



SHIRE OF JERRAMUNGUP

ORDINARY COUNCIL MEETING

Held at the Council Chamber,
Jerramungup, on
Wednesday, 26 June 2024

MINUTES

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Shire of Jerramungup

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Ordinary Meeting of Council

Wednesday 26 June 2024

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ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 10.07am by the Shire President.

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

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

Cr Joanne Iffla	Shire President (Chair)
Cr Julie Leenhouders	Deputy Shire President
Cr Neil Foreman	Councillor
Cr Paul Barrett	Councillor
Cr Raegan Zacher	Councillor (via Teleconference)
Cr Gavin Mair	Councillor

STAFF:

Noel Myers	Acting Chief Executive Officer
Charmaine Solomon	Deputy Chief Executive Officer
Gordon Capelli	Works Supervisor
Tamara Pike	Finance Manager
Glenda Gray	Executive Assistant

VISITORS:

Nil.

GALLERY:

Virginia Miles

2.2 APOLOGIES

Cr Nathan Brown

2.3 APPROVED LEAVE OF ABSENCE

Nil.

2.4 ABSENT

Nil.

2.5 DISCLOSURE OF INTERESTS

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

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

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS

Nil.

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

Nil.

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

Councillor Foreman declared an Impartiality Interest in Item 9.2.7 FP4 Sport and Recreation Grants Policy Review. The nature of the interest is that he is a Member of Jerramungup Football Club.

Councillor Barrett declared an Impartiality Interest in Item 9.2.7 FP4 Sport and Recreation Grants Policy Review. The nature of the interest is that he is a Member of Jerramungup Football Club.

Councillor Iffla declared an Impartiality Interest in Item 9.2.7 FP4 Sport and Recreation Grants Policy Review. The nature of the interest is that she is a Member of Boxwood Hill Combined Sports Club and a Life Member of Boxwood Hill Hockey Club.

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

MOTION: OCM240601

MOVED: Cr Leenhouders

SECONDED: Cr Mair

That Cr Neil Foreman be granted Leave of Absence from the Ordinary Council Meeting to be held on 24 July 2024.

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

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.

MOTION: OCM240602**MOVED: Cr Mair****SECONDED: Cr Barrett****That Cr Raegan Zacher be granted permission to be present at the Ordinary Council Meeting to be held on 26 June 2024 by audio contact.****CARRIED: 6/0**

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.0 PUBLIC TIME**6.1 PUBLIC QUESTION TIME**

Virginia Miles

Who is responsible for pruning of trees growing on private property but overhanging the street verge?

Gordon Capelli, Works Supervisor

If the tree is growing on private property, then pruning is the property owner's responsibility.

Virginia Miles

Are there roads in Boxwood Hill that are not constructed?

Noel Myers

Landgate shows a series of road reserves in Boxwood Hill. These would not be constructed by the Shire unless there was an identified need which is currently not the case, as most of the land adjacent to the road reserves is Vacant Crown Land.

If the Vacant Crown Land was converted to freehold lots and people were purchasing them, then roads would be considered. The Shire would request the developer to construct roads and drainage, which is usual practice.

Virginia Miles

Are any lots in Boxwood Hill being considered for the South West Settlement?

Noel Myers

A number of lots in Boxwood Hill have been identified by the State Government for possible inclusion in the South West Settlement. Those between Hakea and Melaleuca Streets will be transferred. Some others are being considered for transfer but there has been no indication of when a decision will be made.

6.2 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil.

7.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 ORDINARY COUNCIL MEETING HELD 22 MAY 2024

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 22 May 2024 be CONFIRMED.

MOTION: OCM240603

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 22 May 2024 be CONFIRMED.

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

7.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 10 JUNE 2024

Attachment 7.2 a)

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 10 June 2024.

MOTION: OCM240604

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 10 June 2024.

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

7.3 CEO REVIEW COMMITTEE MEETING HELD 6 JUNE 2024

CONFIDENTIAL Attachment 7.3 a)

That the Minutes of the CEO Review Committee Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 6 June 2024 be CONFIRMED.

MOTION: OCM240605

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

That the Minutes of the CEO Review Committee Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 6 June 2024 be CONFIRMED.

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

8.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil.

9.0 REPORTS

9.1 TECHNICAL SERVICES

9.1.1 WORKS REPORT FOR MAY/JUNE 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:	14 June 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 of Cowalellup Road from SLK 9.30 to SLK 12.20. This included white posts and signs.

The Construction Crew is now starting a gravel resheet of Marnigarup Road from SLK 0.00 to SLK 3.00. This also includes white posts, road signs and drainage.

Marnigarup Road is the last construction job included in the 2023/24 budget.

Road Maintenance

The maintenance grader has been grading Browns South Road, Carlawillup Road and Monkey Rock Road.

The pruning saw is working on Monjebup Road, pruning the back slopes so the grader can go through and clean them up.

The maintenance grader, along with the pruning saw, will also be grading the shoulders on Boxwood-Borden Road while in the area.

The construction grader will carry out maintenance grading of Marnigarup East Road including the shoulders.

Town Services

Bremer Bay

Town Services staff have:

- Continued removal of polygala along the estuary.
- Replaced damaged playground within Pelican Park and the Skate Park.
- Removed graffiti within the Skate Park.
- Fixed vandalism along Mary Street, including replacing broken signs.
- Vacuumed Bremer Bay school carpark, removing the remaining broken glass caused by vandalism. The Shire thanks the community for their support assisting with the cleanup.
- Continued weed control within the townsite.
- Liaised with contractors working on replacing damaged footpaths with the townsite.

Jerramungup

Town Services staff have:

- Repaired damaged softfall located in Roe Park.
- Vacuumed the fake turf at Roe Park, removing mulch and limestone.
- Mowed the Jerramungup Airstrip.
- Continued mowing of the townsite.
- Carried out spot spraying throughout the townsite.

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 May/June 2024.

MOTION: OCM240606

MOVED: Cr Foreman

SECONDED: Cr Mair

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

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.2 CORPORATE SERVICES

9.2.1 ACCOUNTS FOR PAYMENT – MAY 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:	10 June 2024
Attachments:	<ul style="list-style-type: none"> a) List of Accounts Paid to 31 May 2024 b) Credit Card Statement – 28 April 2024 – 30 May 2024 c) Fuel Card Statement – April 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 May 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 May 2024. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	21992 – 22070	\$249,272.77
Direct Deposits		\$61,628.26
Municipal Account Total		\$310,901.03
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$310,901.03

Included within the EFT payments from the Shire’s Municipal Account are Fuel Card Statement required to be reported under Regulation 13(A), totalling \$3,883.97.

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 31 May 2024 totalling \$310,901.03.**
- **The Credit Card Statement – 28 April 2024 – 30 May 2024 as detailed in Attachment 9.2.1 (b).**
- **The Fuel Card Statement April 2024 as detailed in Attachment 9.2.1(c).**

MOTION: OCM240607**MOVED: Cr Barrett****SECONDED: Cr Zacher**

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 31 May 2024 totalling \$310,901.03.**
- **The Credit Card Statement – 28 April 2024 – 30 May 2024 as detailed in Attachment 9.2.1 (b).**
- **The Fuel Card Statement April 2024 as detailed in Attachment 9.2.1(c).**

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.2.2 MONTHLY FINANCIAL REPORT – MAY 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:	19 June 2024
Attachments:	a) Monthly Financial Report for the period ending 31 May 2024
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 May 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 May 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 31 May 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 31 May 2024 in accordance with section 6.4 of the *Local Government Act 1995*.

MOTION: OCM240608

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

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

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

Cr Iffla thanked the Shire’s Deputy Chief Executive Officer Charmaine Solomon, Finance Manager Tamara Pike and the Finance Team for achieving Best Practice entities status – rated in the top 20 achievers for 2022-23. Entities were rated by the Office of the Auditor General on the quality of financial reporting, which was measured against the following criteria:

- Timeliness of CEO-certified financial report
- Quality of financial report (financial statements and notes)
- Quality of working papers that support the financial report
- Management resolution of accounting matters
- Key staff availability during the audit
- Number and significance of management letter findings
- Clear opinion

This is the second consecutive year the Shire of Jerramungup has achieved this status.

9.2.3 PROPOSED BUDGET AMENDMENT 2023/2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer & Tamara Pike, Finance Manager
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 June 2024
Attachments:	Nil
Authority/Discretion:	Executive

SUMMARY:

This report seeks approval from Council for the proposed budget amendments as detailed in this report.

BACKGROUND:

Council adopted its 2023/2024 Annual Budget on 26 July 2023. Council is being requested to consider an alteration in Reserve transfers for (a) the additional interest earned on Reserve funds; (b) the transfer of unspent project funds into the Reserve for future capital expenditure; and (c) to adjust the transfers out of Reserve based on expenditure incurred for the financial year.

CONSULTATION:

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

COMMENT:

Additional interest of \$38,243.79 was received on Reserve funds. Any funds transferred in or out of Reserve must be recognised in the budget, including interest. It is requested that the additional interest be recognised in the various Reserve accounts as below:

Reserve accounts:

Long Service Leave Reserve	1,883.36
Plant Replacement Reserve	1,869.54
Community Recreation Reserve	5,797.96
Bremer Bay Youth Camp Reserve	-96.81
General Building Reserve	9,403.66
Bremer Bay Retirement Units Reserve	-36.05
JMP Retirement Units Reserve	-175.16
Jerramungup Entertainment Centre Reserve	332.61
Effluent Reserve	2284
Fire Control Point Henry Reserve	1,369.08
Fisheries Beach Boat Ramp Reserve	798.28
Capital Works Reserve	12,262.45
Swimming Pool Reserve	1,763.76
Roe Park Reserve	235.46
Developer contributions Reserve	-13.03
Skate Park Reserve	348.27
Regional Landfill Facility Reserve	216.41
	<u>\$38,243.79</u>

Note: Negative figures resulted from interest being overestimated in the budget.

The 2023/24 Budget allocated \$13,000 to replace the awning on 9 Memorial Road, \$10,000 for outside blinds at 2 Derrick Street, \$18,100 for outside blinds and screens at 6 Derrick Street and \$20,000 to repaint Shire Office awnings. Due to timing issues and proposed works associated with asbestos removal, it is recommended that the budgeted expense amounts be transferred to the Building reserve for future capital expenditure on Shire assets.

A financial contribution towards the St John Ambulance building in Bremer Bay was identified in the 2023/24 budget. As the project has been unable to secure grant funding prior to 30 June 2024, it is recommended that the transfer of \$300,000 from the Capital Works Reserve be deferred. Council is requested to leave the \$300,000 in the Capital Works Reserve for the future contribution towards the project. The project will need to be reconsidered in the 2024/25 annual budget.

One of the Bremer Bay Airstrip project's critical milestones is the procurement of Federal and State clearing permits. Consultants are currently finalising application documentation. Due to timing this project will not incur significant capital expenditure in the 2023/24 budget and it is recommended that (a) the proposed loan of \$900,000 be deferred until the 2024/25 financial year; and (b) the capital expenditure towards the project be reduced by \$900,000. The project costs will need to be reconsidered in the 2024/25 annual budget.

STATUTORY ENVIRONMENT:

Section 6.8 of the *Local Government Act 1995* applies.

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;*
 - or*
 - (b) is authorised in advance by resolution*; or*
 - (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) —*

additional purpose *means a purpose for which no expenditure estimate is included in the local government's annual budget.*

- (2) *Where expenditure has been incurred by a local government —*

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

STRATEGIC IMPLICATIONS:

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

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

FINANCIAL IMPLICATIONS:

This item proposes to transfer funds from unspent building projects and additional interest received to Reserve, which will not result in any additional cost to Council. The amendment to not transfer \$300,000 out of the Capital Reserve will be offset by the reduction in materials and therefore will have no effect on closing surplus.

The amendment to defer the \$900,000 proposed loan will reduce the loan proceeds, which will be offset against the reduction in capital expenditure for the Bremer Bay airstrip.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council

POLICY IMPLICATIONS:

Significant Accounting Policies as detailed within the Monthly Financial Report

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY, AUTHORISE the following 2023/2024 budget amendments:

- 1. APPROVE a budget amendment to increase interest of \$38,243.79 received on reserve funds and transfer the interest of \$38,243.79 into the various Reserve accounts as listed below:**

Long Service Leave Reserve	1,883.36
Plant Replacement Reserve	1,869.54
Community Recreation Reserve	5,797.96
Bremer Bay Youth Camp Reserve	-96.81
General Building Reserve	9,403.66
Bremer Bay Retirement Units Reserve	-36.05
JMP Retirement Units Reserve	-175.16
Jerramungup Entertainment Centre Reserve	332.61
Effluent Reserve	2284
Fire Control Point Henry Reserve	1,369.08
Fisheries Beach Boat Ramp Reserve	798.28
Capital Works Reserve	12,262.45
Swimming Pool Reserve	1,763.76
Roe Park Reserve	235.46
Developer contributions Reserve	-13.03
Skate Park Reserve	348.27
Regional Landfill Facility Reserve	216.41
	<u><u>\$38,243.79</u></u>

- 2. APPROVE a budget amendment to increase the transfer of \$61,100 to the Building Reserve and reduce the capital expenditure for Buildings by \$61,100.**
- 3. APPROVE a budget amendment to reduce the transfer of \$300,000 from Capital Works Reserve to nil and reduce Materials and Contracts expenditure by \$300,000.**
- 4. APPROVE a budget amendment to defer the proposed \$900,000 loan and reduce the capital expenditure for the Bremer Bay Airstrip project by \$900,000 due to timing.**

MOTION: OCM240609**MOVED: Cr Foreman****SECONDED: Cr Mair****That Council, BY AN ABSOLUTE MAJORITY, AUTHORISE the following 2023/2024 budget amendments:**

- 1. APPROVE a budget amendment to increase interest of \$38,243.79 received on reserve funds and transfer the interest of \$38,243.79 into the various Reserve accounts as listed below:**

Long Service Leave Reserve	1,883.36
Plant Replacement Reserve	1,869.54
Community Recreation Reserve	5,797.96
Bremer Bay Youth Camp Reserve	-96.81
General Building Reserve	9,403.66
Bremer Bay Retirement Units Reserve	-36.05
JMP Retirement Units Reserve	-175.16
Jerramungup Entertainment Centre Reserve	332.61
Effluent Reserve	2284
Fire Control Point Henry Reserve	1,369.08
Fisheries Beach Boat Ramp Reserve	798.28
Capital Works Reserve	12,262.45
Swimming Pool Reserve	1,763.76
Roe Park Reserve	235.46
Developer contributions Reserve	-13.03
Skate Park Reserve	348.27
Regional Landfill Facility Reserve	216.41
	\$38,243.79

- 2. APPROVE a budget amendment to increase the transfer of \$61,100 to the Building Reserve and reduce the capital expenditure for Buildings by \$61,100.**
- 3. APPROVE a budget amendment to reduce the transfer of \$300,000 from Capital Works Reserve to nil and reduce Materials and Contracts expenditure by \$300,000.**
- 4. APPROVE a budget amendment to defer the proposed \$900,000 loan and reduce the capital expenditure for the Bremer Bay Airstrip project by \$900,000 due to timing.**

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.2.4 SUNDRY DEBTOR WRITE-OFF – JUNE 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sophie Browning, Debtors Officer
Responsible Officer:	Charmaine Solomon, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	19 June 2024
Attachments:	Nil
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to consider the write-off of bad debts for the year ending 30 June 2024.

It is recommended that Council approve the write-off of monies pursuant to section 6.12(1)(c) of the *Local Government Act 1995* as the debts are deemed unrecoverable.

BACKGROUND:

Following statements being sent from the Shire since 2017, debtors 269 and 503 were sent to legal and a final demand was issued. Debtors were not contactable and the debts were determined to be unrecoverable. A skip trace was not able to locate debtor 269.

Following statements being sent from the Shire since 2020, debtor 574 was sent to legal and a final demand was issued. The debtor was not contactable and the debt was determined to be unrecoverable.

There have been no payments received or contact from any of debtors from the attempts to recover funds. These debtors do not reside in the Shire of Jerramungup and do not own property here.

CONSULTATION:

The Shire has made attempts to recover funds by sending out statements with urgent payment stickers, following up with a free legal service to send a letter of demand and where possible a telephone call has been made.

In 2023 the Shire changed to debt recovery team AMPAC and commenced the debt collection service with a letter and telephone call. They had no success in recovering the debts for debtors 269, 503 and 574 and advised that further legal action would not be financially viable.

While the legal costs can also be recovered from the debtor should it be successful, the likelihood of these debts ever being recovered is minimal and legal fees would then be a further cost incurred by the Shire.

COMMENT:

In writing off these bad debts, Council is not prevented from reinstating the debts if future circumstances change and the debt becomes collectable.

It is recommended that Council approve the following write-off of bad debts to the value of \$2,527.67

- D269 - \$1,394.68
- D503 - \$500.00
- D574 - \$632.99

STATUTORY ENVIRONMENT:

Section 6.12(1)(c) of the *Local Government Act 1995* provides Council with the power to write-off any amount of money which is owed to the Local Government by an absolute majority decision.

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Strategic 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 IMPLCATIONS:

The Shire will be taking a total loss of \$2,527.67

WORKFORCE IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

VOTING REQUIREMENT:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council, pursuant to Section 6.12(1)(c) of the *Local Government Act 1995*, by **ABSOLUTE MAJORITY**, approve the write-off of bad debts to the value of \$2,527.67 for Debtors 269, 503 and 574.

MOTION: OCM240610

MOVED: Cr Leenhouders

SECONDED: Cr Mair

That Council, pursuant to Section 6.12(1)(c) of the *Local Government Act 1995*, by ABSOLUTE MAJORITY, approve the write-off of bad debts to the value of \$2,527.67 for Debtors 269, 503 and 574.

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.2.5 2024/2025 PROPOSED FEES AND CHARGES

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Solomon, Deputy Chief Executive Officer
Responsible Officer:	Noel Myers, Acting Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 June 2024
Attachments:	a) 2024/2025 Proposed Fees and Charges
Authority/Discretion:	Executive

SUMMARY:

This item addresses setting Council's fees and charges for the 2024/2025 financial year. The proposed fees and charges are provided as an attachment and the recommendation seeks to adopt the fees and charges for advertising.

BACKGROUND:

In preparation for the 2024/2025 budget period the attached proposed fees and charges are submitted for Council adoption. By adopting the fees and charges prior to the budget any applicable advertising can be undertaken and the new charges can be incorporated into the draft budget workings.

The attachment provides a listing of Council's fees and charges and comparatives to the current financial year.

Council's fees and charges contain clauses that allow fees set by external bodies to override those advertised and published by Council.

CONSULTATION:

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

Fees and Charges as set by external statutory bodies.

COMMENT:

The 2024/2025 schedule of fees and charges has been formulated using the 2023/2024 year as a basis and factoring in current economic conditions.

When the annual budget is presented for Council consideration and endorsement, Council will still set additional fees and charges for rates for rural and townsite properties.

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

There has been a change in the verge bond for building works with an additional higher bond added to separate properties with a footpath from those with only a kerb. The new bond better reflects the cost for replacing a damaged footpath and gives us greater security that builders will make the repairs if required.

State Government have launched the KidSport Regional Pool Program which offers funding per approved child aged 5-18yrs, for a season membership to the pool. A new fee has been introduced for a child so that eligible families can access the funding program.

There will be quite a few changes to waste services with new E-waste regulations coming into effect from 1 July 2024. E waste can no longer go to landfill and new facilities to accept E waste are yet to be established.

The new waste services contract is currently out for tender. This is expected to trigger a review of what we can accept at the waste transfer sites, as well as a pricing review for transfer sites and kerbside collection services for general waste and recycling.

It is recommended that the current waste fees and charges remain status quo until the above matters have been addressed.

The Shire is also investigating cost options to undertake grounds maintenance on various sporting grounds located in Jerramungup, Boxwood Hill and Bremer Bay. Once the scope of works has been determined and costed it is anticipated that an annual affiliation fee will be charged to various sporting groups utilising the ovals to subsidise this new service being considered by Council through the 24/25 budget deliberations.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Subdivision 2 — Fees and charges

6.16. Imposition of fees and charges

(1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.'*

(2) *A fee or charge may be imposed for the following —*

- (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) *supplying a service or carrying out work at the request of a person;*
- (c) *subject to section 5.94, providing information from local government records;*
- (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) *supplying goods;*
- (f) *such other service as may be prescribed.*

(3) *Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) *imposed* during a financial year; and*
- (b) *amended* from time to time during a financial year.*

** Absolute majority required.*

6.17. Setting the level of fees and charges

(1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors*

- (a) *the cost to the local government of providing the service or goods;*
- (b) *the importance of the service or goods to the community; and*
- (c) *the price at which the service or goods could be provided by an alternative provider.*

(2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*

- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) *under section 5.96;*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.18. Effect of other written laws

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
- (a) *determine an amount that is inconsistent with the amount determined under the other written law; or*
 - (b) *charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of-

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Community Plan 2021 – 2031;
Implement systems and processes that meet our legal and audit obligations.

FINANCIAL IMPLICATIONS:

Fees and charges make up approximately \$930,000 of annual income.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Significant Accounting Policies as detailed within the Monthly Financial Report.

VOTING REQUIREMENT:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Adopt the 2024/2025 Schedule of Fees and Charges as presented; and**
- 2. ENDORSE the adopted 2024/2025 Schedule of Fees and Charges to be implemented and effective from 1 July 2024.**

MOTION: OCM240611

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Adopt the 2024/2025 Schedule of Fees and Charges as presented; and**
- 2. ENDORSE the adopted 2024/2025 Schedule of Fees and Charges to be implemented and effective from 1 July 2024.**

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.2.6 AP1 - EQUAL OPPORTUNITY POLICY REVIEW

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:	18 June 2024
Attachments:	a) AP1 – Equal Opportunity Policy b) CONFIDENTIAL – Equal Employment Opportunity Management Plan
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to review the Equal Opportunity Policy as detailed.

BACKGROUND:

Although not a requirement of the *Local Government Act 1995*, it is considered good practice for Council to review its Policies on a regular basis.

In addition to any annual review, any changes to existing Policies or the need for new Policies identified during the course of the year will be presented through the appropriate meetings for Council consideration.

Policies are determined by Council and may be amended or waived according to circumstances. This power is conveyed to Council in section 2.7(2)(b) of the *Local Government Act 1995*. Policies cannot be made in relation to those powers and duties given directly to the CEO by the Act.

The objectives of Council's Policies are:

- to provide Council with a formal written record of all Policy decisions;
- to provide the staff with clear direction to enable them to respond to issues and act in accordance with Council's general direction;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Shire;
- to enable Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- to enable electors to obtain immediate advice on matters of Council Policy.
- Policies are to relate to issues of an on-going nature; Policy decisions on single issues are not to be recorded in the manual.

Policies should not be confused with management practices or operational procedures, which are determined by the Chief Executive Officer, as a mechanism for good management and implementation of Council Policies.

Changes to Council Policy shall be made only on:

1. The outcome of the Annual Review; or
2. An agenda item clearly setting out details of the proposed amendment.

Users should be mindful of the fact that, in simple terms:

- Policy provides what can be done;
- Procedures provide for how to do it;
- Delegation provides for who can do it.

It is important to note that the Shire’s adopted Policies have been made to facilitate:

- Consistency and equity in decision making;
- Promptness in responding to customer needs; and
- Operational efficiency.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

COMMENT:

A review has been conducted of the Shire of Jerramungup’s existing Equal Opportunity Policy for Council consideration. Council Policies are developed to assist Council in achieving its strategic goals and contribute to meeting mandatory obligations with the ‘Objective’ providing the reason why the Policy has been developed.

Policies guide the discretionary powers of Council’s decision making and are defined as “A course of principle of action”, while Management Practices explain the steps and the considerations to be followed by management when applying Policy to a matter and are defined as “A series of actions conducted in a certain order or manner to give effect to Policy”. Although Management Practices are the responsibility of management they have been included in the report for Council information.

The Shire of Jerramungup recognises its legal obligations under the Equal Opportunity Act 1984 and will actively promote amongst Councillors and employees equal opportunity based solely on merit to ensure that discrimination does not occur on the grounds of sex, marital status, pregnancy, race, impairment, religious or political convictions, age, family status and responsibility.

Amended Policy:

AP1 – Equal Opportunity Policy

This Policy has been reviewed and amended to reflect current industry standard. The main changes are the separation of Policy and Management Practices. (Changes have been highlighted in yellow on Attachment 9.2.6 a.)

Equal employment opportunity principles apply equally to Councillors and employees.

The principles of equal employment opportunity are:

- promotion of equal employment opportunity based solely on merit to ensure that discrimination does not occur;
- provision of training that is consistent with equal opportunity principles;
- ensuring that all promotional policies and opportunities are directed towards providing equal opportunity to all employees;
- ensuring that all offers of employment are directed to providing equal opportunity;
- refusal to tolerate harassment within the workplace; and
- provision of an enjoyable, challenging, involving, harmonious work environment for all employees where each employee has an opportunity to progress to the extent of their ability.

The Shire of Jerramungup has an ongoing commitment to raise awareness for the need and desirability of Equal Employment Opportunity practices and to ensure compliance with the requirements of the Equal Opportunity Act, 1984.

To ensure that equal employment opportunity practices are implemented, there is a need to establish a management plan which will include provision for:

- appointment of grievance officers;
- appropriate training programmes;
- review and monitoring of personnel practices and policies;
- periodic review of the Equal Employment Opportunity Policy; and
- periodic review of all Policies to eliminate any discriminatory practices.

The Shire has developed a new EEO management plan to ensure it complies with Section 145 of the Equal Opportunity Act 1984 and Council's Policy.

STATUTORY ENVIRONMENT:

Equal Opportunity Act 1984

Division 3 — Equal employment opportunity management plans

145. Preparation and implementation of management plans

- (1) *Each authority shall prepare and implement an equal opportunity management plan in order to achieve the objects of this Part.*
- (2) *The management plan of an authority shall include provisions relating to —*
 - (a) *the devising of policies and programmes by which the objects of this Part are to be achieved; and*
 - (b) *the communication of those policies and programmes to persons within the authority; and*
 - (c) *the collection and recording of appropriate information; and*
 - (d) *the review of personnel practices within the authority (including recruitment techniques, selection criteria, training and staff development programmes, promotion and transfer policies and patterns, and conditions of service) with a view to the identification of any discriminatory practices; and*
 - (e) *the setting of goals or targets, where these may reasonably be determined, against which the success of the management plan in achieving the objects of this Part may be assessed; and*
 - (f) *the means, other than those referred to in paragraph (e), of evaluating the policies and programmes referred to in paragraph (a); and*
 - (g) *the revision and amendment of the management plan; and*
 - (h) *the appointment of persons within the authority to implement the provisions referred to in paragraphs (a) to (g).*
- (3) *The management plan of an authority may include provisions, other than those referred to in subsection (2), which are not inconsistent with the objects of this Part.*
- (4) *The preparation of a management plan shall take place and the implementation of the management plan shall commence without delay and —*
 - (a) *in the case of an authority referred to in section 139(1)(a), (b), (c) or (d), other than an authority which is an institution of tertiary education, on or before such day as is specified in the regulations in respect of that authority and if no day is so specified in respect of an authority on or before the day that is 3 years after the day when this Part comes into operation; and*
 - (b) *in the case of an institution of tertiary education or an authority the subject of regulations under section 139(1)(e), on or before such day as is specified in the regulations.*
- (5) *An authority may, from time to time, amend its management plan.*

- (6) *Each authority shall send a copy of its management plan, and any amendment of the plan, to the Director as soon as practicable after the management plan or the amendment, as the case may be, has been prepared.*

Local Government Act 1995 s.2.7(2)(b)

2.7. *Role of council*

1. *The council —*
 - (a) *governs the local government’s affairs; and*
 - (b) *is responsible for the performance of the local government’s functions.*
2. *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government’s finances and resources; and*
 - (b) *determine the local government’s policies.*

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:

Policies provide direction for all Shire of Jerramungup Councillors and employees.

POLICY IMPLICATIONS:

As detailed in each Policy.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. **Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* REAFFIRM the continued application and operation of the following current Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:
AP1 – Equal Opportunity Policy**
2. **NOTES the attached associated Shire of Jerramungup Equal Employment Opportunity Management Plan 2024 - 2029.**

MOTION: OCM240612

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* REAFFIRM the continued application and operation of the following current Council Policy as amended in the report and attached to this report for a further two (2) years or such earlier date as Council may determine from time to time:**

AP1 – Equal Opportunity Policy

- 2. NOTES the attached associated Shire of Jerramungup Equal Employment Opportunity Management Plan 2024 - 2029.**

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.2.7 FP4 – SPORT AND RECREATION GRANTS POLICY REVIEW

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:	14 June 2024
Attachments:	b) FP4 – Sport and Recreation Grants Policy
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is to adopt the reviewed and amended FP4 Sport and Recreation Grants Policy of the Shire of Jerramungup as detailed.

BACKGROUND:

Although not a requirement of the *Local Government Act 1995*, it is considered good practice for Council to review its Policy Manual on a regular basis. It is intended to review the Policy Manual on an annual basis.

In addition to any annual review, any changes to existing policies or the need for new policies identified during the course of the year will be presented through the appropriate meetings for Council consideration.

Policies are determined by Council and may be amended or waived according to circumstances. This power is conveyed to Council in section 2.7(2)(b) of the *Local Government Act 1995*. Policies cannot be made in relation to those powers and duties given directly to the Chief Executive Officer by the Act.

The objectives of the Council's Policy Manual are:

- to provide Council with a formal written record of all policy decisions;
- to provide the staff with clear direction to enable them to respond to issues and act in accordance with Council's general direction;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Shire;
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- to enable electors to obtain immediate advice on matters of Council Policy.
- Policies are to relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.

Policies should not be confused with management practices or operational procedures, which are determined by the CEO, as a mechanism for good management, and implementation of Council policies.

Changes to Council Policy shall be made only on:

- 1) the outcome of the Annual Review; or
- 2) an agenda item clearly setting out details of the proposed amendment.

Users should be mindful of the fact that, in simple terms:

- Policy provides what can be done;
- Procedures provide for how to do it;
- Delegation provides for who can do it.

It is important to note that the Shire's adopted policies have been made to facilitate:

- Consistency and equity in decision making;
- Promptness in responding to customer needs; and
- Operational efficiency.

CONSULTATION:

Internal – Relevant Shire staff have been consulted.

COMMENT:

A review has been conducted of the Shire of Jerramungup's existing Finance Policy No 4 – Sport and Recreation Grants (FP4).

FP4 is now presented for Council consideration. Council Policies are developed to assist Council in achieving its strategic goals and contribute to meeting mandatory obligations with the 'Objective' providing the reason why the Policy has been developed.

Policies guide the discretionary powers of Council's decision making and are defined as "A course of principle of action", while Management Practices explain the steps and the considerations to be followed by management when applying Policy to a matter and are defined as "A series of actions conducted in a certain order or manner to give effect to Policy".

Detail is provided below outlining proposed change to the policy.

Amended Policy:

FP4 – Sport and Recreation Grants Policy

This policy has been reviewed and amended to reduce the percentage of rates levied from 2.5% to 1.5% to be transferred to the Community Recreation Reserve annually. (Highlighted yellow on Attachment 9.2.7 a.)

It is recommended that a budget provision of 1.5% of the previous year's levied rates is provided for in the following year's budget to be transferred to the Community Recreation Reserve.

The reduction will allow the Shire to pursue a proposal to undertake grounds maintenance on various sporting grounds located within the Shire.

Funds from the Community Recreation Reserve will continue to be made available to community and sporting organisations upon application to Council. In years where the infrastructure pool is oversubscribed, the Shire will prioritise projects in line with the annual CSRFF funding process. Other external funding sources may also be obtained in order to progress projects which are beyond the Shire's financial capacity.

Sport and recreation has always been a significant contributor to enhancing the lifestyle of the Shire of Jerramungup community. Sport and recreation exists in numerous forms, however all generally aim to improve the health and wellbeing of participants. This policy review seeks to provide a longer-term focus on supporting our volunteers by enabling the Shire to provide assistance in the form of grounds maintenance.

The Shire holds the management orders over each of the recreation grounds and performs some limited management and maintenance of infrastructure including a \$10,000 annual financial contribution towards all three Sporting Clubs for operating costs.

Each Sporting Club is generally self-sufficient and performs their own maintenance and management of recreation reserves utilising a mix of volunteers and employed staff.

This structure is a testament to the strength of the community and the willingness of volunteers to play an active role in the management and improvement of their individual sports and associated facilities, however sport volunteer roles often expand over time and leave people feeling stretched and burnt out. The Shire is investigating the possibility of taking on the grounds maintenance of the sporting ovals, so reducing the amount of rates levied under the Community Recreation Reserve will assist the Shire financially with the proposal.

STATUTORY ENVIRONMENT:

Local Government Act 1995 s.2.7(2)(b)

2.7. Role of council

1. *The council –*
 - (a) *Governs the local government’s affairs; and*
 - (b) *Is responsible for the performance of the local government’s function.*
2. *Without limiting subsection (1), the council is to -*
 - (a) *oversee the allocation of the local government’s finances and resources; and*
 - (b) *determine the local government’s policies.*

STRATEGIC IMPLICATIONS:

This item relates to the following components 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/BUDGET IMPLICATIONS:

The 2024/25 annual budget will include a provision to transfer funds to the Community Recreation Reserve.

- 2.5% of the previous year’s 2023/24 levied rates is \$95,701
- 1.5% of the previous year’s 2023/24 levied rates is \$57,421

The proposal to reduce the annual transfer to the Community Recreation Reserve from 2.5% to 1.5% will still allow major capital projects to be funded as identified in the Boxwood, Jerramungup and Bremer Bay Sport and Recreation Plans.

WORKFORCE IMPLICATIONS:

Policies provide direction for all Shire of Jerramungup employees.

POLICY IMPLICATIONS:

As detailed in each policy.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council, pursuant to section 2.7(2)(b) of the *Local Government Act 1995*, REAFFIRM the continued application and operation of the FP4 - Sport and Recreation Grants Policy as amended for a further year or such earlier date as Council may determine.

MOTION: OCM240613

MOVED: Cr Foreman

SECONDED: Cr Zacher

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* REAFFIRM the continued application and operation of the FP4 – Sport and Recreation Grants Policy as amended for a further year or such earlier date as Council may determine.**

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.3 DEVELOPMENT SERVICES

Nil.

9.4 EXECUTIVE SERVICES

9.4.1 INFORMATION BULLETIN MAY/JUNE 2024

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Gray, Executive Assistant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 June 2024
Attachments:	a) May/June 2024 Information Bulletin
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for May/June 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 May 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 May 2024.

MOTION: OCM240614

MOVED: Cr Zacher

SECONDED: Cr Leenhouders

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

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.4.2 RENEWAL OF LEASE – KOKODA OP SHOP

Location/Address:	Portion of Reserve 40436, 2A Tobruk Road, Jerramungup
Name of Applicant:	Mrs Allyson Ross
File Reference:	CP.US.30
Author:	Rachel Smith, Community Engagement Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	5 June 2024
Attachments:	a) Draft Lease – Portion of Reserve 40436, 2A Tobruk Road, Jerramungup
Authority/Discretion:	Executive

SUMMARY:

Mrs Allyson Ross (on behalf of the Kokoda Op Shop) has requested a renewal of the lease for the retail opportunity and tourist advice shop located on a portion of Reserve 40436, 2A Tobruk Road, Jerramungup.

A draft lease has been prepared for Council consideration for a further five-year term with the option of a further term to be renegotiated but at the sole discretion and with prior approval from the Lessor.

The recommendation is that the renewal of lease be accepted and that the Shire President and Chief Executive Officer be authorised to execute the documentation.

BACKGROUND:

Kokoda Op Shop has been occupying the shed located on Reserve 40436 since March 2013. The Kokoda Op Shop is a not for profit organisation run solely by volunteers. All proceeds go towards supporting the community in Jerramungup and surrounding districts.

As the Shire of Jerramungup is the ‘Lessor’, Council approval is required to renew the lease. A five year term with the option of a further term is proposed.

CONSULTATION:

McLeods Lawyers

Mrs Allyson Ross

COMMENT:

Allyson Ross, on behalf of the Kokoda Op Shop, has requested a renewal of the lease for an additional five-year period. Given the charitable objectives of the proposed lessee, the subject lease will be offered at a minimal amount of one dollar per annum, payable on demand. The costs associated with the preparation of the lease will be covered by the Shire.

Given the success of the Kokoda Op Shop over the past 10 years, it is recommended that Council renew the lease of the facility with the group through a formal lease with Mrs Allyson Ross.

STATUTORY ENVIRONMENT:**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; and*
 - (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; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (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.*

Land Administration Act 1997

18. Various transactions relating to Crown land to be approved by Minister

- (1) *A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown land.*
- (2) *A person must not without authorisation under subsection (7) —*
- (a) *grant a lease or licence under this Act, or a licence under the Local Government Act 1995, in respect of Crown land in a managed reserve; or*
 - (b) *being the holder of such a lease or licence, grant a sublease or sublicense in respect of the whole or any part of that Crown land.*

- (3) *A person must not without authorisation under subsection (7) mortgage a lease of Crown land.*
- (4) *A lessee of Crown land must not without authorisation under subsection (7) sell, transfer or otherwise dispose of the lease in whole or in part.*
- (5) *The Minister may, before giving approval under this section, in writing require —*
 - (a) *an applicant for that approval to furnish the Minister with such information concerning the transaction for which that approval is sought as the Minister specifies in that requirement; and*
 - (b) *information furnished in compliance with a requirement under paragraph (a) to be verified by statutory declaration.*
- (6) *An act done in contravention of subsection (1), (2), (3) or (4) is void.*
- (7) *A person or lessee may make a transaction under subsection (1), (2), (3) or (4) —*
 - (a) *with the prior approval in writing of the Minister; or*
 - (b) *if the transaction is made in circumstances, and in accordance with any condition, prescribed for the purposes of this paragraph.*
- (8) *This section does not apply to a transaction relating to an interest in Crown land if —*
 - (a) *that land is set aside under, dedicated or vested for the purposes of an Act other than this Act, and the transaction is authorised under that Act;*
 - (b) *that interest may be created, granted, transferred or otherwise dealt with under an Act other than —*
 - (i) *this Act; or*
 - (ii) *a prescribed Act;*
 - (c) *an agreement, ratified or approved by another Act, has the effect that consent to the transaction was not required under section 143 of the repealed Act; or*
 - (d) *the transaction is a lease, sublease or licence and the approval of the Minister is not required under section 46(3b).*

Local Government (Functions and General) Regulations 1996

30. Dispositions of property to which section 3.58 of the Act does not apply

- (2) *A disposition of land is an exempt disposition if —*
 - (a) *the land is disposed of to an owner of adjoining land (in this paragraph called **the transferee**) and —*
 - (i) *its market value is less than \$5 000; and*
 - (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*
 - (b) *the land is disposed of to a body, whether incorporated or not —*
 - (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*

or

- (c) *the land is disposed of to —*
- (i) *the Crown in right of the State or the Commonwealth; or*
 - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
 - (iii) *another local government or a regional local government;*

STRATEGIC IMPLICATIONS:

This item relates to the following component 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.

FINANCIAL IMPLICATIONS:

The annual rent for the lease on the Kokoda Op Shop is one dollar per annum, payable on demand.

The Shire has capacity within the budget to cover the costs associated with preparing the lease. It is anticipated this will cost approximately \$2,000.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. **ACKNOWLEDGE** that the disposition is an exempt disposition in accordance with *Local Government (Functions and General) Regulations 1996 Section 30 (2)(b)(i)*.
2. **APPROVE** the Renewal of Lease for Portion of Reserve 40436, 2A Tobruk Road, Jerramungup for a lease term of five (5) years commencing 1 June 2024 and expiring on 31 May 2029 with a further term of five (5) years at the Shire's discretion.
3. **DELEGATES** authority to the Shire President and Chief Executive Officer to execute and affix the Common Seal of the Shire of Jerramungup to the lease agreement between the Shire of Jerramungup and Mrs Allyson Ross for Portion of Reserve 40436, 2A Tobruk Road, Jerramungup.

Cr Mair left the room at 10.53am and returned at 10.55am.

MOTION: OCM240615

MOVED: Cr Leenhouders

SECONDED: Cr Barrett

That Council:

- 1. ACKNOWLEDGE that the disposition is an exempt disposition in accordance with *Local Government (Functions and General) Regulations 1996* Section 30 (2)(b)(i).**
- 2. APPROVE the Renewal of Lease for Portion of Reserve 40436, 2A Tobruk Road, Jerramungup for a lease term of five (5) years commencing 1 June 2024 and expiring on 31 May 2029 with a further term of five (5) years at the Shire’s discretion.**
- 3. DELEGATES authority to the Shire President and Chief Executive Officer to execute and affix the Common Seal of the Shire of Jerramungup to the lease agreement between the Shire of Jerramungup and Mrs Allyson Ross for Portion of Reserve 40436, 2A Tobruk Road, Jerramungup.**

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.4.3 2024 WA LOCAL GOVERNMENT CONVENTION AND APPOINTMENT OF VOTING DELEGATES

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 June 2024
Attachments:	Nil.
Authority/Discretion:	Executive

SUMMARY:

For Council to nominate which two members will be the voting delegates for this year's Annual General Meeting (AGM) of the WA Local Government Association (WALGA) to be held during the 2024 WA Local Government Convention.

BACKGROUND:

WALGA has advised that the 2024 WA Local Government Convention will be held at the Perth Convention and Exhibition Centre from Tuesday, 8 October to Thursday, 10 October 2024.

WALGA's 2024 AGM will be held during the WA Local Government Convention in Perth. All member Councils are entitled to be represented by two voting delegates, being Elected Members or serving employees. Two proxy voting delegates are also required to be nominated.

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

CONSULTATION:

Nil.

COMMENT:

The format of the 2024 Convention is as follows:

Tuesday, 8 October

4.00pm – 5.30pm	Mayors and Presidents' Forum
6.00pm – 9.00pm	Opening Welcome Reception (Local Government Awards)

Wednesday, 9 October

6.30am – 8.45am	Breakfast with Heads of Agencies
9.00am	WALGA Convention Opens
9.20am	Premier's Address
9.50am	WALGA President's Address
10.05am – 1.30pm	Key Note Speakers
2.30pm – 5.00pm	WALGA Annual General Meeting
6.30pm – 10.30pm	Cocktail Gala

Thursday, 10 October

7.00am – 8.45am	Icons Breakfast
9.30am – 10.00am	Federal Minister’s Address
10.00am – 11.00am	Collaborative Panel Session
11.00am – 11.15am	Opposition Leader’s Address
11.45am – 1.15pm	Breakout Sessions
2.15pm	ALGA President’s Address
2.30pm	Closing Keynote Address

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

Themed *Innovation Ecosystem*, this year’s Convention speaks to the ability of WALGA and the sector to foster dynamic change within the fabric of WA through collaboration, promotion and daring to think big. It will evoke new ideas, heightened passion for communities and facilitate connections for ongoing skills and ideas sharing within the Local Government sector.

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

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

STATUTORY ENVIRONMENT:

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

STRATEGIC IMPLICATIONS:

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

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

FINANCIAL/BUDGET IMPLICATIONS:

There will be an allocation in the 2024/2025 budget for elected members to attend conferences.

WORKFORCE IMPLICATIONS:

Government Policies provide direction for all Shire of Jerramungup employees.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That with respect to the 2024 WA Local Government Convention, Council:

1. **APPOINT** President Joanne Iffla and Deputy Shire President Julie Leenhouders to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association’s Annual General Meeting, to be held on Wednesday, 9 October 2024; and
2. **APPOINT** Chief Executive Officer Martin Cuthbert and Councillor _____ as proxy voting delegates for the Western Australian Local Government Association’s Annual General Meeting, to be held on Wednesday, 9 October 2024.

MOTION: OCM240616**MOVED:** Cr Leenhouders**SECONDED:** Cr Foreman

That with respect to the 2024 WA Local Government Convention, Council:

1. **APPOINT** President Joanne Iffla and Deputy Shire President Julie Leenhouders to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association’s Annual General Meeting, to be held on Wednesday, 9 October 2024; and
2. **APPOINT** Chief Executive Officer Martin Cuthbert and any other Councillor as proxy voting delegates for the Western Australian Local Government Association’s Annual General Meeting, to be held on Wednesday, 9 October 2024.

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

9.4.4 END OF LIVE SHEEP EXPORT – IMPACT ON THE UPPER GREAT SOUTHERN

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Martin Cuthbert, Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 June 2024
Attachments:	a) Econisis – Live Sheep Trade by Sea Policy – Impact on the Upper Great Southern Economy
Authority/Discretion:	Advocacy

SUMMARY:

For Council to consider the attached Econisis report and endorse the Shire of Jerramungup collaborating with near neighbour Shires (known as the Central Great Southern Alliance of Councils) to advocate for appropriate compensation for the loss of the live sheep trade industry.

BACKGROUND:

In early May 2024, the Federal Government announced the end of the Australian live sheep trade effective from May 2028. As part of this announcement an industry compensation package of \$107m was released.

The impact of this policy change on the Shires of Gnowangerup, Katanning, Kojonup, Broomehill-Tambellup, Cranbrook, Jerramungup and Woodanilling was undertaken and results released in a report prepared by Econisis on 22 May 2024.

This report identified that over a 20-year period in present dollars, the economic impact on the Central Great Southern Alliance of Councils was in the range of \$474.9m to \$1.08b.

At a meeting of the Central Great Southern Alliance of Councils' Shire Presidents and Chief Executive Officers held on 31 May 2024, it was agreed to seek each Council's respective endorsement of a consistent and standard approach to advocate for improvement in this compensation package.

CONSULTATION:

Central Great Southern Alliance of Councils

COMMENT:

The Econisis report highlights that the proposed industry compensation package is inadequate.

Endorsing and advocating as a collective with a standardised approach for greater compensation will strengthen the argument and more likely result in an improved outcome for each member of the Central Great Southern Alliance of Councils.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

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

Economy

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report at this time.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. For the purposes of advocating for an improved outcome associated with the banning of live sheep exports, endorses the Shire of Jerramungup becoming part of the group of Shires comprising the Shires of Gnowangerup, Katanning, Kojonup, Broomehill-Tambellup, Cranbrook, Jerramungup and Woodanilling to be known as Central Great Southern Alliance of Councils.
2. Supports the distribution of the Econisis report titled “Live Sheep Trade by Sea Policy – Impact on the Upper Great Southern Economy”.
3. Notes that the Central Great Southern Alliance of Councils does not recognise as valid the Federal Government’s reasons for banning the live sheep export trade.
4. Notes that due to the high concentration of sheep production in the region that the communities represented by the Central Great Southern Alliance of Councils will wear the brunt of the economic losses that this ban will create.
5. Notes that in addition to the impacts on direct supply chain participants, there will be significant consequential impacts on our community, on household spending and on the future viability of many services.
6. Supports a broader transition package informed by an objective measure of the impacts the ban will have on our community especially the retail sector, essential medical and educational services, and sporting clubs.
7. In addition to the \$107 million federal transition package, supports the Federal Government funding an investment package to facilitate community economic development to off-set the negative economic impacts caused by the transitioning of regional communities.
8. Supports a senate inquiry into the adequacy of the transition package.
9. Requests these points of agreement be sent in a letter to the Minister for Agriculture, Fisheries and Forestry (Senator the Hon Murray Watt) advocating for the implementation of these outcomes.
10. Notes that Katanning Shire President, Kristy D’Aprile will be the Central Great Southern Alliance of Councils spokesperson.

MOTION: OCM240617**MOVED: Cr Foreman****SECONDED: Cr Barrett****That Council:**

1. For the purposes of advocating for an improved outcome associated with the banning of live sheep exports, endorses the Shire of Jerramungup becoming part of the group of Shires comprising the Shires of Gnowangerup, Katanning, Kojonup, Broomehill-Tambellup, Cranbrook, Jerramungup and Woodanilling to be known as Central Great Southern Alliance of Councils.
2. Supports the distribution of the Econisis report titled “Live Sheep Trade by Sea Policy – Impact on the Upper Great Southern Economy”.
3. Notes that the Central Great Southern Alliance of Councils does not recognise as valid the Federal Government’s reasons for banning the live sheep export trade.
4. Notes that due to the high concentration of sheep production in the region that the communities represented by the Central Great Southern Alliance of Councils will wear the brunt of the economic losses that this ban will create.
5. Notes that in addition to the impacts on direct supply chain participants, there will be significant consequential impacts on our community, on household spending and on the future viability of many services.
6. Supports a broader transition package informed by an objective measure of the impacts the ban will have on our community especially the retail sector, essential medical and educational services, and sporting clubs.
7. In addition to the \$107 million federal transition package, supports the Federal Government funding an investment package to facilitate community economic development to off-set the negative economic impacts caused by the transitioning of regional communities.
8. Supports a senate inquiry into the adequacy of the transition package.
9. Requests these points of agreement be sent in a letter to the Minister for Agriculture, Fisheries and Forestry (Senator the Hon Murray Watt) advocating for the implementation of these outcomes.
10. Notes that Katanning Shire President, Kristy D’Aprile will be the Central Great Southern Alliance of Councils’ spokesperson.

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

10.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12.0 COUNCILLOR REPORTS

Cr Zacher

Attended the CEO Review Committee Meeting.

Attended the Budget Workshop.

Attended the Councillor tour of Shire roads.

Cr Barrett

Attended the CEO Review Committee Meeting.

Attended the Budget Workshop.

Attended the Councillor tour of Shire roads.

Cr Foreman

Attended the CEO Review Committee Meeting.

Attended the Budget Workshop.

Attended the Councillor tour of Shire roads.

Cr Leenhouders

Attended the CEO Review Committee Meeting.

Attended the Budget Workshop.

Attended the Councillor tour of Shire roads.

Attended the WALGA Great Southern Country Zone meeting.

Attended a contract negotiation meeting with Livingston Medical.

Cr Mair

Converted old artwork for the Boxwood Hill Bombers into a new sign.

Cr Iffla

Attended the CEO Review Committee Meeting.

Attended the Budget Workshop.

Attended the Councillor tour of Shire roads.

Attended the WALGA Great Southern Country Zone meeting. Noted that the Shire of Ravensthorpe is intending to apply to be part of the Great Southern Country Zone.

Attended the South Coast Alliance (SCA) meeting via Teams. The SCA is sending a letter to Western Power re shortcomings in the delivery of power to the region. This letter also to be shared to the LEMC.

Attended the Local Emergency Management Committee (LEMC) meeting. Police expressed concern regarding the shortage of nurses in Jerramungup, particularly on winter sports home game days. Jerramungup Police are intending to approach WACHS to discuss.

Attended a contract negotiation meeting with Livingston Medical.

Attended a meeting with St John Ambulance representatives in relation to the proposed Bremer Bay Sub Centre.

Attended a meeting with a WA Country Health Service (WACHS) representative to discuss nurse staff shortages in the Shire. Expressed concern about WACHS frequently not having a nurse on call. WACHS are leaning heavily and unreasonably on St John Ambulance volunteers and the community paramedic.

MOTION: OCM240618**MOVED: Cr Leenhouders****SECONDED: Cr Barrett**

That Council resolves that the Chief Executive Officer write to the WA Country Health Service (WACHS) to:

- 1. Express the Shire's concerns relating to the continuity and retention of critical nursing staff within the region;**
- 2. Advise WACHS that it is the view of the Council that the current staffing arrangements are causing unreasonable and unsustainable fatigue and stress on community volunteers who are required to provide emergency services to the community during periods when WACHS staff are unavailable; and**
- 3. Encourage WACHS to investigate incentives to help retain and attract nursing staff to and in the region.**

CARRIED: 6/0

For: President Iffla, Cr Leenhouders, Cr Foreman, Cr Barrett, Cr Zacher, Cr Mair

Against: Nil

Explanatory Note:

During the Councillor Reports it was noted that the shortage of nurses, particularly in Jerramungup, was raised at the Local Emergency Management Committee meeting, and that the Shire President and Executive staff had met with a WA Country Health Service representative to discuss the staffing issues. Councillors were concerned at the gap in services being provided by WA Country Health Service, meaning that the community is relying heavily on St John Ambulance volunteers or travelling some distance to receive medical assistance. Council found this situation to be unacceptable and untenable.

Noel Myers, Acting Chief Executive Officer

Advised Council that he had received official notification that the WA Police will be proceeding to secure land tenure within the Emergency Services Precinct in Bremer Bay for WA Police use, and this will be the subject of a report to a future Ordinary Council Meeting.

13.0 NEW BUSINESS OF AN URGENT NATURE

Nil.

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Wednesday, 24 July 2024, commencing at 10.00am, in Jerramungup.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 11.11am

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: