



# **SHIRE OF JERRAMUNGUP**

## **ORDINARY COUNCIL MEETING**

Held at the Town Hall,  
Bremer Bay, on  
Wednesday, 17 December 2025

## **MINUTES**

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## **Shire of Jerramungup**

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Wednesday 17 December 2025

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## **ORDINARY COUNCIL MEETING MINUTES**

### **1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS**

The meeting was opened at 12.59pm 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 Nathan Brown	Shire President (Chair)
Cr Paul Barrett	Deputy Shire President
Cr Neil Foreman	Councillor
Cr Raegan Zacher	Councillor
Cr Naomi Hall	Councillor

##### **STAFF:**

Martin Cuthbert	Chief Executive Officer
Charmaine Wisewould	Deputy Chief Executive Officer
Richard Hindley	Manager of Development
Patrick Steinbacher	Manager of Works
Glenda Forbes	Executive Administration Officer

##### **VISITORS:**

Nil

##### **GALLERY:**

Nil

#### **2.2 APOLOGIES**

Nil

#### **2.3 APPROVED LEAVE OF ABSENCE**

Nil

#### **2.4 ABSENT**

Nil

### **3.0 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.

#### **3.1 DECLARATIONS OF FINANCIAL INTERESTS**

Nil

#### **3.2 DECLARATIONS OF PROXIMITY INTERESTS**

Nil

#### **3.3 DECLARATIONS OF IMPARTIALITY INTERESTS**

Cr Neil Foreman declared an Impartiality Interest in Item 13.2 Australia Day Awards. The nature of the interest is that one nominee is an employee.

Cr Paul Barrett declared an Impartiality Interest in Item 13.2 Australia Day Awards. The nature of the interest is that one nominee is a family relative.

### **4.0 PUBLIC QUESTION TIME**

Nil

### **5.0 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS**

Nil

### **6.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

### **7.0 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.

#### **VOTING REQUIREMENT:**

Absolute Majority

**8.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**9.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**10.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****10.1 ORDINARY COUNCIL MEETING HELD 26 NOVEMBER 2025**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 26 November 2025 be CONFIRMED.

**MOTION: OCM251201****MOVED: Cr Foreman****SECONDED: Cr Zacher**

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 26 November 2025 be CONFIRMED.

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

**10.2 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 17 DECEMBER 2025**

That the Minutes of the Audit, Risk and Improvement Committee Meeting of the Shire of Jerramungup held in the Town Hall, Bremer Bay, on 17 December 2025 be CONFIRMED.

**MOTION: OCM251202****MOVED: Cr Barrett****SECONDED: Cr Hall**

That the Minutes of the Audit, Risk and Improvement Committee Meeting of the Shire of Jerramungup held in the Town Hall, Bremer Bay, on 17 December 2025 be CONFIRMED.

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

## 11.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

### 11.1 AUDIT RESULTS FOR THE YEAR ENDING 30 JUNE 2025

**Location/Address:** N/A  
**Name of Applicant:** N/A  
**File Reference:**  
**Author:** Tamara Pike, Finance Manager  
**Responsible Officer:** Martin Cuthbert, Chief Executive Officer  
**Disclosure of any Interest:** Nil  
**Date of Report:** 9 December 2025  
**Attachments:** Nil  
**Authority/Discretion:** Legislative

#### SUMMARY:

For Council to accept the recommendation of the Audit, Risk and Improvement Committee to receive the Audit Findings for the year ended 30 June 2025.

#### BACKGROUND:

The Audit, Risk and Improvement Committee's duties and responsibilities in relation to the Audit Findings are to consider and recommend acceptance of the findings identified during the audit. The focus of the audit was to evaluate the organisation's overall control environment, but not for the purpose of expressing an opinion on the effectiveness of internal control, and to obtain an understanding of the key business processes, risks and internal controls.

The audit this year was undertaken by Lincolns Accountants and Business Advisors under direction of the Office of the Auditor General.

#### CONSULTATION:

Senior Staff

Lincolns Accountants and Business Advisors

Office of the Auditor General

#### COMMENT:

The following findings were highlighted by Lincolns Accountants and Business Advisors in the Audit Findings for the year ended 30 June 2025:

##### ***High Annual Leave Accrual at Year End***

##### ***Finding***

*We identified three instances where employees have annual leave balance accrued in excess of 400 hours (ten weeks) each, and one instance where an employee has more than 345 hours (9 weeks) accrued.*

*We do note that all these employees have taken annual leave in the last 12 months allowing their roles to be carried out by another staff member.*

**Rating: Minor (2024: Moderate)****Implication**

*Excessive accrued annual leave balances increase the risk of an adverse impact through excessive liabilities and may also indicate over-reliance on key individuals. It is important for staff to take regular leave for their health and wellbeing, and to develop staff to perform the tasks of others.*

*Fraud can also be more easily concealed by staff who do not take leave.*

**Recommendation:**

*The Shire should continue to manage and monitor the excessive annual leave balances to reduce the liability, risk of business interruption and potential fraud.*

**Management Comment:**

*The excessive leave accruals primarily relate to Executive Staff and those in managerial roles. The Shire has recently appointed a Manager of Works, which will significantly reduce the workload for staff with high leave balances.*

*Previously, many responsibilities associated with the Manager of Works position were being handled by these staff members, contributing to their inability to take leave.*

**STATUTORY ENVIRONMENT:****Local Government Act 1995****Division 3 – Reporting on activities and finance****6.4. Financial report**

- (1) *A local government is to prepare an annual report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to*
  - (a) *be prepared and presented in the manner and form prescribed; and*
  - (b) *contain the prescribed information.*
- (3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor –*
  - (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
  - (b) *the annual financial report of the local government for the preceding financial year.*

**7.12AD. Reporting on a financial audit**

- (1) *The auditor must prepare and sign a report on a financial audit.*
- (2) *The auditor must give the report to –*
  - (a) *the mayor, president or chairperson of the local government; and*
  - (b) *the CEO of the local government; and*
  - (c) *the Minister.*

**Division 4 — General****7.12A. Duties of local government with respect to audits**

- (1) *A local government is to do everything in its power to —*
  - (a) *assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and*
  - (b) *ensure that audits are conducted successfully and expeditiously.*
- (2) *Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.*
- (3) *A local government must —*
  - (aa) *examine an audit report received by the local government; and*
  - (a) *determine if any matters raised by the audit report, require action to be taken by the local government; and*
  - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government must —*
  - (a) *prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
  - (b) *give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*

**STRATEGIC IMPLICATIONS:**

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

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

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

**FINANCIAL IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the findings identified during the Audit for the year ended 30 June 2025.**

**MOTION: OCM251203**

**MOVED: Cr Zacher**

**SECONDED: Cr Barrett**

**That Council RECEIVE the findings identified during the Audit for the year ended 30 June 2025.**

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

**11.2 ACCEPTANCE OF 2024/2025 ANNUAL FINANCIAL REPORT**

**Location/Address:** N/A  
**Name of Applicant:** N/A  
**File Reference:**  
**Author:** Tamara Pike, Finance Manager  
**Responsible Officer:** Martin Cuthbert, Chief Executive Officer  
**Disclosure of any Interest:** Nil  
**Date of Report:** 11 December 2025  
**Attachments:** Nil  
**Authority/Discretion:** Legislative

**SUMMARY:**

For Council to adopt the 2024/2025 Annual Financial Report as recommended by the Audit, Risk and Improvement Committee.

**BACKGROUND:**

The Audit, Risk and Improvement Committee of the Shire of Jerramungup met on 17 December 2025 to consider the 2024/2025 Annual Financial Report and Auditor's Report. The recommendation from the Audit, Risk and Improvement Committee was for Council to adopt the 2024/2025 Annual Financial Report and Auditors Opinion.

One of the principal objectives of the Audit, Risk and Improvement Committee is to accept responsibility for the annual external audit and to liaise with the Auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs. The Committee's duties and responsibilities in relation to the Annual Financial Report and the external audit are to consider and recommend adoption of the Annual Financial Report to Council.

The Annual Financial Report for the period ending 30 June 2025 has been prepared in accordance with the *Local Government Act 1995* and *Local Government Financial Management Regulations 1996*.

**CONSULTATION:**

Senior Staff

Lincolns Accountants and Business Advisors

Office of the Auditor General

**COMMENT:**

Lincolns Accountants and Business Advisors conducted an independent audit on behalf of the OAG in order to enable the Auditor General to express an opinion to the Council on the financial report of the Shire of Jerramungup for the year ended 30 June 2025.

The date entities provided their annual financial report to the Office of Auditor General has been recorded for the purposes of reporting to Parliament. The date recorded for the receipt of the Shire of Jerramungup financial statements was 30 September 2025. The financial statements received on this date were deemed to be audit ready.

The Annual Financial Report for the period ending 30 June 2025 has been audited and no significant matters were noted by the auditors.

It is a statutory requirement that:

1. Council accepts the Annual Financial Report
2. The Annual Financial Report be included within the Annual Report
3. The Chief Executive Officer is to publish the Annual Report on the Shire's website within 14 days after the Report has been accepted by Council.

#### **STATUTORY ENVIRONMENT:**

##### ***Local Government (Financial Management) Regulations 1996***

###### ***51. Annual financial report declaration to be signed by CEO***

***(1) After the annual financial report has been audited in accordance with the Act the CEO is to sign and append to the report a declaration in the form of Form1.***

##### ***Local Government Act 1995***

###### ***5.53. Annual reports***

***(1) The local government is to prepare an annual report for each financial year.***

***(2) The annual report is to contain —***

***(f) the financial report for the financial year; and***

###### ***5.54. Acceptance of annual reports***

***(1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.***

***\* Absolute majority required.***

***(2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.***

#### ***Division 3 – Reporting on activities and finance***

##### ***6.4. Financial report***

***(1) A local government is to prepare an annual report for the preceding financial year and such other financial reports as are prescribed.***

***(2) The financial report is to***

***(a) be prepared and presented in the manner and form prescribed; and***

***(b) contain the prescribed information.***

***(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —***

***(a) the accounts of the local government, balanced up to the last day of the preceding financial year; and***

***(b) the annual financial report of the local government for the preceding financial year.***

##### ***7.12AD. Reporting on a financial audit***

***(1) The auditor must prepare and sign a report on a financial audit.***

***(2) The auditor must give the report to —***

***(a) the mayor, president or chairperson of the local government; and***

***(b) the CEO of the local government; and***

***(c) the Minister.***

**Division 4 — General****7.12A. Duties of local government with respect to audits**

- (1) *A local government is to do everything in its power to —*
  - (a) *assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and*
  - (b) *ensure that audits are conducted successfully and expeditiously.*
- (2) *Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.*
- (3) *A local government must —*
  - (aa) *examine an audit report received by the local government; and*
  - (a) *determine if any matters raised by the audit report, require action to be taken by the local government; and*
  - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government must —*
  - (a) *prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
  - (b) *give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*
- (5) *Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.*

**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:**

The Annual Financial Statements set out the operating results for the Shire for the year ended 30 June 2025 and the assets and liabilities as at that date, together with other relevant financial information.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Absolute Majority

**OFFICER RECOMMENDATION:**

**That Council, BY AN ABSOLUTE MAJORITY:**

- ADOPTS the 2024/2025 Annual Financial Report for the Shire of Jerramungup and the accompanying 2024/2025 Audit Report, as attached to the Annual Financial Report.**

**MOTION: OCM251204**

**MOVED: Cr Foreman**

**SECONDED: Cr Barrett**

**That Council, BY AN ABSOLUTE MAJORITY:**

- ADOPTS the 2024/2025 Annual Financial Report for the Shire of Jerramungup and the accompanying 2024/2025 Audit Report, as attached to the Annual Financial Report.**

**CARRIED BY ABSOLUTE MAJORITY: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

## **12.0 REPORTS**

### **12.1        TECHNICAL SERVICES**

Nil.

## 12.2 CORPORATE SERVICES

### 12.2.1 ACCOUNTS FOR PAYMENT – NOVEMBER 2025

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Sarah Van Elden, Accounts Officer
<b>Responsible Officer:</b>	Charmaine Wisewould, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	12 November 2025
<b>Attachments:</b>	<ul style="list-style-type: none"> <li>a) List of Accounts Paid to 30 November 2025</li> <li>b) Credit Card Statement 29 October 2025 – 28 November 2025</li> <li>c) Fuel Card Statement October 2025</li> </ul>
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of November 2025.

#### BACKGROUND:

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

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

#### CONSULTATION:

Internal consultation within the Finance Department.

#### COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2025/26 Annual Budget as adopted by Council at its meeting held 30 July 2025 (Minute No. OCM250708 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 November 2025. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
<b>Municipal Account</b>		
Last Cheque Used	28181	
EFT Payments	24058 - 24152	\$802,545.53
Direct Deposits		\$68,482.05
<b>Municipal Account Total</b>		<b>\$871,027.58</b>
<b>Trust Account</b>		
<b>Trust Account Total</b>		<b>\$0.00</b>
<b>Grand Total</b>		<b>\$871,027.58</b>

Included within the EFT payments from the Shire's Municipal Account are the Fuel Card Statement required to be reported under Regulation 13(A), totalling \$5,317.61.

## **CERTIFICATE**

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

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

## **STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996*

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

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

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

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

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

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

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

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

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

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

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

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

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

**13A. Payments by employees via purchasing cards**

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

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

(2) A list prepared under subregulation (1) must be —

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

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

**STRATEGIC IMPLICATIONS:**

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

Governance and Leadership

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

**FINANCIAL IMPLICATIONS:**

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

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

Finance Policy FP5 – Transaction Cards

Finance Policy FP6 – Procurement of Goods and Services

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

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

- a) The List of Accounts Paid to 30 November 2025 totalling \$871,027.58.
- b) The Credit Card Statement 29 October 2025 – 28 November 2025 as detailed in attachment 12.2.1 (b).
- c) The Fuel Card Statement October 2025 as detailed in Attachment 12.2.1 (c).

**MOTION: OCM251205**

**MOVED: Cr Hall**

**SECONDED: Cr Foreman**

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

- a) The List of Accounts Paid to 30 November 2025 totalling \$871,027.58.
- b) The Credit Card Statement 29 October 2025 – 28 November 2025 as detailed in attachment 12.2.1 (b).
- c) The Fuel Card Statement October 2025 as detailed in Attachment 12.2.1 (c).

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

## 12.2.2 MONTHLY FINANCIAL REPORT – NOVEMBER 2025

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Tamara Pike, Finance Manager
<b>Responsible Officer:</b>	Charmaine Wisewould, Deputy Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	7 November 2025
<b>Attachments:</b>	a) Monthly Financial Report for the Period Ending 30 November 2025
<b>Authority/Discretion:</b>	Information

### SUMMARY:

For Council to note the statement of financial activity for the period ended 30 November 2025 as required by the *Local Government Act 1995* ('the Act').

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance on a year to date basis for the period ending 30 November 2025.

### BACKGROUND:

At its meeting held 30 July 2025 (Minute No. OCM250708 refers), Council adopted the annual budget for the 2025/26 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 30 November 2025 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following detail is included in the financial report:

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

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting on 30 July 2025, Council adopted (Minute No. OCM250711 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2025/26 financial year:

*Officer Recommendation 4: That Council ADOPT a material variance level of 10% with a minimum \$10,000.00 variance for the 2025/2026 financial year for monthly reporting purposes.*

#### **CONSULTATION:**

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

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

#### **COMMENT:**

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

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

#### **STATUTORY ENVIRONMENT:**

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

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

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

*and*

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

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

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

**STRATEGIC IMPLICATIONS:**

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

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

**FINANCIAL IMPLICATIONS:**

Expenditure for the period ending 30 November 2025 has been incurred in accordance with the 2025/26 budget parameters, which have been structured on financial viability and sustainability principles.

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

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for Council.

**POLICY IMPLICATIONS:**

AP3 – Regional Price Preference

FP1 – Accounting for Non-Current Assets

FP2 – Debt Recovery

FP3 – Investments

FP6 – Procurement of Goods and Services Policy

Significant Accounting Policies as detailed within the Monthly Financial Report

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

**That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 November 2025 in accordance with section 6.4 of the Local Government Act 1995.**

**MOTION: OCM251206**

**MOVED: Cr Zacher**

**SECONDED: Cr Barrett**

**That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 November 2025 in accordance with section 6.4 of the Local Government Act 1995.**

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

### 12.2.3 ANNUAL REPORT 2024/2025

<b>Location/Address:</b>	Shire of Jerramungup
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	N/A
<b>Author:</b>	Charmaine Solomon, Deputy Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	11 December 2025
<b>Attachments:</b>	a) UNDER SEPARATE COVER – 2024/2025 Annual Report
<b>Authority/Discretion:</b>	Legislative

#### **SUMMARY:**

For Council to accept the Shire of Jerramungup's 2024/2025 Annual Report.

#### **BACKGROUND:**

In accordance with section 5.53 of the *Local Government Act 1995* the 2024/2025 Annual Report has been prepared, summarising the year's highlights and achievements, as well as including specific statutory requirements.

The Shire's external auditor, in conjunction with the Office of the Auditor General, has completed the audit of Council's Annual Financial Statements for the 2024/2025 financial year and these statements are the subject of a separate report to Council. The Annual Financial Statements form part of the 2024/2025 Annual Report.

The 2024/2025 Annual Report forms the main item of business discussed at the Annual General Meeting of Electors. Section 5.27 of the *Local Government Act 1995* requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the Annual Report is accepted. The Annual Report contains statements from the Shire President, Chief Executive Officer, and the Annual Financial Statements for the 2024/2025 financial year.

#### **CONSULTATION:**

Senior Staff

Lincolns Accountants and Business Advisors

Office of the Auditor General

#### **COMMENT:**

The Department of Local Government, Industry and Safety (LGIRS) Integrated Planning and Reporting Framework sets out the requirements for local governments to undertake planning and reporting on their activities. This includes the annual reporting to the community on achievements and the financial statements. The Annual Report is also seen as an essential tool to inform the community and key stakeholders about its performance and future plans.

The *Local Government Act 1995* requires every local government to prepare an Annual Report. The Annual Report provides progress on the performance, highlights and achievements of the previous financial year to the community. The Annual Report also contains the audited Financial Statements from the previous financial year. It is a statutory requirement that Council accepts an Annual Report and for the report to be presented to the Annual General Meeting of Electors.

The 2024/2025 Annual Report has been prepared addressing the highlights and achievements of the year. The Annual Report also includes measurements against the Shire of Jerramungup Corporate Business Plan. Reports against statutory requirements are also included in the Annual Report.

Once adopted by Council the Annual Report, incorporating the Annual Financial Report, will be made available on the Shire's website. A minimal number of printed, bound colour copies will be available for viewing at Libraries and Customer Services Areas of the Shire.

In order for the Shire of Jerramungup to meet its legislative requirements, it is recommended that Council accepts the Annual Report for the financial year 2024/2025.

#### **STATUTORY ENVIRONMENT:**

Section 5.53 of the *Local Government Act 1995* states the following in relation to the contents of the Annual Report:

##### **5.53 Annual Reports**

- (1) *The local government is to prepare an annual report each financial year.*
- (2) *The annual report is to contain:*
  - (a) *a report from the Mayor or President;*
  - (b) *a report from the Chief Executive Officer;*
  - (c) *deleted;*
  - (d) *deleted;*
  - (e) *an overview of the Plan for the Future of the District made in accordance with Section 5.56 including major initiatives that are proposed to commence or to continue in the next financial year;*
  - (f) *the financial report for the financial year;*
  - (g) *such information as may be prescribed in relation to the payments made to employees;*
  - (h) *the auditor's report for the financial year;*
  - (ha) *a matter on which a report must be made under Section 29(2) of the Disability Services Act 1993;*
  - (hb) *details of entries made under Section 5.121 during the financial year in the register of complaints, including –
    - I. *the number of complaints recorded in the register of complaints;*
    - II. *how the recorded complaints were dealt with; and*
    - III. *any other details that the regulations may require; and**
  - (i) *such other information as may be prescribed.*

Section 5.54 of the *Local Government Act 1995* states the following in relation to the acceptance of the Annual Report:

##### **5.54 Acceptance of Annual Reports**

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after the financial year.*

*\*Absolute Majority required.*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

Section 5.55 of the *Local Government Act 1995* states the following in regard to the notice regarding the availability of the Annual Report:

## **5.55 Notice of Annual Reports**

*The Chief Executive Officer is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by the Local Government.*

### **5.55A Publication of Annual Reports**

*The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.*

Part 5 – Annual Reports and Planning of the *Local Government (Administration) Regulations 1996* states the following in relation to the contents of the Annual Report:

#### **Division 2 – Annual reports**

##### **19B. Information to be included in annual report (Act s. 5.53(2)(g) and (i))**

(1) *In this regulation –*

*remuneration has the meaning given in the Salaries and Allowances Act 1975 section 4(1).*

(2) *For the purposes of section 5.53(2)(g) and (i), the annual report for a financial year beginning on or after 1 July 2020 must contain the following –*

(a) *the number of employees of the local government entitled to an annual salary of \$130,000 or more;*  
(b) *the number of employees of the local government entitled to an annual salary that falls within each band of \$10,000 over \$130,000;*  
(c) *any remuneration and allowances paid by the local government under Schedule 5.1 clause 9 during the financial year;*

(d) *any amount ordered under section 5.110(6)(b)(iv) to be paid by a person against whom a complaint was made under section 5.107(1), 5.109(1) or 5.114(1) to the local government during the financial year;*

(e) *the remuneration paid or provided to the CEO during the financial year;*

(f) *the number of council and committee meetings attended by each council member during the financial year;*

(g) *if available, the gender, linguistic background and country of birth of council members;*

(h) *if available, the number of council members who are aged –*

(i) *between 18 years and 24 years; and*  
(ii) *between 25 years and 34 years; and*  
(iii) *between 35 years and 44 years; and*  
(iv) *between 45 years and 54 years; and*  
(v) *between 55 years and 64 years; and*  
(vi) *over the age of 64 years;*

(i) *if available, the number of council members who identify as Aboriginal or Torres Strait Islander;*

(j) *details of any modification made to a local government's strategic community plan during the financial year;*

(k) *details of any significant modification made to a local government's corporate business plan during the financial year.*

*[Regulation 19B inserted: SL 2020/213 r. 20.]*

**19BB. Information about trading undertakings to be included in annual report (Act s. 5.53(2)(i))**

(1) *In this regulation —*

**income statement** has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 3(1);

**major trading undertaking** has the meaning given in section 3.59(1);

**statement of financial position** has the meaning given in the Local Government (Financial Management) Regulations 1996 regulation 3(1);

**trading undertaking** has the meaning given in section 3.59(1).

(2) *For the purposes of section 5.53(2)(i), the annual report for a financial year beginning on or after 1 July 2022 must include the following —*

(a) *separately, in relation to each trading undertaking carried on during the financial year —*

(i) *an income statement; and*

(ii) *a statement of financial position; and*

(iii) *any other information that is necessary to provide full and complete information on the undertaking;*

(b) *in relation to each major trading undertaking, in addition to the information required under paragraph (a), a statement setting out all other revenue and expenditure that is not included in the income statement referred to in paragraph (a)(i) but that has been used in the pricing structure for goods or services to be provided by the undertaking.*

[Regulation 19BB inserted: SL 2023/106 r. 33.]

**19BC. Information about land transactions to be included in annual report (Act s. 5.53(2)(i))**

(1) *In this regulation —*

**major land transaction** has the meaning given in section 3.59(1);

**nature classification** has the meaning given in the Local Government (Financial Management) Regulation s 1996 regulation 3(1).

(2) *For the purposes of section 5.53(2)(i), the annual report for a financial year beginning on or after 1 July 2022 must include the following, separately in relation to each major land transaction (according to nature classification) —*

(a) *all income and expenditure for the transaction received or expended during the financial year;*

(b) *details of assets and liabilities at 30 June;*

(c) *any other information that is necessary to provide full and complete information on the transaction;*

(d) *if the transaction is to span more than 1 financial year, a brief statement showing the cash flows expected during the lesser of the following periods —*

(i) *the term of the transaction;*

(ii) *the period covered by the corporate business plan.*

(3) *For the purposes of section 5.53(2)(i), if a major land transaction has spanned more than 1 financial year and it is completed during a financial year beginning on or after 1 July 2022, the annual report for that financial year must —*

(a) *disclose —*

(i) *details of the total income and expenditure for the transaction from the date of commencement to the date of completion; and*

- (ii) *details of the amount or value of any surplus of money or assets distributed to the local government or a person other than the local government; and*
- (iii) *the amount or value of any loss and the resources used to cover the loss;*  
*and*

(b) *include –*

- (i) *a comparison of the outcomes over the life of the transaction with expected outcomes in the business plan prepared for the transaction; and*
- (ii) *an explanation of the benefits of the transaction to the local government and the community.*

[Regulation 19BC inserted: SL 2023/106 r. 33.]

**19BD. Information about fees, expenses and allowances to be included in annual report (Act s. 5.53(2)(i))**

*For the purposes of section 5.53(2)(i), the annual report for a financial year beginning on or after 1 July 2022 must include, in relation to fees, expenses or allowances paid during the financial year to council members, the mayor or the president, for each person –*

- (a) *the nature of the fee, expense or allowance; and*
- (b) *the total amount or value of each class of fee, expense or allowance.*

[Regulation 19BD inserted: SL 2023/106 r. 33.]

**19BE. Information about capital grants, subsidies and contributions to be included in annual report (Act s. 5.53(2)(i))**

(1) *In this regulation –*

*renew, in relation to an asset, means to return the asset to its original state by rebuilding, repairing or restoring the asset;*

*replace, in relation to an asset, does not include to upgrade the asset or to replace the asset with a different version of the asset.*

(2) *For the purposes of section 5.53(2)(i), the annual report for a financial year beginning on or after 1 July 2022 must include the amount of all capital grants, subsidies and contributions, for replacing and renewing assets, that were received by the local government during –*

- (a) *the financial year; and*
- (b) *the 2 financial years before the financial year.*

[Regulation 19BE inserted: SL 2023/106 r. 33.]

**[19CA. Deleted: SL 2020/213 r. 20.]**

**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/BUDGET IMPLICATIONS:**

There are no financial implications resulting from the recommendations of this report.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Absolute Majority

**OFFICER RECOMMENDATION:**

**That Council, BY AN ABSOLUTE MAJORITY:**

1. Pursuant to section 5.54 of the *Local Government Act 1995*, ACCEPTS the Annual Report for the 2024/2025 financial year, as attached to this report; and
2. Pursuant to section 5.55 of the *Local Government Act 1995*, GIVES local public notice of the availability of the 2024/2025 Annual Report.

**MOTION: OCM251207**

**MOVED: Cr Foreman**

**SECONDED: Cr Hall**

**That Council, BY AN ABSOLUTE MAJORITY:**

1. Pursuant to section 5.54 of the *Local Government Act 1995*, ACCEPTS the Annual Report for the 2024/2025 financial year, as attached to this report; and
2. Pursuant to section 5.55 of the *Local Government Act 1995*, GIVES local public notice of the availability of the 2024/2025 Annual Report.

**CARRIED BY ABSOLUTE MAJORITY: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

#### 12.2.4 ANNUAL MEETING OF ELECTORS

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	N/A
<b>Author:</b>	Charmaine Wisewould, Deputy Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	11 December 2025
<b>Attachments:</b>	Nil
<b>Authority/Discretion:</b>	Legislative

#### SUMMARY:

For Council to determine the meeting date and time for the Annual General Meeting of Electors.

#### BACKGROUND:

Section 5.27 of the *Local Government Act 1995* requires that the Annual General Meeting of Electors be held on a day selected by the local government, but not more than 56 days after the Annual Report is accepted. It is anticipated that Council will accept the Annual Report at its meeting to be held Wednesday, 17 December 2025.

Furthermore, section 5.29 of the *Local Government Act 1995* states that the Chief Executive Officer is to convene an Electors Meeting by giving at least 14 days public notice.

Should Council adopt the Annual Report at its meeting to be held 17 December 2025, the earliest date to issue local public notice is Thursday, 18 December 2025, meaning that the earliest date the Annual General Meeting of Electors can be held is Thursday, 2 January 2026 with the last date being Thursday, 13 February 2026. It is proposed to hold the Annual General Meeting of Electors on Wednesday, 4 February 2026.

#### CONSULTATION:

The *Local Government Act 1995* requires an Annual General Meeting of Electors to be held once every year and the Annual Report to be made publicly available.

While the Shire advertises the meeting in accordance with the *Local Government Act 1995*, the Shire will promote the scheduled meeting date as soon as possible and will publicise the Annual Report through the Shire's website and Facebook page once it is adopted by Council.

#### COMMENT:

The audited Annual Financial Statements for 2024/2025 are the subject of a separate report to the Audit Committee and then Council. Once these statements are adopted by Council, they are inserted into the 2024/2025 Annual Report which is also adopted by Council as a separate item.

#### STATUTORY ENVIRONMENT:

Section 5.27 of the *Local Government Act 1995* states the following in regard to the Annual General Meeting of Electors:

##### **5.27. *Electors' general meetings***

*(1) A general meeting of the electors of a district is to be held once every financial year.*

- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

Section 5.29 states the following in respect to convening Electors Meetings:

#### **5.29. Convening electors' meetings**

- (1) *The CEO is to convene an electors' meeting by giving:*
  - (a) *at least 14 days' local public notice; and*
  - (b) *each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.*
- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under Section 1.7(1)(a) and is to continue by way of exhibition under Section 1.7(1)(b) and (c) until the meeting has been held.*

Regulation 15 of the *Local Government (Administration) Regulations 1996* details the matters for discussion at the Annual General Meeting of Electors. They are the contents of the Annual Report for the previous financial year and then any other general business. It is suggested therefore, that the agenda format for the Annual Meeting of Electors be:

- Attendance and Apologies
- Contents of the 2024/2025 Annual Report
- General Business

#### **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/BUDGET IMPLICATIONS:**

There are no financial implications resulting from the recommendations of 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:**

1. Pursuant to section 5.27 of the *Local Government Act 1995*, CONVENES the Annual General Meeting of Electors on (date) \_\_\_\_\_ commencing at (time) \_\_\_\_\_ at (venue) \_\_\_\_\_; and
2. ADVERTISE the Annual General Meeting of Electors in accordance with section 5.29 of the *Local Government Act 1995*.

**MOTION: OCM251208**

**MOVED: Cr Foreman**

**SECONDED: Cr Zacher**

**That Council:**

1. Pursuant to section 5.27 of the *Local Government Act 1995*, CONVENES the Annual General meeting of Electors on 10 February 2026 commencing at 6.00pm at the Town Hall, Bremer Bay; and
2. ADVERTISE the Annual General Meeting of Electors in accordance with section 5.29 of the *Local Government Act 1995*.

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

## 12.3 DEVELOPMENT SERVICES

### 12.3.1 PROPOSED ROAD DEDICATION – PROPOSED LOTS 501 AND 502 BORDEN-BREMER BAY ROAD, BOXWOOD HILL

**Location/Address:** Proposed Lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill

**Name of Applicant:** DPLH

**File Reference:**

**Author:** Richard Hindley, Manager of Development

**Responsible Officer:** Martin Cuthbert, Chief Executive Officer

**Disclosure of any Interest:** Nil

**Date of Report:** 4 December 2025

**Attachments:** a) Deposited Plan 419020

**Authority/Discretion:** Legislative

#### SUMMARY:

This report proposes the dedication of proposed lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill as a road. The portion proposed to be dedicated is the current connection of the Boxwood-Ongerup Road with Borden-Bremer Bay Road.



#### BACKGROUND:

Unallocated Crown Land Lot 47 on Deposited Plan 72899 (PIN 11956085) was offered to the Trustee for the Noongar Boodja Trust (Trustee) for inclusion into the Noongar Land Estate in January 2022, and the Trustee are yet to provide a formal acceptance decision.

The Department of Planning, Lands and Heritage confirmed that Lot 47 was offered subject to the proposed excisions displayed in In Order for Dealings Deposited Plan (IOFD DP) 419020 (attached). Accordingly, the Southwest Settlement team would have no objections to the lodgement of IOFD DP 419020 and progression of the proposed subdivision. If progressed, the team will ensure Lots 501, 502 and 504 as depicted on IOFD DP 419020 are removed from consideration to allow for the subsequent dedication of Lots 501 and 502 as road, and inclusion of Lot 504 into Reserve 27035.

This item only deals with the road dedication as that has a separate process to follow under the *Land Administration Act 1997* and the *Land Administration Regulations 1998*.

**CONSULTATION:**

Discussions have been held with the Department of Planning, Lands and Heritage.

The proposed road dedication needs to be publicly advertised and sent to servicing authorities for their comment.

**COMMENT:**

Should the dedication as a road of a portion of Lot 47 and a portion of UCL proposed as lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill be supported, a request will need to be made to the Minister for Lands under Section 56 of the *Land Administration Act 1997*.

**STATUTORY ENVIRONMENT:**

*Land Administration Act 1997*

*Land Administration Regulations 1998*

**STRATEGIC IMPLICATIONS:**

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

Environment Built

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

Economy

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

**FINANCIAL/BUDGET IMPLICATIONS:**

As part of the road dedication process, the Shire of Jerramungup will need to indemnify the Minister against any claim for compensation equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

**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. Request the Minister of Lands to dedicate a portion of Lot 47 and a portion of UCL proposed as lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill as road reserve under Section 56 (1)(a) of the *Land Administration Act 1997*.
2. Instruct the Chief Executive Officer:
  - a) To provide public notice seeking submissions on the proposal to dedicate proposed lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill pursuant to Section 56 of *Land Administration Act 1997* and Regulation 8 of *Land Administration Regulations 1998*; and
  - b) Consider and respond to any submissions or objections received.
3. Advise the Minister of Lands that in accordance with Section 56 (4) of the *Land Administration Act 1997* that the Shire recognises that it is liable to indemnify the Minister against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

**MOTION: OCM251209****MOVED: Cr Foreman****SECONDED: Cr Hall****That Council:**

1. Request the Minister of Lands to dedicate a portion of Lot 47 and a portion of UCL proposed as lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill as road reserve under Section 56 (1)(a) of the *Land Administration Act 1997*.
2. Instruct the Chief Executive Officer:
  - a) To provide public notice seeking submissions on the proposal to dedicate proposed lots 501 and 502 Borden-Bremer Bay Road, Boxwood Hill pursuant to Section 56 of *Land Administration Act 1997* and Regulation 8 of *Land Administration Regulations 1998*; and
  - b) Consider and respond to any submissions or objections received.
3. Advise the Minister of Lands that in accordance with Section 56 (4) of the *Land Administration Act 1997* that the Shire recognises that it is liable to indemnify the Minister against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

## 12.4 EXECUTIVE SERVICES

### 12.4.1 INFORMATION BULLETIN NOVEMBER-DECEMBER 2025

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	N/A
<b>Author:</b>	Glenda Forbes, Executive Administration Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	8 December 2025
<b>Attachments:</b>	a) November-December 2025 Information Bulletin
<b>Authority/Discretion:</b>	Information

#### **SUMMARY:**

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

#### **BACKGROUND:**

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

#### **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 Administration Officer uploads each decision of Council into the spreadsheet and allocates it to the relevant Shire officer 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 November 2025.**

**MOTION: OCM251210**

**MOVED: Cr Zacher**

**SECONDED: Cr Barrett**

**That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of November 2025.**

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

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

### **13.1 CLOSURE OF MEETING TO THE PUBLIC**

#### **OFFICER RECOMMENDATION:**

That Council closes the meeting to the public under section 5.23 (2) (c) and (e) of the *Local Government Act 1995* so that it can consider the following items:

### **13.2 CONFIDENTIAL – AUSTRALIA DAY AWARDS 2025**

**Simple Majority Vote Required**

**MOTION: OCM251211**

<b>MOVED: Cr Zacher</b>	<b>SECONDED: Cr Hall</b>
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That Council closes the meeting to the public under section 5.23 (2) (c) and (e) of the *Local Government Act 1995* so that it can consider the following item:

### **13.2 CONFIDENTIAL – AUSTRALIA DAY AWARDS 2025**

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

**13.2 CONFIDENTIAL – AUSTRALIA DAY AWARDS 2025**

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	Shire of Jerramungup
<b>File Reference:</b>	CR.AW.1
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	
<b>Date of Report:</b>	10 December 2025
	a) Award Eligibility and Assessment Criteria
	b) CONFIDENTIAL – Award Nominations
	Nomination Forms 2025 – Citizen of the Year
	Nomination Forms 2025 – Community Group or Event
	Nomination Forms 2025 – Senior Sportsperson
	Nomination Forms 2025 – Junior Sportsperson
<b>Attachments:</b>	
<b>Authority/Discretion:</b>	Confidential

**SUMMARY:**

This item addresses Council's annual Citizen, Community Group or Event and Sporting Awards which are presented at the Australia Day event.

**BACKGROUND:**

As part of Council's annual traditions Citizen, Community Group or Event and Sporting Awards are presented each year at the Australia Day event.

**CONSULTATION:**

Community nominations are sought for these awards.

**COMMENT:**

Copies of the nominations will be presented to the Council meeting and Council will need to close the meeting to the public to consider the nominations in "committee".

Nominations opened on 15 October 2025 and were advertised via the Shire website, Facebook page, displayed on local notice boards, circulated via email and in the Jerry Journal and Bremer Bulletin newsletters. The call for nominations was also emailed out to the three sporting clubs and various community groups. Nominations for the awards closed on 10 December 2025 at 4pm.

This year nominations have been received for each category.

The award winners will be recorded in the official minutes however in order to maintain confidentiality the names will not be published in community minutes until after the presentation on Australia Day.

**STATUTORY ENVIRONMENT:**

Nil

**STRATEGIC IMPLICATIONS:**

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

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

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

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications for this report.

**WORKFORCE IMPLICATIONS:**

There are no additional 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 REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

- 1) That Council AWARD the 2025 Citizenship Award to \_\_\_\_\_, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.
- 2) That Council AWARD the 2025 Community Group of Event Award to \_\_\_\_\_, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.
- 3) That Council AWARD the 2025 Senior Sportsperson Award to \_\_\_\_\_, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.
- 4) That Council AWARD the 2025 Junior Sportsperson Award to \_\_\_\_\_, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.

Councillor Foreman declared an Impartiality Interest in Item 13.2 and left the room at 1.08pm while the Citizenship Award was discussed. He returned at 1.17pm.

Councillor Barrett declared an Impartiality Interest in Item 13.2 and left the room at 1.18pm while the Senior Sportsperson Award was being discussed. He returned at 1.22pm.

**MOTION: OCM251212****MOVED: Cr Zacher****SECONDED: Cr Hall**

- 1) That Council AWARD the 2025 Citizenship Award to Alison Hocking, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.
- 2) That Council AWARD the 2025 Community Group or Event Award to 'Stay on Your Feet', with it being presented to the recipient on 26 January 2026 at the Australia Day Event.
- 3) That Council AWARD the 2025 Senior Sportsperson Award to Hayden Richter, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.
- 4) That Council AWARD the 2025 Junior Sportsperson Award to April Langdon, with it being presented to the recipient on 26 January 2026 at the Australia Day Event.

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

**13.3 REOPENING OF THE MEETING TO THE PUBLIC****Author:** Martin Cuthbert, Chief Executive Officer**Responsible Officer:** Martin Cuthbert, Chief Executive Officer**Disclosure of any Interest:** Nil**OFFICER RECOMMENDATION:****That Council reopens the meeting to the public.****Simple Majority Vote Required****MOTION: OCM251213****MOVED: Cr Zacher****SECONDED: Cr Foreman****That Council reopens the meeting to the public.****CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

#### **14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

#### **15.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE COUNCIL**

##### **MOTION: OCM251214**

<b>MOVED: Cr Zacher</b>	<b>SECONDED: Cr Foreman</b>
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**That new business of an urgent nature, namely item:**

**15.1 Late Item – Resignation of Elected Member**

**Be introduced to the meeting.**

**CARRIED: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

### 15.1 LATE ITEM – COUNCILLOR RESIGNATION

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	
<b>Author:</b>	Martin Cuthbert, Chief Executive Officer
<b>Responsible Officer:</b>	Martin Cuthbert, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	16 December 2025
<b>Attachments:</b>	a) Resignation Letter – Cr Mair
<b>Authority/Discretion:</b>	Administration

#### SUMMARY:

Councillor Gavin Mair has formally tendered his resignation from his office of Councillor. Council is now requested to fill this vacancy at the March 2026 Local Government Extraordinary Election.

#### BACKGROUND:

In accordance with section 2.31 of the *Local Government Act 1995* (the Act), Councillor Gavin Mair has resigned from his office of Councillor by providing written notice of his resignation to the Chief Executive Officer (CEO). The resignation takes effect from close of business 16 December 2025.

The Ordinary Local Government Election was conducted on 18 October 2025 in accordance with the *Local Government Act 1995*. At the close of nominations, only two of three vacancies were filled. As a result, the Shire currently has one vacant position for Councillor and with the resignation of Councillor Mair it now has two vacancies that are required to be filled.

Under section 4.8 of the *Local Government Act 1995*, if the office of a Councillor becomes vacant and is not otherwise filled under Schedule 4.1A or 4.1B, an election must be held to fill the vacancy. This election is referred to as an Extraordinary Election.

#### CONSULTATION:

Western Australian Electoral Commission (WAEC)

Cr Gavin Mair

#### COMMENT:

Council has already received written advice from the Electoral Commissioner agreeing to be responsible for the conduct of the 2026 Local Government Extraordinary Election, as a postal election.

The WAEC has provided the Shire with an estimated cost to conduct a postal election for the 2026 Extraordinary Election. This is based on an election being required to fill the vacancies, a total of approximately 900 electors and the count being conducted at the premises of the Shire of Jerramungup.

This estimate includes the following:

- Appointment of a Returning Officer.
- Statutory advertising.
- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns.
- A proportion of the total cost of West Australian Electoral Commission staff time and corporate overheads.

Costs not incorporated in this estimate include:

- Non-statutory advertising (ie additional advertisements in community newspapers and promotional advertising).
- The cost of any casual staff to assist the Returning Officer on election day or night.
- Any unanticipated costs arising from public health requirements (as occurred during the COVID-19 pandemic).
- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns.

#### **STATUTORY ENVIRONMENT:**

##### ***Local Government Act 1995***

###### **2.31. *Resignation***

- (1) *An elector mayor or president may resign from the office of mayor or president.*
- (2) *A councillor may —*
  - (a) *resign from the office of councillor;*
  - (b) *resign from the office of councillor mayor or president, deputy mayor or deputy president.*
- (3) *Written notice of resignation is to be signed and dated by the person who is resigning and delivered to the CEO.*
- (4) *The resignation takes effect from the date of delivery of the notice or from a later day specified in the notice.*

#### **Division 4 — Extraordinary elections**

###### **4.8. *Extraordinary elections***

- (1) *If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32, an election to fill the office is to be held, except if the vacancy is filled under Schedule 4.1A or 4.1B.*
- (2) *An election is also to be held under this section if section 4.57 or 4.58 so requires.*
- (3) *An election under this section is called an extraordinary election.*

###### **4.9. *Election day for extraordinary election***

- (1) *Any poll needed for an extraordinary election is to be held on a day decided on and fixed —*
  - (a) *by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or*
  - (b) *by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).*
- (2) *The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.*
- (3) *If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —*
  - (a) *fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and*
  - (b) *advise the CEO of the day fixed.*

**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:**

A budget amendment of approximately \$15,000 will be required at the mid year budget review to conduct the Extraordinary Election.

**WORKFORCE IMPLICATIONS:**

There are no workforce implications for this report.

**POLICY IMPLICATIONS:**

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

**VOTING REQUIREMENT:**

Absolute Majority

**OFFICER RECOMMENDATION:****That Council, BY AN ABSOLUTE MAJORITY:**

1. Acknowledges Councillor Mair's resignation as of 16 December 2025;
2. Thanks Councillor Mair for his contribution to the Shire of Jerramungup as an elected member since October 2023;
3. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election; and
4. Determines the Polling Day for the 2026 Extraordinary Election for the two remaining vacancies of:
  - One 4-year term to 20 October 2029; and
  - One 2-year term to 16 October 2027;

to be Thursday, 26 March 2026 in accordance with s4.9(1)(b) of the *Local Government Act 1995* and in conjunction with the advice from the WAEC.

**MOTION: OCM251215****MOVED: Cr Zacher****SECONDED: Cr Foreman****That Council, BY AN ABSOLUTE MAJORITY:**

1. Acknowledges Councillor Mair's resignation as of 16 December 2025;
2. Thanks Councillor Mair for his contribution to the Shire of Jerramungup as an elected member since October 2023;
3. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2026 extraordinary election; and
4. Determines the Polling Day for the 2026 Extraordinary Election for the two remaining vacancies of:
  - One 4-year term to 20 October 2029; and
  - One 2-year term to 16 October 2027;

to be Thursday, 26 March 2026 in accordance with s4.9(1)(b) of the *Local Government Act 1995* and in conjunction with the advice from the WAEC.

**CARRIED BY ABSOLUTE MAJORITY: 5/0**

For: President Brown, Cr Barrett, Cr Foreman, Cr Zacher, Cr Hall

Against: Nil

## **16.0 CLOSURE**

### **16.1 DATE OF NEXT MEETING**

The next ordinary meeting of Council will be held Wednesday, 25 February 2026, commencing at 1.00pm, in Jerramungup.

### **16.2 CLOSURE OF MEETING**

The Presiding Member closed the meeting at 1.28pm

These minutes were confirmed at a meeting held

.....

Signed: .....

Presiding Person at the meeting at which these minutes were confirmed

Date: .....