUSINESS OF AN URGENT NATURE

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 28 August 2024, commencing at 10.00am, in Bremer Bay.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atam

These minutes were confirmed at a meeting held

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Signed:

Presiding Person at the meeting at which these minutes were confirmed

Date: