



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, 26 February 2025
At the Council Chamber,
Jerramungup
Commencing at 1:00pm

Council Meeting Procedures

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

Martin Cuthbert
CHIEF EXECUTIVE OFFICER
20 February 2025

AGENDA

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OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

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

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

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

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

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

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RECORDINGS

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

NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

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

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

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

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

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

Regulation 34C (Impartiality) states;

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

2025 MEETING DATES

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

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

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

APPLICATION FOR LEAVE OF ABSENCE

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

Shire of Jerramungup

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ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atpm by the Shire President.

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

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

2.4 ABSENT

2.5 DISCLOSURE OF INTERESTS

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

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

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

RECOMMENDATION

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

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

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

RECOMMENDATION

That _____ be granted permission to be present at the Ordinary Council Meeting to be held on _____ 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 18 DECEMBER 2024**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Town Hall, Bremer Bay, on 18 December 2024 be CONFIRMED.

7.2 ANNUAL GENERAL MEETING OF ELECTORS HELD 5 FEBRUARY 2025

That the Minutes of the Annual General Meeting of Electors of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 5 February 2025 be CONFIRMED.

7.3 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 9 DECEMBER 2024

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 9 December 2024.

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR DECEMBER 2024 – FEBRUARY 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Gordon Capelli, Works Supervisor
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 February 2025
Attachments:	Nil
Authority/Discretion:	Information

SUMMARY:

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

BACKGROUND:

Road Construction

The Road Construction Crew continue to work on Meechi Road SLK 0.24 to SLK 5.24, however it is nearing completion.

A contractor was engaged to final trim Meechi Road and Cuiss Road prior to sealing.

The Crew has also started a gravel resheet of a section of Swamp Road SLK 15.96 to SLK 18.96.

This will pause while staff are required to assist with sealing works on Meechi Road, followed by Cuiss Road and then Rabbit Proof Fence Road. Sealing will commence on 25 February 2025

Road Maintenance

The maintenance grader has been working on Murray Road and Doubtful Island Road.

The pruning saw has been working pruning vegetation on the road verge of Carlawillup South Road and Devils Creek Road.

A contractor has also been engaged to help with the maintenance grading of the Shire's road network.

Town Services

Bremer Bay

Town Services staff have completed the following:

- Cleaning up after the holiday season.
- Picking up loose rubbish.
- Clearing broken bottles from footpaths.
- Removal of graffiti.
- Removal of damaged signs.
- Replacement of missing signs.
- Thinning out of Skate Park gardens.
- Watering gardens, cemetery and parklands.
- Installation of signage at Paperbarks ablution block.
- Replacement of damaged bollards and fence lines along coastal reserves.

- Mowing of parklands.
- Continuing with spraying of weeds within the townsite.
- Mowing and spraying of vegetation within the airstrip and infrastructure.
- Collection of rubbish from Millers Point.
- Watering of sports oval.

Jerramungup

Town Services staff have completed the following:

- Cleaning up after the holiday season.
- Blower vacuuming of Roe Park soft fall and artificial turf.
- Picking up loose rubbish.
- Pruning street trees.
- Pruning gardens around Rootpickers Hall.
- Pruning gardens around War Memorial.
- Continuing with weed spraying within the townsite.
- Repairing the broken fence at the airstrip.
- Maintenance of townsite gardens.
- Removal of dead vegetation from the truck bay.
- Watering of gardens and cemetery.
- Spraying of weeds along airstrip and around infrastructure.
- Continuing with removal of Victorian Tea Tree within road reserves and at Boxwood Hill Sports grounds.
- Removal of Prickly Pear from road reserves.
- Mowing of parklands and old sports oval.
- Mowing and weed control of laneways.

CONSULTATION:

Internal

COMMENT:

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

STATUTORY ENVIRONMENT:

There are no statutory implications for this report.

STRATEGIC IMPLICATIONS:

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

Economy

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

Environment Built

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

Environment Natural

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

FINANCIAL/BUDGET IMPLICATIONS:

The works completed are included in the 2024/2025 Shire of Jerramungup budget.

WORKFORCE IMPLICATIONS:

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

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the works report for December 2024 – February 2025.

9.2 CORPORATE SERVICES

9.2.1 ACCOUNTS FOR PAYMENT – DECEMBER 2024

Location/Address: N/A
Name of Applicant: N/A
File Reference: N/A
Author: Sarah Van Elden, Accounts Officer
Responsible Officer: Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest: Nil
Date of Report: 29 January 2025
Attachments: a) List of Accounts Paid to 31 December 2024
 b) Credit Card Statement 2 December 2024 - 9 December 2024
 c) Credit Card Statement 2 December 2024 – 31 December 2024
 d) Fuel Card Statement – November 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 December 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.

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

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2024/25 Annual Budget as adopted by Council at its meeting held 24 July 2024 (Minute No. OCM240713 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

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

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	22792 - 22900	\$566,333.51
Direct Deposits		\$45,843.91
Municipal Account Total		\$612,177.42
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$612,177.42

Included within the EFT payments from the Shire’s Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$4,808.63.

CERTIFICATE

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

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

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

Local Government (Financial Management) Regulations 1996 – Reg 13A

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

- (a) the payee’s name;*
- (b) the amount of the payment;*

- (c) *the date of the payment;*
 - (d) *sufficient information to identify the payment.*
- (2) *A list prepared under subregulation (1) must be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- a) The List of Accounts Paid to 31 December 2024 totalling \$612,177.42.**
- b) The Credit Card Statement – 2 December 2024 – 9 December 2024 as detailed in Attachment 9.2.1 (b).**
- c) The Credit Card Statement – 2 December 2024 – 31 December 2024 as detailed in Attachment 9.2.1 (c).**
- d) The Fuel Card Statement November 2024 as detailed in Attachment 9.2.1 (d).**

9.2.2 ACCOUNTS FOR PAYMENT – JANUARY 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sarah Van Elden, Accounts Officer
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 February 2025
Attachments:	a) List of Accounts Paid to 31 January 2025 b) Credit Card Statement 30 December 2024 – 28 January 2025 c) Fuel Card Statement – December 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 January 2025.

BACKGROUND:

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

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

CONSULTATION:

Internal consultation within the Finance Department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2024/25 Annual Budget as adopted by Council at its meeting held 24 July 2024 (Minute No. OCM240713 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of January 2025. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	22901 - 22994	\$329,388.85
Direct Deposits		\$76,850.72
Municipal Account Total		\$406,239.57
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$406,239.57

Included within the EFT payments from the Shire’s Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$3,733.95.

CERTIFICATE

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

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

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

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

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

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

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

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

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

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

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

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

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

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

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

Local Government (Financial Management) Regulations 1996 – Reg 13A

13A. Payments by employees via purchasing cards

(1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*

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

- (2) *A list prepared under subregulation (1) must be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

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

STRATEGIC IMPLICATIONS:

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

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

FINANCIAL IMPLICATIONS:

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

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

- a) The List of Accounts Paid to 31 January 2025 totalling \$406,239.57.**
- b) The Credit Card Statement 30 December 2024 – 28 January 2025 as detailed in Attachment 9.2.2 (b).**
- c) The Fuel Card Statement December 2024 as detailed in Attachment 9.2.2 (c).**

9.2.3 MONTHLY FINANCIAL REPORT – DECEMBER 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Finance Manager
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 February 2025
Attachments:	a) Monthly Financial Report for the period ending 31 December 2024
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 December 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 31 December 2024.

BACKGROUND:

At its meeting held 24 July 2024 (Minute No. OCM240713 refers), Council adopted the annual budget for the 2024/25 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year-to-date position to 31 December 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 24 July 2024, Council adopted (Minute No. OCM240716 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2024/25 financial year:

Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2024/2025 financial year for monthly reporting purposes.

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

and

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 December 2024 has been incurred in accordance with the 2024/25 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 December 2024 in accordance with section 6.4 of the *Local Government Act 1995*.

9.2.4 MONTHLY FINANCIAL REPORT – JANUARY 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Finance Manager
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 February 2025
Attachments:	a) Monthly Financial Report for the period ending 31 January 2025
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 January 2025 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31 January 2025.

BACKGROUND:

At its meeting held 24 July 2024 (Minute No. OCM240713 refers), Council adopted the annual budget for the 2024/25 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year-to-date position to 31 January 2025 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 24 July 2024, Council adopted (Minute No. OCM240716 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2024/25 financial year:

Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2024/2025 financial year for monthly reporting purposes.

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

and

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

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

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

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 January 2025 has been incurred in accordance with the 2024/25 budget parameters, which have been structured on financial viability and sustainability principles.

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

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 31 January 2025 in accordance with section 6.4 of the *Local Government Act 1995*.

9.3 DEVELOPMENT SERVICES

Nil.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN DECEMBER 2024/JANUARY 2025

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Forbes, Executive Administration Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 February 2025
Attachments:	a) December 2024/January 2025 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for December 2024/January 2025 including actions that have been undertaken in relation to decisions of Council and actions performed under delegated authority.

BACKGROUND:

There is no specific requirement to report on actions performed under delegated authority to Council. However, to increase transparency this report has been prepared for Council and includes actions performed under delegated authority for the month of December and January 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 months of December 2024/January 2025.

9.4.2 AMENDMENTS TO THE TERMS OF REFERENCE OF THE AUDIT COMMITTEE

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 February 2025
Attachments:	a) Draft Terms of Reference – Audit, Risk and Improvement Committee b) Draft Advert Calling for Committee Members
Authority/Discretion:	Legislative

SUMMARY:

This report presents the proposed Terms of Reference (ToR) and name change for the Audit Committee. The amendments are required to comply with changes to the *Local Government Act 1995*, particularly Sections 7.1A, 7.1B, and Clause 69 of Schedule 9.3, Division 7, as well as the *Local Government Amendment Regulations 2024*. These amendments mandate the establishment of an Audit, Risk and Improvement Committee. The new requirements include appointing independent Presiding and Deputy Presiding Members through an open advertising process. Compliance must be achieved by 30 June 2025.

BACKGROUND:

The *Local Government Act 1995* and the *Local Government Amendment Regulations 2024* have introduced changes to enhance governance, transparency, and accountability in local government operations. Key changes include the mandatory establishment of an Audit, Risk and Improvement Committee (the Committee) and the requirement for independent leadership of the Committee. These changes align with sector-wide improvements and aim to strengthen oversight of risk management, internal controls, financial reporting, and organisational improvement.

Key amendments include:

1. Transition Audit Committee into an Audit, Risk and Improvement Committee;
2. Expanding the scope of the Committee to include risk management and continuous improvement;
3. Mandated provisions for appointing an independent Presiding Member and Deputy Presiding Member of the Committee; and
4. Requiring alignment with enhanced governance and accountability measures.

An advertisement has been prepared (Attachment 9.4.2 b)) seeking expressions of interest for independent Committee Members, aiming to attract suitably qualified individuals to provide valuable expertise and perspectives to support the Shire's governance and strategic financial oversight.

CONSULTATION:

Consultation has been undertaken with relevant internal stakeholders, including the Executive Leadership Team.

COMMENT:

The proposed ToR outlines the Committee's objectives, authority, membership structure, roles, responsibilities, and reporting mechanisms.

Key elements include:

- Objectives: Oversight of financial reporting, audits, risk management, and continuous improvement initiatives.

- **Membership:** A minimum of three members, including an independent Presiding Member in compliance with legislation.
- **Responsibilities:** Covering financial reporting, risk management, compliance, and governance improvements.
- **Meetings:** To be held triannually or as required, with clear requirements for agendas, minutes, and attendance.

The proposed amendments to the ToR are necessary to meet legislative requirements and support the Shire's commitment to good governance. Adopting an advertising process for independent leadership will enhance transparency and attract qualified candidates.

It is proposed that the positions be advertised in accordance with the principals of Attachment 9.4.2 b), commencing late February 2025 and concluding late March 2025, on the Shire's Website, Facebook, Public Noticeboards, and in the Jerry Journal and Bremer Bulletin.

STATUTORY ENVIRONMENT:

The legislative framework relevant to this report includes:

Local Government Act 1995

Subdivision 2 — Committees and their meetings

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council.*

** Absolute majority required.*

Division 1A — Audit committee

7.1A. Audit committee

(1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

(2) The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

** Absolute majority required.*

(3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.

(4) An employee is not to be a member of an audit committee.

7.1B. Delegation of some powers and duties to audit committees

(1) Despite section 5.16, the only powers and duties that a local government may delegate to its audit committee are any of its powers and duties under this Part other than this power of delegation.*

** Absolute majority required.*

Schedule 9.3 — Transitional provisions

69. Audit, risk and improvement committees

(1) In this clause —

amendment day means the day on which section 87 of the 2024 amendment Act comes into operation;

audit, risk and improvement committee includes a shared committee under section 7.1CB as inserted by section 87 of the 2024 amendment Act;

existing audit committee means a local government's audit committee that, immediately before amendment day, is in place under old Part 7 Division 1A;

new Part 7 Division 1A means Part 7 Division 1A as inserted by section 87 of the 2024 amendment Act;

old Part 7 Division 1A means Part 7 Division 1A as in force immediately before amendment day.

- (2) A local government must, in accordance with new Part 7 Division 1A, establish its audit, risk and improvement committee no later than 6 months after amendment day.
- (3) On and after amendment day, until the audit, risk and improvement committee is established —
 - a) the local government’s existing audit committee continues in place in accordance with old Part 7 Division 1A; and
 - b) the local government may, as and when required, appoint members to the existing audit committee in accordance with old Part 7 Division 1A; and
 - c) the existing audit committee’s functions are those of the audit, risk and improvement committee.

Local Government Amendment Regulations 2024

Division 1A — Audit, risk and improvement committee

7.1A. Establishment of audit, risk and improvement committee

- (1) A local government must establish a committee of its council under section 5.8 to be called the audit, risk and improvement committee.
- (2) The following provisions apply in respect of the membership of the audit, risk and improvement committee —
 - a. an employee of the local government is not to be a member;
 - b. no member is to be nominated by, or is to be appointed to represent, any employee of the local government;
 - c. section 5.10(1)(b) does not apply.
- (3) The presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.
- (4) Any deputy presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.

7.1B. Deputy of presiding member or of deputy presiding member

- (1) The local government must appoint a person under section 5.11A to be a deputy of the presiding member of the audit, risk and improvement committee.
- (2) In addition to the requirement of section 5.11A(2)(c), the deputy of the presiding member cannot be a council member of any other local government.
- (3) If section 5.14 applies to a meeting of the audit, risk and improvement committee, the committee members present at the meeting must choose the deputy of the presiding member, if present, to preside at the meeting.
- (4) If the local government appoints a person under section 5.11A to be a deputy of the deputy presiding member of the audit, risk and improvement committee, in addition to the requirement of section 5.11A(2)(c), the appointed deputy cannot be a council member of any other local government.

These provisions form the basis for the required amendments to the Council’s ToR.

STRATEGIC IMPLICATIONS:

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

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

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Costs associated with:

- Advertising for independent members: Provided for in annual advertising budget.
- Remuneration for independent Presiding and Deputy Presiding Members: To be determined, with provision in the 2025/2026 Budget, and will amount to approximately \$1,000 per annum.

The fees for independent members is determined by the Salaries and Allowances Tribunal (WA) pursuant to, Local Government Chief Executive Officers and Elected Members Determination No 1 of 2024.

Currently the meeting fee is set at a minimum of \$0 and a maximum of \$130 per meeting. It is proposed that the Council agree on the sum of \$130 per meeting for both the Presiding Member and Deputy Presiding Member. It is proposed that Council's Audit, Risk and Improvement Committee will meet approximately three (3) times per year with an average duration of one (1) hour per meeting. There is, of course, required pre-reading and preparation for these meetings also expected.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

Amendments to the Terms of Reference will align the Council's policies with statutory requirements and best practices.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That, with respect to amendments to the *Local Government Act 1995* relating to the requirement for Local Governments to have 'Audit, Risk and Improvement Committees', Council, BY AN ABSOLUTE MAJORITY:

- 1) Note the change of title of the Council's 'Audit Committee' to the 'Audit, Risk and Improvement Committee (ARIC)';**
- 2) Approve the changes to the Terms of Reference and membership of the ARIC in accordance with Attachment 7.4.2 a);**
- 3) Authorise the Chief Executive Officer to advertise for an independent Presiding Member and independent Deputy Presiding Member for the Council's ARIC, as detailed in Attachment 7.4.2 b), with the meeting fee for either position being \$130 per meeting and with referral of all nominees to Council for consideration; and**
- 4) Request the Chief Executive Officer to ensure that the implementation of these amendments is completed by 30 June 2025 to comply with the *Local Government Act 1995* and *Local Government Amendment Regulations 2024*.**

9.4.2 APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER TO COMMITTEES OF COUNCIL

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 February 2025
Attachments:	Nil
Authority/Discretion:	Legislative

SUMMARY:

Council is requested to appoint Presiding Members and Deputy Presiding Members for the Audit, Risk and Improvement Committee, Chief Executive Officer Performance Review Committee and the Bremer Bay Community Development Committee.

BACKGROUND:

On 22 November 2023, the Council re-established its various committees via Resolution No. OCM231117. Under the previous legislative framework, committees were empowered to elect their Presiding Members from amongst themselves. However, the *Local Government Amendment Act 2024* introduced changes to section 5.12 of the *Local Government Act 1995*, requiring that the Council must appoint the Presiding Member and may appoint the Deputy Presiding Member of each committee and to do so by an Absolute Majority.

The amendment includes transitional provisions:

- Local governments must appoint Presiding Members for all existing committees by 1 July 2025.
- Existing Presiding Members and Deputy Presiding Members may continue in their roles until these appointments are made or until 30 June 2025 for Deputy Presiding Members.

CONSULTATION:

Consultation has been undertaken with relevant internal stakeholders, including the Executive Leadership Team.

COMMENT:

The tenure of members of Council Committees expires on Local Government Election Day in October 2025.

The *Local Government Amendment Act 2024* – Tranche 2 was assented to 6 December 2024. The recent amendments to the *Local Government Act 1995* necessitate a shift in Council's approach to appointing Presiding Members for its committees. By adopting the recommendations, Council ensures compliance with the amended Act while maintaining the integrity of its governance processes.

Changes to section 5.33 of the *Local Government Act 1995* are also pending to the regulations to standardise meeting procedures.

STATUTORY ENVIRONMENT:

The legislative framework relevant to this report includes:

Local Government Act 1995**s.5.12. Presiding members and deputies**

(1) *The local government must appoint* a member of a committee to be the presiding member of the committee.*

**Absolute majority required*

(2) *The local government may appoint* a member of a committee to be the deputy presiding member of the committee.*

**Absolute majority required*

cl.67. Presiding members

(1) *In this clause —*

amendment day means the day on which section 39 of the 2024 amendment Act comes into operation;

existing committee means a committee of the council of a local government that is in place immediately before amendment day;

new section 5.12(1) means section 5.12(1) as inserted by section 39 of the 2024 amendment Act.

(2) *For each of its existing committees, a local government must make its first appointment of the presiding member under new section 5.12(1) no later than 1 July 2025.*

(3) *Until the first appointment is made, the person who, immediately before amendment day, is the presiding member of the existing committee may continue to be the presiding member.*

(4) *If that person goes out of office before the first appointment is made, the person's replacement as presiding member must be appointed by the local government under new section 5.12(1) as soon as practicable (but no later than 1 July 2025).*

cl.68. Deputy presiding members

(1) *In this clause —*

amendment day means the day on which section 39 of the 2024 amendment Act comes into operation;

existing deputy presiding member means a person who, immediately before amendment day, is the deputy presiding member of a committee of the council of a local government;

new section 5.12(2) means section 5.12(2) as inserted by section 39 of the 2024 amendment Act.

(2) *An existing deputy presiding member may continue to be the deputy presiding member of their committee until the end of 30 June 2025.*

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

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

FINANCIAL/BUDGET IMPLICATIONS:

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:

Absolute Majority

OFFICER RECOMMENDATION:

That with respect to amendments to the *Local Government Act 1995* relating to the appointment of Presiding Members and Deputy Presiding Members, Council, BY AN ABSOLUTE MAJORITY:

- 1) Appoint the Shire President Cr Joanne Iffla as Presiding Member of the Audit, Risk and Improvement Committee;**
- 2) Appoint the Deputy Shire President Cr Julie Leenhouders as Deputy Presiding Member of the Audit, Risk and Improvement Committee;**
- 3) Appoint the Shire President Cr Joanne Iffla as Presiding Member of the Chief Executive Officer Review Committee;**
- 4) Appoint the Deputy Shire President Cr Julie Leenhouders as Deputy Presiding Member of the Chief Executive Officer Review Committee;**
- 5) Appoint the Shire President Cr Joanne Iffla as Presiding Member of the Bremer Bay Community Development Committee; and**
- 6) Appoint the Deputy Shire President Cr Julie Leenhouders as Deputy Presiding Member of the Bremer Bay Community Development Committee.**

9.4.4 KEY WORKER HOUSING STRATEGIC PLAN

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 February 2025
Attachments:	a) Draft Key Worker Housing Strategic Plan
Authority/Discretion:	Administrative

SUMMARY:

The purpose of this item is to table a Key Worker Housing Strategic Plan (the Strategic Plan) to provide administration with guidance from the Council on the allocation of Council housing and housing subsidies. The recommendation is to adopt the Strategic Plan.

BACKGROUND:

A Business Case for “Staff Housing Replacement and Seniors Independent Living” was adopted by Council on 15 February 2017. This Business Case was largely developed to support the Great Southern Development Commission together with seven other Councils in the Great Southern to develop a regional business case to apply for funding through the Great Southern Housing Initiative. This initiative was established to facilitate the development of housing projects within the Great Southern to address the shortage of quality and affordable housing in the region which reflected the Shire’s Strategic Community Plan at the time.

The Shire of Jerramungup took the opportunity to develop two 4x2 houses in Bremer Bay and Jerramungup and two 3x1 units in Jerramungup, together with five Independent Living Units (ILUs) in Bremer Bay. The project was jointly funded with the State Government through the Regional Aged Accommodation Project (RAAP) funding and the Federal Government through the Building Better Regions Fund (BBRF) and Shire of Jerramungup contributions. In total, nine dwellings were built within the Shire of Jerramungup.

The purpose of this Strategic Plan is to provide an overview of the Shire’s housing stock and a position for future housing developments when demand and opportunities arise.

CONSULTATION:

Executive Management Team

Elected Members

COMMENT:

Currently Shire staff occupy one house in Bremer Bay, 14 houses and three units in Jerramungup (see Attachment 9.4.4 a) for a summary). Demand needs to be considered in relation to the number of staff residing in both Bremer Bay and Jerramungup in their own homes. At the time of writing, there are four staff in Bremer Bay and 13 staff in Jerramungup living in their own homes. If some of these staff were to leave the Shire, this would create a demand for more housing.

Another consideration is the development of the Cultural Precinct Building in Bremer Bay which will provide opportunity for growth in the Bremer Bay Shire office. Additional office space will become available making provision for a greater Shire presence. Whilst the details of this are yet to be resolved, discussions to date have indicated the need to maintain an administration presence in both Bremer Bay and Jerramungup. This may result in: some administration staff movement and/or new positions created; provide for the expansion of the Development Services team as Bremer Bay grows; and include the provision for the Chief Executive Officer or other Executives to live in Bremer Bay. These scenarios will increase the demand for housing in Bremer Bay and may have an impact on the housing requirements in Jerramungup.

In addition to the above, it is highly likely that the Depot will remain in Jerramungup given its more centralised location in the Shire, making mobilisation for road maintenance and construction more cost effective.

STATUTORY ENVIRONMENT:

Local Government Act 1995

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.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

(a) the names of all other parties concerned;

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

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

(a) a disposition of land under section 29 or 29B of the Public Works Act 1902;

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;

(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:

The Shire's Corporate Business Plan of 2021 – 2025 has identified the need for a review of the Shire's housing needs in Bremer Bay for the 2022/23 and 2023/24 period, should funding be available for the "Bremer Bay Housing" project.

The Shire's Strategic Community Plan 2021 – 2031 provides a broad framework for the need for Key Worker and Community Housing by way of stating "Advocate for strategic projects that will benefit residents, workers and visitors to the Shire" in the Theme of the "Environment Built".

The Shire's Corporate Workforce Plan 2017 – 2022 and the Economic Growth Plan 2016 – 2021 are currently being reviewed and the outcomes of the Corporate Workforce Plan in particular will have a flow on effect to driving the outcomes of the 1 – 5 timeframe recommendations of this plan.

FINANCIAL/BUDGET IMPLICATIONS:

In most instances, Council takes opportunities to financially secure new housing developments by way of low interest State Treasury loans. These loans are taken out over a 10-year period.

Current housing loan status:

- Loan 264 of \$500,000 was taken out in February 2020 to facilitate the Bremer Bay ILUs, which sees its expiry in 2030.

As existing loans come to an end, no new borrowings have been specifically identified for Key Worker Housing. This provides the Shire with increasing capacity to borrow in reaction to the current housing situation.

Using the short-term recommendations of 1 – 5 years, Council will need to consider the acquisition of three (3) lots in Bremer Bay suitable for staff housing. As discussed in section 8.0, the provision of three (3) town blocks would be at a cost of approximately \$750,000.

Consideration needs to be made for the roll out of the purchase of this land over the next two years and/or entertain options to acquire land from the State, where available.

Financial planning needs to commence in earnest for the 2025/2026 financial period to assist in the review of the Long Term Financial Plan, for the acquisition of suitable land and for the development of suitable staff housing in Bremer Bay in a 1-5 year timeframe.

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 ADOPT the Key Worker Housing Strategic Plan.

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, 26 March 2025, commencing at 1.00pm, in Jerramungup.

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: