



SHIRE OF JERRAMUNGUP

NOTICE OF COUNCIL MEETING

To the President and Councillors,

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

Wednesday, 22 April 2026
At the Council Chamber,
Jerramungup
Commencing at 1:00pm

Council Meeting Procedures

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

Martin Cuthbert
CHIEF EXECUTIVE OFFICER
16 April 2026

AGENDA

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OUR GUIDING VALUES

Progressive, Prosperous and a Premium Place to Live and Visit

DISCLAIMER

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

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

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

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

NOTES FOR MEMBERS OF THE PUBLIC

PUBLIC QUESTION TIME

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

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

MEETING FORMALITIES

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

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RECORDINGS

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

NOTES FOR ELECTED MEMBERS

NATURE OF COUNCIL'S ROLE IN DECISION MAKING

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

ALTERNATIVE MOTIONS

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

DECLARATIONS OF INTERESTS

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

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

Section 5.60B states;

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

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

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

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

Regulation 34C (Impartiality) states;

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

2026 MEETING DATES

At its Ordinary Meeting of Council on 26 November 2025, Council adopted the following meeting dates for 2026.

January	-	-	Council in Recess
Wednesday	25 February 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	25 March 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	22 April 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	27 May 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	24 June 2026	1.00pm	Bremer Bay Hall, Bremer Bay
Wednesday	29 July 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	26 August 2026	1.00pm	Bremer Bay Hall, Bremer Bay
Wednesday	23 September 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	28 October 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	25 November 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	16 December 2026	1.00pm	Bremer Bay Hall, Bremer Bay

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

APPLICATION FOR LEAVE OF ABSENCE

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

Shire of Jerramungup

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ORDINARY COUNCIL MEETING AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened atpm by the Shire President.

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

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

2.4 ABSENT

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

3.2 DECLARATIONS OF PROXIMITY INTERESTS

3.3 DECLARATIONS OF IMPARTIALITY INTERESTS

4.0 PUBLIC QUESTION TIME

5.0 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Presentation – Shelley Shepherd, Director, Urbaqua
Water for Future Strategy

6.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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

RECOMMENDATION

That _____ be granted permission to be present at the Ordinary Council Meeting to be held on 22 April 2026 by audio contact.

8.0 APPLICATIONS FOR LEAVE OF ABSENCE

RECOMMENDATION

That _____ be granted Leave of Absence from the Ordinary Council Meeting to be held on _____ 2026.

9.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

10.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING HELD 25 MARCH 2026

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Council Chamber, Jerramungup, on 25 March 2026 be CONFIRMED.

10.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 16 MARCH 2026

Attachment 10.2 a) Minutes of the Local Emergency Management Committee Meeting – 16 March 2026

That Council RECEIVE the Minutes of the Local Emergency Management Committee Meeting held on 16 March 2026.

11.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

12.0 REPORTS

12.1 TECHNICAL SERVICES

Nil.

12.2 CORPORATE SERVICES

12.2.1 ACCOUNTS FOR PAYMENT – MARCH 2026

Location/Address: N/A
Name of Applicant: N/A
File Reference: N/A
Author: Sarah Van Elden, Accounts Officer
Responsible Officer: Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest: Nil
Date of Report: 10 April 2026
Attachments: a) List of Accounts Paid to 31 March 2026
 b) Credit Card Statement – 27 January 2026 – 27 February 2026
 c) Credit Card Statement – 27 February 2026 – 30 March 2026
 d) Fuel Card Statement – February 2026
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 March 2026.

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 March 2026. Lists detailing the payments made are appended as an attachment.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	24473 - 24595	\$530,531.84
Direct Deposits		\$58,977.13
Municipal Account Total		\$589,508.97
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$589,508.97

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 \$6,433.00.

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:

- (1) The List of Accounts Paid to 31 March 2026 totalling \$589,508.97.**
- (2) The Credit Card Statement – 27 January 2026 – 27 February 2026 as detailed in attachment 12.2.1(b).**
- (3) The Credit Card Statement – 27 February 2026 – 30 March 2026 as detailed in attachment 12.2.1(c).**
- (4) The Fuel Card Statement February 2026 as detailed in Attachment 12.2.1 (d).**

12.2.2 MONTHLY FINANCIAL REPORT – MARCH 2026

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Tamara Pike, Finance Manager
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 April 2026
Attachments:	a) Monthly Financial Report for the Period Ending 31 March 2026
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 March 2026 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 March 2026.

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 31 March 2026 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 31 March 2026 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 31 March 2026 in accordance with section 6.4 of the *Local Government Act 1995*.

12.3 DEVELOPMENT SERVICES

Nil.

12.4 EXECUTIVE SERVICES

12.4.1 INFORMATION BULLETIN - MARCH – APRIL 2026

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Forbes, Executive Administration Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	13 April 2026
Attachments:	a) Information Bulletin – March – April 2026
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for March – April 2026, 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 March 2026.

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 March 2026.

12.4.2 PROPOSED PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW – RE-COMMENCEMENT

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	
Author:	Niel Mitchell, Consultant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	6 April 2026
Attachments:	<ul style="list-style-type: none"> a) Comparison of Current Local Laws b) Summary of Previous Submissions Received – Updated c) Briefing Paper 1 d) Briefing Paper 2 e) Public Places and Local Government Property Local Law 2026
Authority/Discretion:	Legislative

SUMMARY:

In accordance with the Local Laws Review presented to Council in August 2024, a draft local law has been prepared.

This report is to commence the necessary statutory procedures for adoption of a new local law.

BACKGROUND:

The purpose of this report –

- to allow the presiding person to give notice to the meeting of the proposal to make a new local law, in accordance with the requirements of the *Local Government Act 1995*;
- for Council to approve the proposed local law for public comment;
- for Council to give notice of the purpose and effect of the proposed local law; and
- to authorise the advertising of the proposed local law for public comment.

The Local Government Act requires the following statements be made in the agenda and minutes of the meeting –

Purpose – to make provisions for the management of public places, thoroughfares and all local government property, and repeal –

- (a) The Shire of Jerramungup *By-laws Relating to Reserves and Foreshores* published in the *Government Gazette* on 1 December 1989;
- (b) *Shire of Jerramungup Beach Access Local Law 1997* published in the *Government Gazette* 15 August 1997; and
- (c) *Shire of Jerramungup Local Government Property Local Law* published in the *Government Gazette* on 2 December 2005.

Effect – to repeal existing local laws, establish necessary controls for public places, thoroughfares and local government property, provide for permitted and prohibited use and activities, and create offences for non-compliance.

Previously considered at the Council meeting held on 26 March 2025, it is suggested that the statutory process of the draft local law be re-commenced due to the extended delay in receiving advice from the Department of Local Government, Industry Regulation and Safety (DLGIRS). DLGIRS was advised on 5 May 2025, and comment was received on 23 December 2025.

The Department made a number of minor comments which have been incorporated.

Significant public comment was received during the previous six week submission period as summarised in attachment 12.4.2 (b). The Administration Comment and Recommendation columns have been updated following the Council Briefing on 25 March 2026.

Following the Council Briefing on 25 March 2026, various amendments were made to the previous draft in response to the submissions received in June 2025.

These changes are considered significant, and as required by the *Local Government Act 1995* s. 3.13 re-commencement is required in any case, as the changes did affect the intent or operation of the draft local law. The changes are included in the attached draft (attachment 12.4.2 (e)).

CONSULTATION:

Internal consultation with relevant employees.

COMMENT:

A new local law is proposed. The resolution from the Local Laws Review was to repeal the Reserves and Foreshores Local Law, Beach Access 1997 Local Law, and Local Government Property Local Law, and merge relevant provisions into a new Public Places and Local Government Property Local Law.

The purpose of this report –

- To allow the presiding person to give notice to the meeting of the proposal to make a new local law, in accordance with the requirements of the *Local Government Act 1995*;
- For Council to approve the proposed local law for public comment;
- For Council to give notice of the purpose and effect of the proposed local law; and
- To authorise the advertising of the proposed local law for public comment.

There are a number of matters that Council should be aware of –

(1) Terms used –

- (a) “the local government” – depending on the context, may mean the organisation, so that where a matter is administrative (a form, notice to the administration, etc) no delegation is required. However, where a decision is required, consistent with Dept of Local Government Guidelines, it should be read as being the highest possible decision making level, which is the Council. In line with the Guidelines these decisions may be delegated to the CEO unless specified.

There are important legislative and administrative differences between appointment as an authorised person and delegation of power.

- (b) “by resolution” – limits the decision to Council at a meeting, and cannot be delegated to the CEO, since it requires a resolution. This is consistent with the Department’s interpretation of the term

“Council” to mean the elected members in session, and is not to be interpreted as being able to be delegated to CEO, nor to mean administratively.

- (c) Council, CEO or other specific position – the function, role or power cannot be removed from that position or role, nor over-ridden.
 - (d) Authorised person / delegation – an authorised person’s function and actions are defined by the local law and is able to act within previously defined parameters. A delegation relates to decision a person who has been given the power to make a decision rather than the Council.
- (2) Use of policy to specify standards and activities. In accordance with the *Local Government Act 1995* s.2.7, policies are to be set by Council, not the CEO, who may still issue executive instructions. Care needs to be exercised since policy should be seen as instructions by Council to employees on what they may approve, or when to act. Policy should not be used as a direct control of the public, unless the necessary processes are undertaken.
- (3) Application of the local law – the local law applies throughout the district, but then limits some activities within townsites or land with specific zoning in various Parts, Division or clauses, eg: clauses 6.8, 8.2 and 8.3.

Comments in relation to specific Parts, Divisions or clauses –

- Preference throughout to use the term “authorised person” which requires only an appointment consistent with the *Local Government Act 1995* and can apply to a contract ranger etc, rather than “the local government” which requires a delegation of power to be made and can only be given to an employee.
- Clause 1.6 – delete of several unused definitions, and minor changes to definitions of “beach” and “building”
- Part 2 – the Joint Standing Committee on Delegation Legislation will not accept and variation of wording to any provision in this Part. The only choice is whether to include it or to exclude it in full.
- Part 5, Division 2 – This Division received almost all attention of the submissions from June 2025. Following the Council briefing on 25 March 2026, the following changes were made –
 - o The original draft clause 5.4 prohibiting driving on beaches specified in the following clause, is deleted.
 - o The replacement clause 5.4 (former clause 5.5) requires use of vehicles to be in a safe and considerate manner on a reduced number of specified beaches. In effect, no prohibition exists nor is approval required to drive on any beach. This clause overturns various provisions that are within all three of the current local laws.
 - o Replacement clause 5.5 (formerly clause 5.6) contains a new subclause (3) in response to concerns regarding the extent of an authorised person’s functions. Given that the authorised person’s actions are also overseen by senior staff, and ultimately the CEO, it is considered that these are sufficient.
- Clause 10.5 – the Department raised concern that former subclause (d) could be used in an anti-competitive manner to unfairly control commercial or trading activities. Accordingly, the former (d) has been deleted.

Summary

The revision of the proposed local law following the briefing session resulted in a number of major shifts including –

1. Removal of prohibition of vehicles or launching/landing of boats on any beach; and
2. The requirement for vehicles to be used in a manner safe and considerate of other beach users.
3. Subject to a decision regarding Submission item 1,4 clause 4.7 as noted below, removal of speed restrictions on beaches.
 - CRITICAL NOTE – This removal of restrictions does not over-ride State law regarding speed of vehicles. Police may still prosecute where speed is found to be a factor in any incident.

The previous submissions did make some comments in addition to beach access:

- a) Suggestion of a public meeting – however, this suggestion appears to have been linked to the prohibition of beach access without recognising that prohibitions already exist in the current local laws. With the removal of the prohibition, it would seem that the impetus for a public meeting is diminished, however this is a matter for Council to determine.
- b) Commercial activities, dealt with in the local law as “trading” – refer clauses 3.1, 8.7 and 10.20(3). Not all trading, regardless of competition or lack thereof are acceptable or welcome, and accordingly, some powers to control are appropriate.

Specific matters not discussed at the briefing include –

- i. Submission item 1.2, concerning clause 5.5(2) – insertion of new subclause (3).
- ii. Submission item 1.4, concerning clause 4.7(2) – possible insertion of a subclause excluding beaches from a 20km/hr limit. The requirement for safe driving under cl.5.4 would still apply.

Other matters for consideration –

- (a) as noted in Submission items 8.1 and 8.4, Council to consider adoption of policies to guide staff on when a licence for discretionary activities may be issued, and conditions that may be applied, or when the application is to be refused.
- (b) provision of parking near beaches etc to protect the beach, dunes and general environment.

Conclusion

The statutory process is the same for making, amending or revoking a local law –

- The text of the proposed local law must be approved by Council.
- Local public notice inviting public comment – minimum of six (6) weeks (reduced period only if substantially in the form of the WALGA model).
- At the end of public comment, summary of public comments and any changes recommended by the departments to Council for decision regarding those comments, and consideration of any changes to the draft local law.
- Final adoption of the amendment local law by Council.
- Publication in the Government Gazette.

- Local public notice to be given of the adoption, publication and commencement date of the local law.
- Submission all necessary documents to the JSCDL for their review.

Local public notice of a proposed local law requires that the community be given the opportunity to comment for a minimum of six (6) weeks. The notice is required to be published on the Shire’s website and at least three other places.

Should significant amendments be made at time of final adoption, the statutory public comment period must be recommenced.

The JSCDL will not review the local law until after it has been formally adopted, Gazetted etc. The JSCDL reviews the local law, its effects and may recommend to Parliament that it be amended and request an undertaking, or that it be disallowed.

STATUTORY ENVIRONMENT:

Local Government Act 1995 –

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *Subject to subsection (3A), the local government is to –*
 - (a) *give local public notice stating that –*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to –*
 - (i) *the Departmental CEO; and*
 - (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made – the chief executive officer of that other department; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3A) *The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification –*

- (a) *a model local law; or*
 - (b) *a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.*
- (3B) *In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.*
- (3C) *If the local government determines to proceed under this subsection, the local government must –*
 - (a) *publish a notice on the local government’s official website stating that –*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published; and*
 - (b) *as soon as the notice is published, give a copy of the notice to –*
 - (i) *the Departmental CEO; and*
 - (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made – the chief executive officer of that other department; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (4) *After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*
 - * Absolute majority required.*
- (5) *After making a local law, the local government must –*
 - (a) *publish the local law in the Gazette; and*
 - (b) *give a copy of the local law to –*
 - (i) *the Departmental CEO; and*
 - (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made – the chief executive officer of that other department.*
- (6) *After the local law has been published in the Gazette the local government is to give notice in the required way –*
 - (a) *stating the title of the local law; and*
 - (b) *summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that the local law is published on the local government’s official website and that copies of the local law may be inspected at or obtained from the local government’s office.*

- (6A) For the purposes of subsection (6), the **required way** for giving a notice is as follows –
- (a) if the local government proceeded under subsection (3) — by local public notice;
 - (b) if the local government proceeded under subsection (3C) — by notice published on the local government’s official website.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
- making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

STRATEGIC IMPLICATIONS:

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

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:

Review of any Policies covering relevant matters is advised to ensure consistency with the proposed local law.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That –

- 1. In accordance with the *Local Government Act 1995* s.3.12(2) and (3) and all other legislation enabling it, local public notice be given that COUNCIL intends to make a Public Places and Local Government Property Local Law, and inviting submissions for a minimum six (6) week period –**

Purpose – to make provisions for the management of public places, thoroughfares and all local government property and repeal –

- (a) The Shire of Jerramungup *By-laws Relating to Reserves and Foreshores* published in the *Government Gazette* on 1 December 1989;**
- (b) *Shire of Jerramungup Beach Access Local Law 1997* published in the *Government Gazette* 15 August 1997; and**
- (c) *Shire of Jerramungup Local Government Property Local Law* published in the *Government Gazette* on 2 December 2005.**

Effect – to repeal existing local laws, establish necessary controls for public places, thoroughfares and local government property, provide for permitted and prohibited use and activities, and create offences for non-compliance.

- 2. In accordance with the *Local Government Act 1995* s.3.12(3), copies of the proposed local law be –**
 - sent to the CEO of the Department of Local Government, Industry Regulation and Safety;**
 - made available to any other person requesting a copy.**

12.4.3 REPRESENTATION ON COMMITTEES AND WORKING PARTIES/GROUPS

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:	13 April 2026
Attachments:	a) Current Council Committee Representation
Authority/Discretion:	Administrative

SUMMARY:

Following the outcome of the Extraordinary Local Government Election on 26 March 2026, membership to various Council appointed committees will need to be filled. Council is required to consider its representation on various Council Committees and Working Groups.

BACKGROUND:

As per section 5.11 of the *Local Government Act 1995*, Council representatives on its Committees and Working Groups established under the Act are discontinued following a local government election and as such, Council appoints delegates to committees of Council and Working Parties/Groups every two years.

There are three current committees established in this manner and their status is outlined in the Comment section of this report:

- CEO Review Committee
- Audit, Risk and Improvement Committee
- Bremer Bay Community Development Committee

Council has already defined the purpose and operations of each committee. Any delegation available to a committee is prescribed in respective Instrument of Appointment and Delegation. For all Committees, the Chief Executive Officer and other staff members will provide advice and administrative support to the Committee.

It would also be prudent at this time to review membership of external committees requiring Elected Member representation, as well as membership to the working groups/parties Council has previously formed to assist on various issues.

The last full review of committee representation was at the Ordinary Meeting of Council held 29 October 2025.

At the March 2026 Extraordinary Election Paul Hislop and Nathan McQuoid were duly elected as Councillors for the Jerramungup District.

The election provides an opportunity to review the membership of committees of Council and local working parties/groups as required.

CONSULTATION:

Nil.

COMMENT:

Establishment of committees requires an absolute majority decision of Council. When Council establishes a committee it is required to detail what authority (if any) is delegated to that committee. A formal committee established in this manner is required to observe a Council's Standing Orders (if applicable) and the *Local Government Act 1995* in its meetings. For example, all meetings are required to be advertised, produce a formal agenda and minutes, and include a public question time.

An acceptable alternative to the establishment of committees per the *Local Government Act 1995* is the formation of working parties, working groups, or teams. Such bodies are not delegated specific authority from Council and therefore act as an advisory body only. Recommendations from such bodies are presented to Council through officer reports.

The following information details the various committees that Council has established or is represented upon. Council is requested to review its representation on such bodies, whether to disband some internal working parties and to nominate elected members to those bodies to which Council wishes to continue providing representation.

PART 1 – COUNCIL COMMITTEES

Council Committees (formed per s5.8 of the *Local Government Act 1995*)

- **CEO Performance Review Committee**

This Committee undertakes the performance review of the CEO and negotiates changes to the CEO's contract of employment for subsequent Council approval.

- **Audit, Risk and Improvement Committee**

This Committee is established to comply with legislation and oversee financial issues.

Changes to the *Local Government (Audit) Regulations 1996* required Audit, Risk and Improvement Committees to expand their focus to provide effective corporate governance through the review of systems and procedures relating to risk management, internal control and legislative compliance.

- **Bremer Bay Community Development Committee**

To provide opportunity for various community groups in Bremer Bay to make recommendations to Council on matters which aim to improve the community of Bremer Bay.

Council appointments to the above Committees prior to 18 October 2025 were:

Committee	Membership	Term	Purpose	Nominated Councillors	Powers/ Delegations
CEO Review Committee	All members of Council	2 years with terms of office being aligned with Local Government Councillor Elections	To undertake periodic review meetings with the incumbent CEO and prepare reports and recommendations for Council on the CEO's performance and contract terms	All Councillors	Nil, the committee makes recommendations to Council. The Shire President may, at his/her option, engage a consultant to assist in any relevant processes to the extent provided for in the annual budget
Audit, Risk and Improvement Committee	All members of Council	2 years with terms of office being aligned with Local Government Councillor Elections	To receive audit reports and meet annually with Council's auditors	All Councillors	Nil, the committee makes recommendations to Council on the appointment of auditors and matters raised during audits
Bremer Bay Community Development Committee	Shire President, Deputy President, and proxy any other Councillor Two member representatives and one proxy from each community organisation	2 years with terms of office being aligned with Local Government Councillor Elections All non Councillor members of the committee membership is ongoing once Council has accepted their nomination until the organisation they represent advises otherwise or until Council disbands this Committee, whichever is the sooner	To advise Council on issues of development within Bremer Bay	Delegate 1: Cr Brown Delegate 2: Cr Barrett Proxy: Cr Zacher or any other Councillor	Nil, the committee will make recommendations to Council

PART 2 – EXTERNAL COMMITTEES

Listed below are the external committees/organisations to which Council currently provides representation. Council appointments to the Committees from the Ordinary Council Meeting dated 29 October 2025 are included (as per Resolution OCM251009):

- **Great Southern Regional Road Group (RRG)**

The function of this group is to allocate State government funding for regional road maintenance and construction and oversee the implementation of State government ‘Black Spot’ funding. The RRG meets quarterly.

- **WALGA Great Southern Zone**

WALGA advocates on behalf of the State’s 139 Local Governments and negotiates service agreements for the sector. The Great Southern WALGA Zone meets quarterly.

- **Bush Fire Advisory Committee (BFAC)**

Responsible for reviewing administrative and resourcing recommendations from the Bush Fire Advisory Group related to Volunteer Bush Fire Brigades within the Shire of Jerramungup. This Committee is also responsible for providing advice to Council on matters pertaining to the *Bush Fires Act 1954*, Bush Fire Risk Management and Mitigation.

- **Fitzgerald Biosphere Group (FBG)**

The Fitzgerald Biosphere Group (FBG) is a non-profit community organisation that works with farmers, researchers, industry groups and federal and state agencies to address local production and natural resource management issues to ensure the long-term sustainability of the agricultural industry and the communities within the region.

- **Great Southern Sport and Recreation Group (GSSRG)**

The Great Southern Sport and Recreation Group meets quarterly to discuss and develop community sport and recreation opportunities for residents and visitors of the Great Southern.

- **Jerramungup VES Unit Management Committee**

Fire and Emergency Services volunteers respond to a range of local emergencies including bushfires, floods, vehicle crashes and land searches for missing persons.

- **Bremer Bay VES Unit Management Committee**

Fire and Emergency Services volunteers respond to a range of local emergencies including bushfires, floods, vehicle crashes and land searches for missing persons.

- **Great Southern Joint Development Assessment Panel (JDAP)**

The JDAP is an independent decision-making body comprised of three technical experts and two elected local government representatives. The JDAP determines development applications made under local and regional planning schemes, in the place of the Shire of Jerramungup Council.

- **Fitzgerald River National Park Advisory Group**

The Fitzgerald River National Park Advisory Group is established to assist with the development and an ongoing delivery of the Fitzgerald River National Park Management Plan. The Group consists of selected members representing DPaW, the two Shires and the traditional owners, members are elected and chosen for their knowledge of, interest in and links to the park. The Group meets four times per year.

- **Fitzgerald Biosphere Community Collective**

The Fitzgerald Biosphere Community Collective is made up of organisations that either manage land within the Fitzgerald Biosphere or support those who do. These organisations are: FBG, RAIN, Shire of Jerramungup, Shire of Ravensthorpe, Friends of Fitzgerald River National Park, Department of Biodiversity Conservation and Attractions, Community members, Noongar representatives, Department of Primary Industries and Regional Development, Great Southern Development Commission, Regional Development Australia Great Southern.

- **Local Emergency Management Committee (LEMC)**

The *Emergency Management Act 2005* requires that local governments are to ensure that local emergency management arrangements are prepared and maintained for the local government district.

The LEMC is responsible for:

- Advising and assisting the Shire of Jerramungup to ensure that local emergency management arrangements are established for its district.
- Liaising with public authorities and other persons or entities in the development, review and testing of local emergency management operations; and
- Carrying out other emergency management activities as required by the Shire of Jerramungup Emergency Management Plan or as prescribed by legislation and regulations.

- **South Coast Alliance Incorporated (SCA)**

The Alliance is comprised of representatives from the City of Albany, Shire of Denmark, Shire of Plantagenet and Shire of Jerramungup. The Alliance was formed to promote collaborative economic development in the region through advocacy, economic development and tourism efficiency.

Organisation/Committee	Delegate Positions	Nominated Councillors
Regional Road Group	Two Councillors and one Proxy	Delegate 1: Cr Barrett Delegate 2: Cr Brown Proxy: Cr Hall or any other Councillor
Great Southern Zone of WALGA	Two Councillors and one Proxy	Delegate 1: Cr Brown Delegate 2: Cr Barrett Proxy: Any other Councillor
Bush Fire Advisory Committee	One Councillor and one Proxy	Delegate: Cr Foreman Proxy: Any other Councillor
Fitzgerald Biosphere Group	One Councillor and one Proxy	Delegate: Cr Hall Proxy: Cr Zacher or any other Councillor
Great Southern Sport and Recreation Group	One Councillor and one Proxy	Delegate: Cr Mair Proxy: Cr Foreman or any other Councillor

Jerramungup VES Unit Management Committee	One Councillor and one Proxy	Delegate: Cr Barrett Proxy: Cr Foreman or any other Councillor
Bremer Bay VES Unit Management Committee	One Councillor and one Proxy	Delegate: Cr Mair Proxy: Cr Zacher or any other Councillor
Development Assessment Panel	Two Councillor and one Proxy	Delegate 1: Cr Hall Delegate 2: Cr Zacher Proxy: Cr Mair Proxy: Cr Brown
Fitzgerald River National Park Advisory Group	One Councillor and one Proxy	Delegate: CEO Proxy: Any other Staff Member
Fitzgerald Biosphere Community Collective	One Delegate and one Proxy	Delegate: CEO Proxy: Any other Staff Member
Local Emergency Management Committee	One Councillor and one Proxy	Delegate: Cr Brown Proxy: Cr Barrett or any other Councillor
South Coast Alliance	Three Councillors	Delegate: Cr Brown Delegate: Cr Barrett Delegate: Cr Foreman

STATUTORY ENVIRONMENT:***Local Government Act 1995******Subdivision 2 – Committees and their meetings******5.8. Establishment of committees***

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

5.9. Committees, types of

(1) *In this section —*

other person means a person who is not a council member or an employee.

(2) *A committee is to comprise —*

- (a) *council members only; or*
- (b) *council members and employees; or*
- (c) *council members, employees and other persons; or*
- (d) *council members and other persons; or*
- (e) *employees and other persons; or*
- (f) *other persons only.*

5.10. Committee members, appointment of

(1) *A committee is to have as its members —*

- (a) *persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

** Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

(3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.*

(4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

(5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*

- (a) *to be a member of the committee; or*
- (b) *that a representative of the CEO be a member of the committee,*

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11A. Deputy committee members

(1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (2) A person who is appointed as a deputy of a member of a committee is to be —
- (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
- whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
- (a) the term of the person's appointment as a committee member expires; or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
- whichever happens first.

Division 1A — Audit committee

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

* Absolute majority required.

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

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

Section 38 of the Emergency Management Act 2005

38. Local emergency management committees

(1) *A local government is to establish one or more local emergency management committees for the local government's district.*

(2) *If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*

(3) *A local emergency management committee consists of —*

(a) *a chairman and other members appointed by the relevant local government in accordance with subsection (4); and*

(b) *if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*

(4) *Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

STRATEGIC IMPLICATIONS:

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

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

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

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for this report.

WORKFORCE IMPLICATIONS:

There are no workforce implications for this report.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Absolute Majority for Committees of Council

Simple Majority for delegates to Working Parties/Groups

OFFICER RECOMMENDATION:

That Council **ADOPT** the new schedule for delegates to Committees of Council as listed below:

COUNCIL COMMITTEES

CEO Performance Review Committee (no delegated power)

1. That **BY AN ABSOLUTE MAJORITY**, Council **APPOINTS** all Elected Members to the CEO Performance Review Committee.

Audit, Risk and Improvement Committee (no delegated power)

2. That **BY AN ABSOLUTE MAJORITY**, Council **APPOINTS** all Elected Members to the Audit, Risk and Improvement Committee.

Bremer Bay Community Development Committee (no delegated power)

3. That **BY AN ABSOLUTE MAJORITY**, Council **APPROVES** the Shire President, Deputy Shire President and one Proxy to the Bremer Bay Community Development Committee.
4. That **BY AN ABSOLUTE MAJORITY**, Council **APPOINTS** the following Elected Members to the Bremer Bay Community Development Committee.

Member 1: Cr Brown (Shire President)

Member 2: Cr Barrett (Deputy Shire President)

Proxy: Cr _____

or any other Councillor

EXTERNAL REPRESENTATION – COMMITTEES/ORGANISATIONS

5. That Council **APPROVES** the nomination of the following Elected Members to the external Committees/Organisations as detailed below:

Regional Road Group

Delegate 1: Cr Barrett

Delegate 2: Cr _____

Proxy: Cr _____

or any other Councillor

Great Southern Zone of WALGA

Delegate 1: Cr Brown (Shire President)

Delegate 2: Cr Barrett (Deputy Shire President)

Proxy: Cr _____

or any other Councillor

Bush Fire Advisory Committee

Delegate: Cr _____

Proxy: Cr _____

or any other Councillor

Fitzgerald Biosphere Group

Delegate: Cr _____

Proxy: Cr _____

or any other Councillor

Great Southern Sport and Recreation Group

Delegate: Cr _____

Proxy: Cr _____

or any other Councillor

Jerramungup VES Unit Management Committee

Delegate: Cr _____

Proxy: Cr _____

or any other Councillor

Bremer Bay VES Unit Management Committee

Delegate: Cr _____

Proxy: Cr _____

or any other Councillor

Development Assessment Panel

Delegate 1: Cr _____

Delegate 2: Cr _____

Proxy: Cr _____

Proxy: Cr _____

Fitzgerald River National Park Advisory Group

Delegate 1: Cr _____

Delegate 2: Chief Executive Officer

Proxy: Any other Staff Member

Fitzgerald Biosphere Community Collective

Delegate 1: Cr _____

Delegate 2: Chief Executive Officer

Proxy: Any other Staff Member

Local Emergency Management Committee

Delegate: Cr Brown (Shire President)

Proxy: Cr Barrett (Deputy Shire President)

or any other Councillor

South Coast Alliance

Delegate: Cr Brown (Shire President)

Delegate: Cr Barrett (Deputy Shire President)

Delegate: Cr _____

12.4.4 SHIRE REBRAND – ADOPTION OF NEW SHIRE LOGO

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:	13 April 2026
Attachments:	a) Logo Concepts b) Brand Strategy
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is for Council to consider the outcomes of the Shire’s branding review process and to adopt a new corporate logo and tagline, as presented in Attachment a), to guide the Shire’s identity moving forward.

BACKGROUND:

The corporate logo has remained unchanged since the Shire of Jerramungup was established in 1982.

In recent years, Council and the Executive identified a need to modernise the Shire’s branding to be clear, consistent and better reflect the whole of the Shire.

The Branding Refresh project was initiated to develop a contemporary logo and supporting brand strategy that can be applied consistently across stationery, publications, signage, vehicles, uniforms and online platforms.

Consultant Creative.adm was engaged in 2024 to facilitate the project, in conjunction with Metrix Consulting who undertook a community perceptions survey to complement the process.

Elected Members, Executive Staff and a sample of community stakeholders were involved. Creative.adm facilitated the development of concepts and refined the preferred option in response to feedback received.

At the heart of the brief was a desire to bring together two interconnected narratives:

1. The soldier settlement legacy, which shaped the land, community and resilience of the region.
2. The river, as both a physical presence and a unifying thread connecting inland Jerramungup to the Bremer Bay coast.

The new brand is intended to:

- Honour the past.
- Reflect the relationship between land, water and people in a way that feels intuitive rather than illustrative.
- Speak to locals with a sense of recognition and pride, while remaining inviting and intriguing to visitors.

CONSULTATION:

Internal

Elected Members

Community

COMMENT:

Creative.adm conducted community workshops in Jerramungup and Bremer Bay in March 2025, with a follow-up presentation in July 2025 to present draft concepts and the proposed brand strategy.

Brand Essence:

The central brand idea is captured in the phrase “Discover Diversity.”

Narrative and Rationale:

The Shire of Jerramungup is positioned as a place of endless discovery, with rich agricultural innovation, Aboriginal and settler history, natural beauty, biodiversity, and a deeply supportive community. “Discover Diversity” reflects:

- A community of contrasts—land and sea, farming and tourism, locals and newcomers.
- A call to action for residents and visitors alike to engage with the richness of the region.
- An emotional and behavioural prompt grounded in lived stories and values.

Strategic Role of the Brand:

- Community identity and cohesion.
- Attraction of residents, visitors, and investment.
- Alignment with the Shire’s strategic goals.

Subject to Council’s resolution, the new logo will be implemented progressively, prioritising high-visibility and low-cost updates (website, social media, templates and publications) and incorporating remaining changes into normal replacement cycles (signage, fleet and uniforms) to minimise cost.

A simple brand guide (including colour palette, typography and logo usage rules) will be maintained to ensure consistent application. Any legacy logos should be retired following the transition period, except where required for historical records.

It is noted that the eagle representing the Shire of Jerramungup on the existing logo will remain as the Jerramungup eagle, representing the town rather than the whole of the Shire, which also includes the town of Bremer Bay and townsites of Boxwood Hill, Gairdner and Needilup.

STATUTORY ENVIRONMENT:***Local Government Act 1995******Division 2 — Local governments and councils of local governments******2.5. Local governments created as bodies corporate***

- (1) When an area of the State becomes a district, a local government is established for the district.*
- (2) The local government is a body corporate with perpetual succession and a common seal.*
- (3) The local government has the legal capacity of a natural person.*
- (4) The corporate name of the local government is the combination of the district’s designation and name.*

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.

Governance and Leadership

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

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

FINANCIAL/BUDGET IMPLICATIONS:

Council made a provision in the 2025/2026 budget to undertake the rebranding process.

Additional funding will be required in the 2026/2027 budget to support the staged implementation of the new brand, including signage, fleet, digital assets, and corporate materials. These costs will be considered as part of the annual budget process.

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. **Adopt Concept number 2D, from Attachment a) Logo Concepts, as the official logo for the Shire of Jerramungup;**
2. **Adopt the tagline “Discover Diversity” as the official tagline of the Shire of Jerramungup; and**
3. **Endorse a phased implementation of the new logo and brand identity, with associated costs to be considered through the annual budget process.**

13.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

16.0 CLOSURE

16.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held on Wednesday, 27 May 2026, commencing at 1.00pm, in Jerramungup.

16.2 CLOSURE OF MEETING

The Presiding Member closed the meeting atpm

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: