Shire of Jerramungup
8 Vasey Street, Jerramungup
PO Box 92, Jerramungup WA, 6337
(08) 9835 1022

AGENDA

ORDINARY MEETING OF COUNCIL

To be held at
Council Chamber, JERRAMUNGUP
Wednesday, 28 October 2026
Commencing at 1:00pm

Discover Diversity

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, 28 October 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

23 October 2026

Shire of Jerramungup
Discover Diversity

Council Plan 2026-36 *Snapshot*

VISION

Progressive, Prosperous and a Premium Place to Live and Visit

VALUES

ASPIRE We aspire to continuously improve our skills and the services we deliver for our community

UNITY We are a united team

RESPECT We treat each other, all members of our community and visitors with respect

QUALITY We ensure quality in everything we do

TRUST We are trustworthy and act with honesty and integrity at all times

KEY PRINCIPLES

ADVOCATE We lead and represent the community on key issues

PARTNER We collaborate with other organisations to deliver services and projects

DELIVER We provide services and infrastructure

FACILITATE We coordinate and enable other organisations

REGULATE We enforce statutory requirements

OUR PLAN ON A PAGE

Community	• Support the health, wellbeing and safety of the Shire's communities through advocacy, programs and services that meet the needs of all residents • Provide and maintain facilities and services that connect people, promote an active and healthy lifestyle • Encourage and support volunteers and community groups to grow an active volunteer base
Economy	• Strengthen the Shire's economic base through strategic planning, investment attraction, business support and townsite improvement • Use the natural beauty and the heritage of the region to promote the Shire as a great place to visit • Advocate for improved road and telecommunications connectivity to support agriculture, freight and tourism across the Shire
Environment (*Built*)	• Deliver sustainable long -term planning for the built environment that meets the current and future needs of the Shire's communities • Plan, deliver and maintain infrastructure and community facilities across the Shire in a sustainable and cost -effective manner • Pursue and secure funding opportunities that support the delivery of strategic projects and community priorities across the Shire
Environment (*Natural*)	• Protect and enhance the Shire's natural environment while promoting and managing sustainable tourism growth • Plan and deliver sustainable water, stormwater and sewerage infrastructure across the Shire • Deliver a sustainable and progressive approach to waste management
Governance & Leadership	• Work cohesively with the community to improve engagement and communication across the Shire • Deliver transparent, accountable and effective governance across the Shire • Build a capable, responsive and efficient organisation that delivers quality services

This page has been left intentionally blank

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 meeting 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.

COPYRIGHT

Any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968,* as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

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 purposes 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 INTEREST

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 2026	-	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 (Changed to Bremer Bay Sports Club)
Wednesday	29 July 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	26 August 2026 (Changed to 1 September2026)	1.00pm	Bremer Bay Hall, Bremer Bay (Changed to Bremer Bay Sports Club)
Wednesday	23 September 2026 (Changed to 24 September2026)	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 (Changed to Bremer Bay Sports Club)

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* (the Act), 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.

Table of Contents

Ordinary Meeting of Council | Wednesday 28 October 2026

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS 10
2.0 RECORD OF ATTENDANCE 10
2.1 ATTENDANCE 10
2.2 APOLOGIES 10
2.3 APPROVED LEAVE OF ABSENCE 10
2.4 ABSENT 10
3.0 DISCLOSURE OF INTERESTS 10
3.1 DECLARATIONS OF FINANCIAL INTERESTS 11
3.2 DECLARATIONS OF PROXIMITY INTERESTS 11
3.3 DECLARATIONS OF IMPARTIALITY INTERESTS 11
4.0 PUBLIC QUESTION TIME 11
5.0 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS 11
6.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE 11
7.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS 11
8.0 APPLICATIONS FOR LEAVE OF ABSENCE 11
9.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION 12
10.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS 12
10.1 ORDINARY COUNCIL MEETING HELD 24 SEPTEMBER 2026 12
10.2 LOCAL HISTORY ADVISORY GROUP MEETING HELD 8 OCTOBER 2026 12
11.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES 13
12.0 REPORTS 14
12.1 TECHNICAL SERVICES 14
12.2 CORPORATE SERVICES 15
12.2.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2026 15
12.2.2 MONTHLY FINANCIAL REPORT – SEPTEMBER 2026 19
12.2.3 BUDGET AMENDMENT – OUTRIGHT PURCHASE OF MULCHER HEAD 23
12.2.4 NON-POTABLE WATER INFRASTRUCTURE AUDIT PROJECT FUNDING 26
12.3 DEVELOPMENT SERVICES 30
12.3.1 PROPOSED COUNCIL POLICY – REQUESTS FOR MEMORIALS, PLAQUES, MONUMENTS AND TREES 30
12.3.2 P26-059 – DEVELOPMENT APPLICATION – 90 NATIVE DOG BEACH ROAD, BREMER BAY 32
12.4 EXECUTIVE SERVICES 35
12.4.1 INFORMATION BULLETIN – SEPTEMBER – OCTOBER 35
12.4.2 REVIEW OF TERMS OF REFERENCE – BREMER BAY COMMUNITY DEVELOPMENT COMMITTEE 37
12.4.3 ALTERATION TO COUNCIL MEETING DATE – NOVEMBER 2026 41
12.4.4 DISPOSITION OF PROPERTY – PORTION OF RESERVE 18944, LOT 578 & 643 GNOWANGERUP-JERRAMUNGUP ROAD, NEEDILUP 45
13.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED 49
14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 49
15.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE COUNCIL .. 49
16.0 CLOSURE 49
16.1 DATE OF NEXT MEETING 49
16.2 CLOSURE OF MEETING 49

ORDINARY COUNCIL MEETING

AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at .....pm 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 respects to their Elders both past and present.

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

Cr Raegan Zacher

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 allows 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

6.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

7.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14C(5) of the *Local Government (Administration) Regulations 1996* Council must approve the attendance of a person, not physically present at a meeting of Council, by electronic means.

In deciding whether to authorise a member to attend a meeting by electronic means under subregulation (2), the Mayor, President or Council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.

RECOMMENDATION

That Cr _____ be granted permission to be present at the Ordinary Council Meeting to be held on 28 October 2026 by electronic means.

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 24 SEPTEMBER 2026

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held at the Council Chamber, Jerramungup, on 24 September 2026 be CONFIRMED.

10.2 LOCAL HISTORY ADVISORY GROUP MEETING HELD 8 OCTOBER 2026

Attachment 10.2a) Minutes – 8 October 2026

Attachment 10.2b) Strategy – Draft

That Council RECEIVE the Minutes of the Jerramungup Local History Advisory Group meeting held on 8 October 2026.

11.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

Nil.

12.0 REPORTS

12.1 TECHNICAL SERVICES

Nil.

12.2 CORPORATE SERVICES

12.2.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 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:	12 October 2026
Attachments:	a) List of Accounts Paid to 30 September 2026 b) Credit Card Statement –28 August 2026 – 28 September 2026 c) Fuel Card Statement – August 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 September 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 2026/27 Annual Budget as adopted by Council at its Special Council Meeting held 7 August 2026 (Minute No. SCM260803 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 September 2026. Lists detailing the payments made are attached.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	25170 - 25282	$593,157.41
Direct Deposits		$39,320.09
Municipal Account Total		**$632,477.50**
Trust Account		
Trust Account Total		**$0.00**
Grand Total		**$632,477.50**

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 $6,554,32.

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 Council Plan 2026-2036:

Governance and Leadership

Deliver transparent, accountable and effective governance across the Shire.

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 30 September 2026 totalling $632,477.50.**
2. **The Credit Card Statement – 28 August 2026 – 28 September 2026 as detailed in attachment 12.2.1(b).**
3. **The Fuel Card Statement August 2026 as detailed in Attachment 12.2.1(c).**

12.2.2 MONTHLY FINANCIAL REPORT – SEPTEMBER 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:	20 October 2026
Attachments:	a) Monthly Financial Report for the Period Ending 30 September 2026
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 September 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 30 September 2026.

BACKGROUND:

At its Special Council Meeting held 7 August 2026 (Minute No. SCM260803 refers), Council adopted the annual budget for the 2026/27 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 September 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 predominantly 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 29 July 2026, Council adopted (Minute No. OCM260716 Officer Recommendation 5 refers) the following material variance reporting threshold for the 2026/27 financial year:

Officer Recommendation 5: That Council ADOPTS a material variance level of 10% with a minimum $10,000.00 variance for the 2026/2027 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 Council Plan 2026-2036:

Governance and Leadership

Deliver transparent, accountable and effective governance across the Shire.

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 30 September 2026 has been incurred in accordance with the 2026/27 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 Policy

FP1 – Accounting for Non-Current Assets Policy

FP2 – Debt Recovery Policy

FP3 – Investments Policy

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

12.2.3 BUDGET AMENDMENT – OUTRIGHT PURCHASE OF MULCHER HEAD

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	CM.PL.3
Author:	Charmaine Wisewould, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 October 2026
Attachments:	Nil
Authority/Discretion:	Legislative

SUMMARY:

To seek Council approval to amend the 2026/2027 Annual Budget by deferring the replacement of asset A991 Construction Crew Cab truck until the following financial year and reallocating funding to purchase a new mulcher head for asset A979 Caterpillar Skid Steer.

BACKGROUND:

The 2026/2027 Annual Budget includes $93,000 for the purchase of a replacement Construction Crew Cab truck. The Budget also provides for disposal proceeds of $25,000 from trading asset A991. The estimated net book value of the asset in the budget is $15,020.

The Shire will retain asset A991 during 2026/2027 and defer its replacement until the following financial year. The proposed alternative capital purchase is a new mulcher head for asset A979 Caterpillar Skid Steer, at a purchase price of $60,500, to undertake roadside vegetation mulching.

CONSULTATION:

Internal consultation with the Works and Finance teams.

COMMENT:

Retaining asset A991 for a further financial year enables the Shire to redirect part of the approved capital allocation to equipment that can be used for roadside vegetation mulching. The mulcher head will expand the functionality of asset A979 and provide an additional method of managing roadside vegetation.

The truck replacement should be reconsidered during preparation of the 2027/2028 Annual Budget, taking account of the vehicle's condition, operating costs and service requirements.

STATUTORY ENVIRONMENT:

Local Government Act 1995 and *Local Government (Financial Management) Regulations 1996*. A decision to amend the adopted Annual Budget is to be made by Absolute Majority.

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Council Plan 2026-2036:

Governance and Leadership

Deliver transparent, accountable and effective governance across the Shire.

Build a capable, responsive and efficient organisation that delivers quality services.

FINANCIAL IMPLICATIONS:

The proposed amendment removes the capital expenditure and disposal transactions associated with asset A991, introduces the mulcher head purchase and reduces the transfer from reserve.

Budget Amendment	**Increase / (Decrease)**
Defer replacement of asset A991 – remove capital expenditure	($93,000)
Remove budgeted trade-in proceeds for asset A991	$25,000
Reduce budgeted profit on disposal of asset A991	($9,980)
Purchase mulcher head for asset A979	$60,500
Reduce transfer from reserve	($7,500)

As asset A991 will not be disposed of, the associated disposal proceeds, estimated net book value and budgeted profit on disposal must also be removed from the budget.

Based on the budgeted disposal proceeds of $25,000 and estimated net book value of $15,020, the budgeted profit on disposal is $9,980.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

1. **APPROVES the deferral of the replacement of asset A991 Construction Crew Cab truck from the 2026/2027 financial year to the following financial year;**
2. **AUTHORISES the purchase of a new mulcher head for asset A979 Caterpillar Skid Steer for an amount of up to $60,500;**
3. **AMENDS the 2026/2027 Annual Budget by:**
    a) **Decreasing capital expenditure for the replacement of asset A991 by $93,000;**
    b) **Increasing capital expenditure for the mulcher head for asset A979 by $60,500;**
    c) **Decreasing the transfer from reserve by $7,500;**
    d) **Removing the $25,000 budgeted disposal proceeds for asset A991;**
    e) **Removing the estimated net book value of $15,020 for asset A991; and**
    f) **Decreasing the budgeted profit on disposal for asset A991 by $9,980;**
4. **NOTES that the budgeted disposal proceeds of $25,000 less the estimated net book value of $15,020 results in a budgeted profit on disposal of $9,980.**

12.2.4 NON-POTABLE WATER INFRASTRUCTURE AUDIT PROJECT FUNDING

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	FM.AU.1
Author:	Charmaine Wisewould, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	16 October 2026
Attachments:	a) Funding Agreement – Jerramungup Water Infrastructure Audit
Authority/Discretion:	Legislative

SUMMARY:

For Council to accept funding of $60,000 from the Department of Water and Environmental Regulation for the Shire of Jerramungup Non-Potable Water Infrastructure Audit project and approve an amendment to the 2026/2027 Annual Budget to recognise the grant income and corresponding project expenditure.

BACKGROUND:

The Shire has been offered funding of $60,000 from the Department of Water and Environmental Regulation (DWER) to undertake an audit of its non-potable water infrastructure and commence eligible urgent works identified through the audit.

Think Water Great Southern has provided a quotation of $28,000 excluding GST to undertake the audit. The audit is intended to provide:

- an interactive map identifying pipe routes, pumps, tanks and network connections;
- a condition assessment of the relevant infrastructure assets;
- an operations manual for the management and operation of the system; and
- identification of infrastructure maintenance, improvement or expansion requirements.

The balance of the funding, being up to $32,000, will be available to commence eligible urgent works identified during the audit, subject to the requirements and milestones contained within the funding agreement.

The project and associated funding were not included in the Shire's adopted 2026/2027 Annual Budget. Council approval is therefore required to recognise both the grant income and corresponding expenditure.

CONSULTATION:

Internal consultation within the Finance Department and DWER.

COMMENT:

The audit will consolidate information about the location, condition and operation of the Shire's non-potable water infrastructure. This will support maintenance planning, operational continuity and future renewal or upgrade decisions.

The funding agreement provides for the audit and urgent works identified through that process. The audit component is quoted at $28,000 excluding GST. The remaining allocation of up to $32,000 may be applied to eligible urgent works, subject to the funding agreement and the Shire's procurement requirements.

As the grant income and expenditure were not included in the adopted Annual Budget, the following amendment is recommended:

Budget Item	Current Budget	Amendment	Revised Budget
Grant income – Non-Potable Water Infrastructure Audit	$0	$60,000 increase	$60,000
Expenditure – Audit and Eligible Urgent Works	$0	$60,000 increase	$60,000
Net impact on forecast closing position		Nil	

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 6.8 provides that a local government is not to incur expenditure from its municipal fund for an additional purpose for which no expenditure estimate is included in the Annual Budget unless the expenditure is authorised in advance by resolution of Council or another statutory exception applies. An Absolute Majority is required.

As no expenditure provision was included in the adopted 2026/2027 Annual Budget for this project, Council approval by Absolute Majority is required before the expenditure is incurred.

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Council Plan 2026-2036:

Governance and Leadership

Deliver transparent, accountable and effective governance across the Shire.

Build a capable, responsive and efficient organisation that delivers quality services.

FINANCIAL IMPLICATIONS:

The proposed amendment increases grant income by $60,000 and project expenditure by $60,000, resulting in a nil net impact on the Shire's forecast closing position.

The Budget for the Project is specified below:

Work Item	Work Description	AA Dams / SWCS Funding	Recipient In-kind Contribution	Recipient Cash Contribution	Total Ex GST
1	Think Water Quote	$28,000	$0	$0	$28,000
2	Allowance for urgent repairs to a site identified	$32,000	$0	$0	$32,000
3	Shire of Jerramungup works; labour, accommodation	$0	$2,400	$0	$2,400
	Total Project Cost	**$60,000**	**$2,400**	**$0**	**$62,400**

Of the total project allocation, $28,000 excluding GST is proposed for the audit, with the remaining funding of up to $32,000 available for eligible urgent works identified through the audit and undertaken in accordance with the funding agreement.

Any expenditure exceeding the approved funding allocation, or expenditure that is not eligible under the funding agreement, will require an alternative funding source and further approval where applicable.

WORKFORCE IMPLICATIONS:

Shire staff will assist the consultant by providing available infrastructure information, facilitating access to relevant sites, reviewing the audit findings and coordinating approved urgent works. These activities will be managed within existing workforce resources.

POLICY IMPLICATIONS:

Finance Policy FP6 – Procurement of Goods and Services

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

1. **ACCEPTS funding of $60,000 from the Department of Water and Environmental Regulation for the Shire of Jerramungup Non-Potable Water Infrastructure Audit project, in accordance with the funding agreement attached to this report;**
2. **APPROVES, pursuant to section 6.8 of the *Local Government Act 1995*, the following amendments to the 2026/2027 Annual Budget:**

    a) Increase grant income for the Non-Potable Water Infrastructure Audit project by $60,000; and

    b) Increase expenditure for the Non-Potable Water Infrastructure Audit and eligible urgent works by $60,000;

3. **NOTES that the budget amendment has a nil net impact on the Shire's forecast closing position;**
4. **AUTHORISES expenditure of up to $28,000 excluding GST for completion of the Non-Potable Water Infrastructure Audit in accordance with the consultant's quotation and the Shire's procurement requirements; and**
5. **AUTHORISES the Chief Executive Officer to apply the remaining project funding to eligible urgent works identified through the audit, subject to the funding agreement, the Shire's adopted budget and applicable procurement requirements.**

12.3 DEVELOPMENT SERVICES

12.3.1 PROPOSED COUNCIL POLICY – REQUESTS FOR MEMORIALS, PLAQUES, MONUMENTS AND TREES

Location/Address:	Shire of Jerramungup
Name of Applicant:	Internal
File Reference:	
Author:	Richard Hindley, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	12 October 2026
Attachments:	a) Draft Council Policy CP10 – Requests for Memorials, Plaques, Monuments and Trees
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is to recommend that Council adopt a new Council Policy CP10 – Requests for Memorials, Plaques, Monuments and Trees.

BACKGROUND:

A review of Council Policies was undertaken to ensure that the policies are in keeping with community expectations, relevance and current requirements.

In performing this review, it was noted that there was no Council Policy to deal with requests for memorials or similar.

COMMENT:

The objectives of the new Council Policy CP10 – Requests for Memorials, Plaques, Monuments and Trees are as follows:

- Provide guidance in relation to the use of public open space in the placement of memorials, monuments, plaques and the planting of commemorative trees; and
- Ensure that applications for memorials, monuments, plaques and trees are managed on a consistent basis and in accordance with the Council's strategic direction and corporate policies.

This Policy applies to the placement of memorials, plaques and monuments as well as the planting of commemorative trees in Shire of Jerramungup owned/managed parks, reserves, public open space and streetscapes. This Policy does not apply to operations of cemeteries.

All items instated in accordance with this policy become Shire assets and are therefore owned and under the care, control and management of the Shire.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Planning and Development Act 2005

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Council Plan 2026-2036:

Governance and Leadership

Deliver transparent, accountable and effective governance across the Shire.

Build a capable, responsive and efficient organisation that delivers quality services.

FINANCIAL IMPLICATIONS:

There are no financial implications for Council.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

This item relates to policy development.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt the new Council Policy – CP10 – Requests for Memorials, Plaques, Monuments and Trees, as contained in Attachment 12.3.1 a).

12.3.2 P26-059 – DEVELOPMENT APPLICATION – 90 NATIVE DOG BEACH ROAD, BREMER BAY

Location/Address:	Shire of Jerramungup
Name of Applicant:	Naturaliste Charters
File Reference:	A100346
Author:	Richard Hindley, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 October 2026
Attachments:	a) Proposed Temporary Workforce Accommodation Site Plan b) Mark Up of Proposed Temporary Workforce Accommodation c) Wattlesea Modular Buildings Brochure d) Building Extension Plans – 90 Native Dog Beach Road
Authority/Discretion:	Legislative

SUMMARY:

This report assesses a proposal to develop temporary workforce accommodation (Attachments a) to c)) on Lot 65 (90) Native Dog Beach Road, Bremer Bay.

BACKGROUND:

- Lot 65 (90) Native Dog Beach Road, Bremer Bay has an area of 4.385ha and is zoned 'Rural Residential'.
- The property is developed with a single house.
- The property is surrounded by 'Rural Residential' zoned properties.

COMMENT:

Naturaliste Charters operates its Bremer Canyon Killer Whale Expeditions from December through to April each year, employing seasonal crew who require accommodation in Bremer Bay.

Their intention was to increase the property's accommodation capacity through renovations to the existing attached garage/carport (Attachment d) which gained development approval on 19 October 2026.

Given the limited availability of suitable rental accommodation in Bremer Bay, securing accommodation for seasonal employees is challenging.

The proposed temporary accommodation would provide a practical solution to accommodate four additional employees while they continue working towards completing the planned renovations to the dwelling.

This proposal is not intended to establish additional permanent dwellings on the property, but rather to address a short-term operational requirement associated with their upcoming tourism season.

STATUTORY ENVIRONMENT:

- *Local Government Act 1995*
- *Planning and Development Act 2005*

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Council Plan 2026-2036:

Economy

Strengthen the Shire's economic base through strategic planning, investment attraction, business support and townsite improvements.

FINANCIAL IMPLICATIONS:

There are no financial implications for Council.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

There are no policy implications for Council.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council approve Development Application P26-059 for Temporary Workforce Accommodation and associated works at Lot 65 (90) Native Dog Beach Road, Bremer Bay, subject to the following conditions:

1. **Development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the Shire of Jerramungup.**
2. **The land and buildings the subject of this approval shall be used for the purpose of Temporary Workforce Accommodation.**
3. **The period to which the Temporary Workforce Accommodation is permitted to be retained and used shall be expire on the 31 August 2027 and any subsequent period as may be approved by the Local Government.**
4. **The Local Government reserves the right to conduct inspections to ensure compliance with the approved conditions and may rescind its approval if in the opinion of the Council the use and occupation of the premises is the cause of valid complaints to the Council in respect to noise and nuisance.**
5. **No open fires are permitted outside at any time. Barbecue facilities may be provided and used in a safe manner.**

AND the following advice notes:

1. **THIS IS NOT A BUILDING PERMIT. An application for a building permit is required to be submitted to and approved by the Shire of Jerramungup prior to any works commencing on-site.**
2. **The development is to comply with the National Construction Code, *Building Act 2011*, *Building Regulations 2012* and the *Local Government Act 1995.***
3. **The National Construction Code can be accessed and downloaded free of charge by visiting www.abcb.gov.au.**

12.4 EXECUTIVE SERVICES

12.4.1 INFORMATION BULLETIN – SEPTEMBER – OCTOBER

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Glenda Forbes, Executive Administration Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 September 2026
Attachments:	a) Information Bulletin – September – October 2026
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for September – October 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 September 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 Council Plan 2026-2036:

Governance and Leadership

Deliver transparent, accountable and effective governance across the Shire.

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 September 2026.

12.4.2 REVIEW OF TERMS OF REFERENCE – BREMER BAY COMMUNITY DEVELOPMENT COMMITTEE

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
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:	19 October 2026
Attachments:	a) Bremer Bay Community Development Committee – Amended Terms of Reference – October 2026
Authority/Discretion:	Legislative

SUMMARY:

Following the recent approach by the Bremer Bay Community Men's Shed and subsequent endorsement of their membership of the Bremer Bay Community Development Committee (BBCDC), the Shire administration wrote to the Bremer Bay Sports Club inviting them to reconsider their 2023 decision to resign from the BBCDC.

It was suggested that they may like to attend meetings as observers before making any recommendation to the Sports Club Committee, however on 16 October 2026 an email was received from the Secretary of the Bremer Bay Sports Club advising that "*the Bremer Bay Sports Club would be delighted to rejoin the BBCDC, and we thank you for the invitation. We'll have representation at your next meeting.*"

The Minutes from their meeting of 13 October 2026 show:

"The committee discussed the Shire of Jerramungup's invitation to rejoin the Bremer Bay Community Development Committee. It was unanimously agreed that the Bremer Bay Sports Club would rejoin the committee. Motion Carried: 5/0"

The following steps are usually required to be carried out for changes to membership:

1. The BBCDC considers requests from groups;
2. The Terms of Reference are updated as a draft to change the membership;
3. A report is prepared for Council consideration to accept the change of membership and the draft Terms of Reference.

To expedite the membership of the Bremer Bay Sports Club, the matter has been brought directly to Council, by-passing step 1. This will enable them to attend the 13 November BBCDC meeting as members.

Please see the Draft Terms of Reference which include an update to include the Bremer Bay Sports Club as a member (refer to Attachment a)). This completed step 2.

The updated Terms of Reference now need to be endorsed by Council.

CONSULTATION:

Bremer Bay Community Development Committee

COMMENT:

The purpose of the Bremer Bay Community Development Committee, as set out in the Terms of Reference, is *"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."*

Currently, membership comprises the Shire of Jerramungup, Bremer Bay Community Resource Centre, Bremer Bay Regional Trails Committee, Fitzgerald Biosphere Group, Bremer Bay Progress Association and Bremer Bay Community Men's Shed.

Membership of the BBCDC is reviewed on an ad hoc basis.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors' meetings

Subdivision 2 – Committees and their meetings

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.

Section 5.10 Appointment of committee members

(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.*

Section 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.

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Council Plan 2026-36:

Governance & Leadership

Work cohesively with the community to improve engagement and communication across the Shire.

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 ADOPT the Terms of Reference for the Bremer Bay Community Development Committee as amended and attached to this report.

12.4.3 ALTERATION TO COUNCIL MEETING DATE – NOVEMBER 2026

Location/Address:	N/A
Name of Applicant:	Shire of Jerramungup
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:	21 October 2026
Attachments:	Nil
Authority/Discretion:	Administrative

SUMMARY:

The purpose of this report is for Council to consider altering the date for the Ordinary Meeting of Council scheduled for November 2026.

The *Local Government (Administration) Regulations 1996* requires a local government to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

Subregulation (1) refers to Ordinary Council Meetings.

BACKGROUND:

At the Ordinary Meeting of Council held on 26 November 2025, Council determined its meeting dates up to and including 16 December 2026. The two meetings remaining in 2026 are scheduled as follows:

DAY	DATE	TIME	VENUE
Wednesday	25 November 2026	1.00pm	Council Chamber, Jerramungup
Wednesday	16 December 2026	1.00pm	Bremer Bay Sports Club, Bremer Bay

It is noted that the Chief Executive Officer, Deputy Chief Executive Officer and Manager of Development will all be absent due to other commitments on Wednesday, 25 November 2026.

It is suggested that the November 2026 meeting date be moved back one day, as below:

SCHEDULED MEETING DATE	PROPOSED MEETING DATE
Wednesday, 25 November 2026	Thursday, 26 November 2026

Consideration of meeting dates for 2027 will occur in November as per usual practice.

CONSULTATION:

The Administration has agreed that changing the meeting dates as proposed would have no effect on the operations of the Shire.

In the event that Council approves the change of date for the November Ordinary Council Meeting, this will be advertised throughout the Shire in accordance with legislation.

COMMENT:

Significant events and public holidays are usually taken into consideration when adopting Council Meeting dates.

Public Holidays

There are no public holidays in November.

Significant Events

Significant events to be considered are:

- Bremer Bay Markets – Saturday 28 November 2026.

Deferring the November meeting by one day, from 25 November to 26 November 2026, will enable the Chief Executive Officer and Manager of Development to attend.

There would be no change to the December scheduled date.

STATUTORY ENVIRONMENT:

Division 2 — Council meetings, committees and their meetings and electors' meetings

Subdivision 1 — Council meetings

5.3. Ordinary and special council meetings

(1) A council is to hold ordinary meetings and may hold special meetings.

(2) Ordinary meetings are to be held not more than 3 months apart.

(3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

(a) if called for by either —

(i) the mayor or president; or

(ii) at least 1/3 of the councillors,

in a notice to the CEO setting out the date and purpose of the proposed meeting; or

(b) if so decided by the council.

5.5. Convening council meetings

(1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.

(2) The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.

Local Government (Administration) Regulations 1996–Regulation 12

12. Meetings, public notice of (Act S 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

STRATEGIC IMPLICATIONS:

This item relates to the following component from the Shire of Jerramungup Council Plan 2026-36:

Governance & Leadership

Deliver transparent, accountable and effective governance across the Shire.

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, with respect to the 2026 Ordinary Meeting of Council Schedule:

1. **APPROVE the following rescheduling of the Ordinary Meeting of Council date for November 2026:**

DAY	DATE	TIME	VENUE
Thursday	26 November 2026	1.00pm	Council Chamber, Jerramungup

2. **REQUEST that the Chief Executive Officer or his authorised officer advertise the approved dates by Public Notice and on the Shire of Jerramungup website and social media sites.**

12.4.4 DISPOSITION OF PROPERTY – PORTION OF RESERVE 18944, LOT 578 & 643 GNOWANGERUP-JERRAMUNGUP ROAD, NEEDILUP

Location/Address:	Portion of Lot 578 & 643 Gnowangerup-Jerramungup Road, Needilup
Name of Applicant:	N/A
File Reference:	N/A
Author:	Sophie Browning, Asset Manager
Responsible Officer:	Charmaine Wisewould, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	21 October 2026
Attachments:	a) Final Draft Lease – Jerramungup Districts Motorcycle Club Inc
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is to seek Council consideration regarding the proposed disposition of land located at Reserve 18944, Lot 578 & 643 Gnowangerup-Jerramungup Road, Needilup. The intended disposition is by way of lease to Jerramungup Districts Motorcycle Club Inc. (JDMC), with the proposed use of the premises being a motorcross track.

BACKGROUND:

Reserve 18944 is currently under a Management Order with the Shire of Jerramungup and has been leased to JDMC for use as a motocross track since 2016.

CONSULTATION:

The Jerramungup Districts Motorcycle Club Inc. would like to enter into a new lease to continue operating a motocross track.

COMMENT:

The continuation of a local motocross track offers the community a safe space to ride and invites visitors to participate in hosted ride days. Entering a new lease will ensure that this activity remains available into the future.

STATUTORY ENVIRONMENT:

The disposition of local government property is governed by Section 3.58 of the *Local Government Act 1995*. The Act requires local governments to advertise the proposed disposition, including the details of the lessee, the consideration to be received, and an invitation for submissions from the public.

3.58. Disposing of property

(1) In this section —

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

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

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

(a) the highest bidder at public auction; or

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

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

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

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

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

and

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

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

(a) the names of all other parties concerned; and

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

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

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

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

The *Local Government (Functions and General) Regulations 1996* stipulate what can be considered an exempt disposition under the *Local Government Act 1996*.

30. Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

This lease would be considered an exempt disposition as it satisfies this provision of the *Local Government (Functions and General) Regulations 1996.*

STRATEGIC IMPLICATIONS:

The presence of a motocross track facility will contribute to the Shire's strategic priority of sporting, recreation and community facility development.

This item relates to the following components from the Shire of Jerramungup Council Plan 2026 – 2036:

Provide and maintain facilities and services that connect people, promote and active and healthy lifestyle.

Plan, deliver and maintain infrastructure and community facilities across the Shire in a sustainable and cost effective manner.

FINANCIAL IMPLICATIONS:

There are no financial or budget implications applicable. This is a peppercorn lease proposal.

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 / Absolute Majority where specified.

OFFICER RECOMMENDATION:

That Council:

1. **Authorise the Chief Executive Officer to enter into the proposed lease (as per Attachment a)) with Jerramungup Districts Motorcycle Club Inc. for a term of ten (10) years commencing from 1 November 2026, with the option of a further term of ten (10) years, expiring on 31 October 2046.**
2. **Authorise the Chief Executive Officer to seek Ministerial approval.**
3. **By ABSOLUTE MAJORITY, delegate authority to the Shire President and Chief Executive Officer to execute and affix the Common Seal of the Shire of Jerramungup to the lease agreement between the Shire of Jerramungup and Jerramungup Districts Motorcycle Club Inc.**

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 _____ November 2026, commencing at 1.00pm, in the Council Chamber, Jerramungup.

16.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at .....pm.

These minutes were confirmed at a meeting held

Date:_____

Signed: _____

Presiding Person at the meeting at which these minutes were confirmed.

Date:_____