

MINUTES

ORDINARY MEETING OF COUNCIL

Held at
Council Chambers, 8 Vasey Street, JERRAMUNGUP
Wednesday, 29 July 2026
Commencing at 1:00pm

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ORDINARY COUNCIL MEETING

MINUTES

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 1.03pm by the Shire President.

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

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

Cr Nathan Brown	Shire President (Chair)
Cr Paul Barrett	Deputy Shire President
Cr Neil Foreman	Councillor
Cr Naomi Hall	Councillor
Cr Paul Hislop	Councillor (via Teams)
Cr Nathan McQuoid	Councillor

STAFF:

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

VISITORS:

Nil

GALLERY:

Nil

2.2 APOLOGIES

Nil

2.3 APPROVED LEAVE OF ABSENCE

Parental Leave – Cr Raegan Zacher

2.4 ABSENT

Nil

3.0 DISCLOSURE OF INTERESTS

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

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

3.1 DECLARATIONS OF FINANCIAL INTERESTS

Martin Cuthbert, Chief Executive Officer, declared a Financial Interest in 11.1.1 – CEO Annual Performance Review 2026. The nature of the interest is it has a direct bearing on his contract of employment with the Shire of Jerramungup.

3.2 DECLARATIONS OF PROXIMITY INTERESTS

Nil

3.3 DECLARATIONS OF IMPARTIALITY INTERESTS

Nil

4.0 PUBLIC QUESTION TIME

Nil

5.0 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

Nil

6.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 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 _____ be granted permission to be present at the Ordinary Council Meeting to be held on 29 July 2026 by electronic means.

MOTION: OCM260701

MOVED: Cr Foreman

SECONDED: Cr McQuoid

That Cr Paul Hislop be granted permission to be present at the Ordinary Council Meeting to be held on 29 July 2026 by electronic means.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

8.0 APPLICATIONS FOR LEAVE OF ABSENCE

RECOMMENDATION

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

Nil

9.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

I'd like to take the time to thank everyone in the Shire's admin team for all the good work and many hours put into organising and implementing the release of the Shire's new logo and brand. It looks fantastic and really sets the Shire up for the path going forward.

Whilst making thankyou's, I would also like, on behalf of the Council, to thank everyone involved in the preparation and final completion of the 2026/2027 budget. I know and understand a lot of hours and hard work have gone into presenting the Shire with a financially responsible plan for the 2026/2027 financial year and this definitely does not go unnoticed, so a massive thank you to all those involved.

10.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING HELD 24 JUNE 2026

That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Sports Club, Bremer Bay, on 24 June 2026 be CONFIRMED.

MOTION: OCM260702

MOVED: Cr Hall	SECONDED: Cr Foreman
That the Minutes of the Ordinary Council Meeting of the Shire of Jerramungup held in the Sports Club, Bremer Bay, on 24 June 2026 be CONFIRMED.	
CARRIED: 6/0	
For:	President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid
Against:	Nil

10.2 BUSH FIRE ADVISORY COMMITTEE ANNUAL GENERAL MEETING HELD 20 APRIL 2026

Attachment 10.2 a) Minutes

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Annual General Meeting held on 20 April 2026.

MOTION: OCM260703

MOVED: Cr Barrett	SECONDED: Cr Hall
That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Annual General Meeting held on 20 April 2026.	
CARRIED: 6/0	
For:	President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid
Against:	Nil

10.3 BUSH FIRE ADVISORY COMMITTEE GENERAL MEETING HELD 20 APRIL 2026

Attachment 10.3 a) Minutes

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 20 April 2026.

MOTION: OCM260704

MOVED: Cr Foreman

SECONDED: Cr Barrett

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 20 April 2026.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

10.4 BUSH FIRE ADVISORY COMMITTEE GENERAL MEETING HELD 20 JULY 2026

Attachment 10.4 a) Minutes

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 20 July 2026.

MOTION: OCM260705

MOVED: Cr Foreman

SECONDED: Cr Hall

That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Meeting held on 20 July 2026.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

11.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

11.1 CEO REVIEW COMMITTEE

OFFICER RECOMMENDATION:

That the meeting be closed to the general public to discuss Confidential Item 11.1.1 pursuant to the *Local Government Act 1995* section 5.23(2)(a) relating to a matter affecting an employee or employees.

MOTION: OCM260706

MOVED: Cr Barrett	SECONDED: Cr McQuoid
That the meeting be closed to the general public to discuss Confidential Item 11.1.1 pursuant to the <i>Local Government Act 1995</i> section 5.23(2)(a) relating to a matter affecting an employee or employees.	
CARRIED: 6/0	
For:	President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid
Against:	Nil

Martin Cuthbert declared an interest in item 11.1.1 as it relates to his contract of employment and left the meeting at 1.06pm.

Charmaine Wisewould, Deputy Chief Executive Officer, Richard Hindley, Manager of Development, and Patrick Steinbacher, Manager of Works, left the meeting at 1.06pm.

Cr Hislop made the following Declaration in accordance with Section 14CA. clauses (5) – (7) of the *Local Government (Administration) Regulations 1996*.

I, Cr Hislop, declare that I am able to maintain confidentiality during the closed part of the meeting. If I am no longer able to maintain confidentiality, I will excuse myself from the meeting.

11.1.1 CEO ANNUAL PERFORMANCE REVIEW 2026 - CONFIDENTIAL

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:	Financial Interest – Relates to author’s contract of employment
Date of Report:	14 July 2026
Attachments:	a) CONFIDENTIAL – Chief Executive Officer Annual Performance Review Council Report – 150Square
Authority/Discretion:	Legislative

SUMMARY:

The purpose of this report is for Council to receive the “Shire of Jerramungup CEO Annual Performance Review Report” from the CEO Review Committee for adoption by Council.

BACKGROUND:

The Chief Executive Officer (Martin Cuthbert) commenced employment with the Shire of Jerramungup on 16 April 2018. The term of the contract was for three years expiring 15 April 2021.

At the CEO Review Committee meeting held on 18 November 2020, the Committee agreed to endorse the process to renew the Contract and the remuneration package with the Chief Executive Officer, Martin Cuthbert, for a term of three years, expiring 15 April 2024, as per section 5.39 of the *Local Government Act 1995*.

At the CEO Review Committee meeting held on 27 September 2023, the Committee agreed to endorse the process to renew the Contract and the remuneration package with the Chief Executive Officer, Martin Cuthbert, for a further term of five years, expiring 15 April 2029, as per section 5.39 of the *Local Government Act 1995*.

Each year the Council and the Chief Executive Officer must negotiate and determine the Annual Performance Criteria.

The Review has been conducted in accordance with the applicable statutory and regulatory requirements as follows:

Section 5.38 of the Act prescribes that:

- A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.
- A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person’s employment.

Section 5.39 of the Act prescribes that the CEO contract:

- Must include performance criteria, for the purposes of reviewing the CEO's performance.

Section 5.39 A – Model standards for CEO recruitment, performance and termination

- Regulations must prescribe model standards for local governments in relation to the following:
 - The review of the performance of CEOs

In addition, Regulation 18FA of the *Local Government (Administration) Regulations 1996* sets out model standards in relation to the review of the performance of CEOs.

CONSULTATION:

Elected Members.

Darren Mollenoyux, 150Square.

Chief Executive Officer.

COMMENT:

The annual review process was undertaken with the assistance of Mr Darren Mollenoyux, 150Square.

To finalise the annual review process, Council must receive the CEO Annual Performance Review Report and adopt the recommendations contained with the Report.

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.38. Annual review of employees' performance

- (1) *A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.*
- (3) *A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.*

5.39. Contracts for CEO and senior employees

- (1) *Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.*
- (3) *A contract under this section is of no effect unless –*
 - (b) *there are specified in the contract performance criteria for the purpose of reviewing the person's performance;*

5.39A. Model standards for CEO recruitment, performance and termination

- (1) *Regulations must prescribe model standards for local governments in relation to the following –*
 - (a) *the recruitment of CEOs;*
 - (b) *the review of the performance of CEOs;*
 - (c) *the termination of the employment of CEOs.*

- (2) Regulations may amend the model standards.

Local Government (Administration) Regulations 1996

18FA. Model standards for CEO recruitment, performance and termination (Act s. 5.39A(1))

Schedule 2 sets out model standards for local governments in relation to the following –

- (a) the recruitment of CEOs;
- (b) the review of the performance of CEOs;
- (c) the termination of the employment of CEOs.

Division 3 – Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on –
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must –
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of –

- (a) the results of the review; and

- (b) *if the review identifies any issues about the performance of the CEO – how the local government proposes to address and manage those issues.*

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

The annual cash salary for the Chief Executive Officer is factored into the municipal budget process.

WORKFORCE IMPLICATIONS:

The Chief Executive Officer is the position tasked with the responsibility of overall workforce management and leadership for the Shire of Jerramungup.

POLICY IMPLICATIONS:

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

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Accepts the Chief Executive Officer's Annual Performance Review for the 2025/26 review period, as conducted in accordance with section 5.38 of the *Local Government Act 1995* (WA) and the Shire's adopted CEO Performance Review Standards.**
- 2. Notes the overall performance outcome for the Chief Executive Officer for the 2025/26 review period as "Meets Performance Requirements".**
- 3. Endorses the Chief Executive Officer's Annual Key Result Areas for the 2026/27 review period, as set out in this report and as agreed between Council and the Chief Executive Officer.**
- 4. Council reviews and determines the CEO's Total Reward Package, including the cash component, in accordance with the CEO's contract of employment and within the Band 4 remuneration range set by the Salaries and Allowances Tribunal's Determination, effective 1 July 2026.**

CEO REVIEW COMMITTEE RECOMMENDATION

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Accepts the Chief Executive Officer's Annual Performance Review for the 2025/26 review period, as conducted in accordance with section 5.38 of the *Local Government Act 1995* (WA) and the Shire's adopted CEO Performance Review Standards.**
- 2. Notes the overall performance outcome for the Chief Executive Officer for the 2025/26 review period as "Meets Performance Requirements".**
- 3. Endorses the Chief Executive Officer's Annual Key Result Areas for the 2026/27 review period, as set out in this report and as agreed between Council and the Chief Executive Officer.**
- 4. Acknowledges the State Administrative Tribunal Determination increasing the Band 4 Chief Executive Officer remuneration by 3.5% and approves a corresponding 3.5% increase to the cash component of the Chief Executive Officer's Total Reward Package, effective from 1 July 2026.**

MOTION OCM260707

MOVED: Cr Barrett

SECONDED: Cr Foreman

That Council, BY AN ABSOLUTE MAJORITY:

- 1. Accepts the Chief Executive Officer's Annual Performance Review for the 2025/26 review period, as conducted in accordance with section 5.38 of the *Local Government Act 1995* (WA) and the Shire's adopted CEO Performance Review Standards.**
- 2. Notes the overall performance outcome for the Chief Executive Officer for the 2025/26 review period as "Meets Performance Requirements".**
- 3. Endorses the Chief Executive Officer's Annual Key Result Areas for the 2026/27 review period, as set out in this report and as agreed between Council and the Chief Executive Officer.**
- 4. Acknowledges the State Administrative Tribunal Determination increasing the Band 4 Chief Executive Officer remuneration by 3.5% and approves a corresponding 3.5% increase to the cash component of the Chief Executive Officer's Total Reward Package, effective from 1 July 2026.**

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION:

That the meeting again be opened to the general public.

MOTION: OCM260708

MOVED: Cr Hall		SECONDED: Cr McQuoid
That the meeting again be opened to the general public.		
		CARRIED: 6/0
For:	President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid	
Against:	Nil	

Martin Cuthbert, Chief Executive Officer, Charmaine Wisewould, Deputy Chief Executive Officer, Richard Hindley, Manager of Development, and Patrick Steinbacher, Manager of Works, returned to the meeting at 1.09pm.

11.2 BUSH FIRE ADVISORY COMMITTEE

11.2.1 ADOPTION OF SHIRE OF JERRAMUNGUP SECTION 33 NOTICE 2026-2027

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	LE.IN.4
Author:	Charmaine Wisewould, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 July 2026
Attachments:	a) Shire of Jerramungup Section 33 Notice 2026-2027
Authority/Discretion:	Legislative

SUMMARY:

That Council adopts the Shire of Jerramungup Section 33 Notice 2026-27, pursuant to section 33 of the *Bush Fires Act 1954* and authorises the Chief Executive Officer to arrange its publication and distribution in accordance with legislative requirements.

The proposed Section 33 Notice assists in reducing bushfire risk by establishing clear and enforceable minimum requirements for landowners and occupiers. If it is not adopted, the Shire may have reduced clarity and consistency in its fire prevention requirements for the 2026-27 fire season.

BACKGROUND:

The Shire of Jerramungup issues an annual Section 33 Notice (the Notice) to landowners and occupiers within the district. The Notice sets out the fire prevention works required to reduce the risk of bushfire ignition, spread and extension across different land use zones and property types. The 2026-27 Notice has been reviewed to improve clarity, consistency and enforceability, and to better align with contemporary guidance for local government firebreak and hazard reduction notices.

CONSULTATION:

The review has been informed by operational experience, internal review and consideration of relevant sector guidance. Consultation has occurred with the Shire's Chief Bush Fire Control Officer, Brigade Captains and an Emergency Management Consultant to ensure the Notice is practical, clear and aligned with bushfire risk management requirements.

COMMENT:

The 2026 review has resulted in a substantially updated Section 33 Notice. The proposed changes improve readability, align terminology across the document, clarify property owner and occupier obligations, and better reflect current bushfire risk management expectations. Key changes include a clearer definition of fire break, revised treatment of Point Henry Peninsula requirements, updated rural and plantation requirements, expanded vehicle and machinery restrictions, and new or amended definitions to support consistent interpretation.

The proposed Notice provides a clearer and more consistent framework for landowners and occupiers, while supporting effective compliance and enforcement by Shire officers and Fire Control Officers. Adoption of the Notice will assist in reducing bushfire risk across the district and ensure requirements are in place ahead of the 2026-27 fire season.

The following table summarises the major changes proposed through the review:

Section	Previous	New	Comment
General Notice text			Alignment with WALGA template, inclusion of fees and fines, update of dates notice is in place to align with zones
1 (b)	2 metre wide fire break	3 metre wide fire break	Achieve consistency throughout the document
2 (a) (i)	Bare earth	Fire break	New definition of fire breaks
2 (a) (ii)	Bare earth break around all buildings		Removal of fire break around buildings as double up with boundary break on smaller scale properties
3	Rural Residential – specific to Point Henry	Rural Residential and Rural – Specific to Point Henry	Inclusion of Rural properties within the Point Henry Peninsula
3 (a)	Unrestricted vehicular access, strategic fire break	Unimpeded vehicular access, strategic fire break	Clarity to include physical obstructions such as fences, new definition of strategic fire break
3 (b)	Phasing in of conditions	Mandatory conditions	Timeframe for phasing in additional conditions ended in 2019
4	Rural Zone	Rural Zone (Excluding designated plantations and Point Henry Peninsula)	Change to exclude zones with special requirements elsewhere

Section	Previous	New	Comment
4 (b)	Within 100 metres of all buildings	Within 20 metres of all buildings	Minimise distance between fire breaks and buildings
5 (a-e)	Plantations		Complete rewrite to simplify and align with DFES Guidelines for Plantations
Asset Protection Zone	Building Protection Zone	Asset Protection Zone	Align terminology across legislation
Appendix 1 Part 1.	Zone 1-4, 1 st October to 18 th April	Zone 1-4, 1 st October to 30 th April	Extension of restricted burning time to simplify dates to remember
			Additionally, dates for Zone 5 have remained as per 2016 gazetted notice. However, dates were changed in other Shire information over the years. Chosen to keep dates as per original notice and control any burning in Zone 5 between February and May with Permits. Opens opportunity for prescribed burning if the conditions allow for it.
Appendix 1 Part 2.	Additional requirements for plantation owners		Change to include equipment requirements for all plantations, irrespective of their location from a Bush Fire Brigade.
Appendix 1 Part 4.	Vehicles		
(a) (i-iii)			Inclusion of table in written form for ease of access to information
(c)			Inclusion of track raking, track chaining and track renovating activities
(d)			New clause to include ground engaging machinery
(e) (ii)	Inspections by CBFCO	Inspections by FCO	Allow for FCOs to inspect and approve subject to conditions and process

Section	Previous	New	Comment
Definitions			Now arranged in alphabetical order
Approved fire extinguisher	7.5 litre water	9kg or 9 litres	Allow for multiple options of fire extinguishers (eg water and powder)
Developed land			New definition relating to additional requirements for Point Henry Peninsula
Fire Break	Bare earth	Area with specified width and with grass maintained at maximum height of 5cm and being devoid of all flammable matter	Change from bare earth to maximum vegetation height to allow for environmental and erosion control
Flammable matter			New definition
Ground engaging machinery			New definition
Licensed storage and out loading areas	Licensed storage and out loading areas		New definition
Plantation			Updated definition to align with DFES Guidelines and clarify at what point a plantation ceases to exist
Roadway			New definition relating to licensed storage and out loading areas
Secondary water supply			New definition relating to harvesting operations
Site constraints			New definition relating to variations
Strategic Fire Break			New definition and inclusion of no fence

Section	Previous	New	Comment
Track raking, track chaining and/or track renovating			New definition
Vehicle turn arounds			Updated definition with clearer requirements

STATUTORY ENVIRONMENT:

Section 33 of the *Bush Fires Act 1954* enables a local government to require owners and occupiers of land within its district to install and maintain fire breaks and undertake specified actions to prevent the outbreak, spread or extension of a bushfire. A local government may give notice to all owners or occupiers by publishing the Notice in the Government Gazette and in a newspaper circulating in the district.

STRATEGIC IMPLICATIONS:

Adoption of the Shire of Jerramungup Section 33 Notice 2026-27 contributes to community safety, emergency preparedness, asset protection and responsible land management across the district.

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

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

FINANCIAL IMPLICATIONS:

There are no direct financial implications associated with adoption of the Notice. Costs associated with publication, administration and compliance activities are provided for within existing operational budgets.

WORKFORCE IMPLICATIONS:

There are no additional workforce resourcing implications arising from adoption of the Shire of Jerramungup Section 33 Notice 2026-27. Administration, publication, community enquiries, variation requests and compliance activities will be managed within existing staff resources. The updated Notice may support improved operational efficiency by providing clearer requirements for landowners, occupiers, Fire Control Officers and Shire officers involved in implementation and compliance.

POLICY IMPLICATIONS:

The Section 33 Notice supports the Shire's broader bushfire risk management and community safety objectives. The review has considered relevant sector guidance, including WALGA and DFES guidance for clear, consistent and enforceable fire break and hazard reduction notices, and DFES plantation fire protection guidance.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That COUNCIL:

- 1. Adopts the Shire of Jerramungup Section 33 Notice 2026-27, as attached.**
- 2. Authorises the Chief Executive Officer to arrange publication and distribution of the Notice in accordance with Section 33 of the *Bush Fires Act 1954*.**

MOTION: OCM260709

MOVED: Cr Foreman

SECONDED: Cr Barrett

That COUNCIL:

- 1. Adopts the Shire of Jerramungup Section 33 Notice 2026-27, as attached.**
- 2. Authorises the Chief Executive Officer to arrange publication and distribution of the Notice in accordance with Section 33 of the *Bush Fires Act 1954*.**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.0 REPORTS

12.1 TECHNICAL SERVICES

Nil.

12.2 CORPORATE SERVICES

12.2.1 ACCOUNTS FOR PAYMENT – JUNE 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:	17 July 2026
Attachments:	a) List of Accounts Paid to 30 June 2026 b) Credit Card Statement – 1 June 2026 – 29 June 2026 c) Fuel Card Statement – May 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 June 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 June 2026. Lists detailing the payments made are attached.

FUND	VOUCHERS	AMOUNTS
Municipal Account		
Last Cheque Used	28181	
EFT Payments	24815 – 24928	\$575,756.45
Direct Deposits		\$40,383.27
Municipal Account Total		\$616,139.72
Trust Account		
Trust Account Total		\$0.00
Grand Total		\$616,139.72

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 \$7,931.82.

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 30 June 2026 totalling \$616,139.72.**
- 2. The Credit Card Statement – 1 June 2026 – 29 June 2026 as detailed in attachment 12.2.1(b).**
- 3. The Fuel Card Statement May 2026 as detailed in Attachment 12.2.1(c).**

MOTION: OCM260710

MOVED: Cr McQuoid

SECONDED: Cr Hall

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 June 2026 totalling \$616,139.72.**
- 2. The Credit Card Statement – 1 June 2026 – 29 June 2026 as detailed in attachment 12.2.1(b).**
- 3. The Fuel Card Statement May 2026 as detailed in Attachment 12.2.1(c).**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.2.2 MONTHLY FINANCIAL REPORT - JUNE 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:	17 July 2026
Attachments:	a) Monthly Financial Report for the Period Ending 30 June 2026
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 30 June 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 June 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 30 June 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 30 July 2025, Council adopted (Minute No. OCM250711 Officer Recommendation 4 refers) the following material variance reporting threshold for the 2025/26 financial year:

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

CONSULTATION:

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

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

COMMENT:

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

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

STATUTORY ENVIRONMENT:

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

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

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

And

 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*

- (2) *Each statement of financial activity is to be accompanied by documents containing –*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown –*
 - (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be –*
 - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 30 June 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 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 June 2026 in accordance with section 6.4 of the *Local Government Act 1995*.

MOTION: OCM260711**MOVED: Cr Barrett****SECONDED: Cr Foreman**

That Council RECEIVE the Monthly Financial Report incorporating the Statement of Financial Activity for the period ending 30 June 2026 in accordance with section 6.4 of the *Local Government Act 1995*.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.2.3 ADOPTION OF SHIRE OF JERRAMUNGUP 2026/27 ANNUAL MUNICIPAL BUDGET

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Charmaine Wisewould, Deputy Chief Executive Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	21 July 2026
Attachments:	a) UNDER SEPARATE COVER – Budget for the Financial Year 2026/2027 including Fees and Charges Schedule
Authority/Discretion:	Legislative

SUMMARY:

To consider and adopt the Shire of Jerramungup's Annual Municipal Budget for the financial year 2026/27, including the adoption of the Schedule of Fees and Charges, Rates in the Dollar, Minimum Payments, and other statutory financial provisions.

The 2026/27 Annual Budget builds on the priorities established in 2025/26, maintaining Council's commitment to core service delivery while directing investment toward projects that improve community wellbeing, emergency readiness, public infrastructure and organisational capability. The budget reflects a measured approach to balancing rising operational costs, community expectations, grant opportunities and the need to maintain long-term financial sustainability.

Key areas of focus in 2026/27 include the commencement of the Bremer Bay Medical Centre, continued planning for the Bremer Bay Cultural Precinct, implementation of the Shire's new brand identity, continued investment in roads and community facilities, and a significant allocation toward bushfire preparedness and emergency management.

BACKGROUND:

In accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, the Shire is required to adopt an annual budget by 31 August each year. The budget has been developed following community consultation, internal workshops, and alignment with the Shire's Strategic Community Plan and Corporate Business Plan.

CONSULTATION:

The draft budget has been developed with consultation between executive staff, finance manager, elected members, and community submissions. The budget is also driven by the Shire's Long Term Financial Plan and contains a number of projects and income/expenditure parameters from this document.

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*.

The Department of Local Government, Industry Regulation and Safety (DLGIRS) is not consulted prior to budget adoption. Once the budget is adopted, it is submitted to DLGIRS for review.

COMMENT:

The 2026/27 Budget continues the Shire of Jerramungup's focus on responsible financial management, maintenance of essential services and investment in priority infrastructure. Compared with the 2025/26 Budget, the 2026/27 Budget places stronger emphasis on progressing major community infrastructure projects, bushfire preparedness, health services, asset renewal, roads and long-term strategic planning.

The 2026/27 Budget outlines the Shire's financial strategy to deliver services, infrastructure, and community programs. Key highlights include:

- Capital works program including road upgrades, facility improvements, and asset renewals.
- Continued investment in community development and environmental sustainability.
- Adjustments to fees and charges to reflect CPI and service delivery costs.
- Rate revenue projections based on proposed general rates and minimum payments.

Supporting schedules include:

- Statement of Comprehensive Income
- Statement of Financial Position
- Statement of Cash Flows
- Rate Setting Statement
- Capital Expenditure Program
- Schedule of Fees and Charges

Landgate completed the rural assessments for all properties as of the Date of Valuation, which is 1 August 2025.

Below is a summary of the changes observed in the assessed values for the 2025-26 period, as part of the general valuation program conducted in the Shire of Jerramungup. These valuations become effective on 30 June 2026.

- Total Valuation: \$895,512,710
- Average Overall Change: 20.47%

The analysis of sales at and around the date of valuation supports an increase in Unimproved Values for broadacre agricultural properties. The evidence for smaller properties generally supports more limited to no increases in Unimproved Values compared to broadacre farming properties.

Some variations to individual assessments may have occurred either as a product of the valuation process and/or inclusion of updated information.

Ratepayers are encouraged to contact Landgate if they have any queries regarding the valuation changes to their assessment.

In the 2026/27 financial year, 26.23% of rates raised will be from properties on a Gross Rental Valuation (GRV) (predominantly within the townsite), and 73.77% will be from Unimproved Valuation (UV)(rural).

Rates are calculated by multiplying a rate in the dollar by property valuation, subject to the minimum payment. The valuation is supplied by the WA State Government Department, Landgate.

Council sets the rate in the dollar as part of each year's budget process. It is based on the Shire's expenditure requirements, both operating and capital, offset by other forms of income such as government grants and fees for service.

Unimproved Value is used for primary producers whose main source of income is derived from the land, with activities such as farming. This valuation is based on the unimproved capital value of the land.

Gross Rental Value (GRV) is used for residential, commercial, industrial and vacant properties. On improved properties, the GRV represents the gross annual rental that a property might reasonably be expected to earn annually if it were rented, including rates, taxes, insurance and other outgoings. Many factors are taken into consideration when assessing the valuation, such as location, age of the premises and size of the improvements.

For non-residential properties, GST is also included. The GRV is calculated for all rateable properties regardless of whether the property is being rented or owner occupied.

Council sets a rates minimum payment amount to ensure that all ratepayers contribute an equitable amount for Shire services.

If the calculation of valuation multiplied by the rate in the dollar is less than the minimum amount, then the minimum will be applied. If the valuation multiplied by the rate in the dollar is more than the minimum, then the higher amount is payable.

Rates contribute towards the upkeep and maintenance of the Shire's infrastructure and below is a list of significant capital and operating expenditure factored into the 2026/27 annual budget.

It should be noted that the current economic environment continues to place significant pressure on the delivery of both capital and operating projects. Increases in the Perth Consumer Price Index, together with ongoing fuel cost pressures, have contributed to higher contractor rates, transport costs and material prices. These market conditions have had a direct impact on project delivery costs across the Shire, requiring careful prioritisation of works and ongoing budget monitoring throughout the 2026/27 financial year.

BUDGET SNAPSHOTS 2026/27:

Community Amenities

\$1.47M investment into regional waste facility services, replacement of townsite street bins, waste and recycling services, town planning activities, development of the Coastal Hazard Risk Management and Adaption Plan, Bremer Bay Cultural Precinct Stage 2 – Business case and detailed design, townsite BAL mapping, cemetery maintenance, maintenance of the Jerramungup effluent system, employee costs and maintenance and enhancements to various public amenities.

Law, Order & Public Safety

\$1.26M delivering the Shire's bushfire mitigation activity program, Point Henry Strategic Fire Break mitigation, Point Henry fire assessments, bushfire volunteer equipment and support, volunteer training, firefighting expenses, emergency water supplies, employee costs, ranger services, emergency signage and equipment.

Economic Services

\$86K investment to provide building control and surveyor services, Millers Point Campground works, insurances for Bremer Bay Caravan Park, employee costs, standpipe maintenance and legal services.

Education & Welfare

\$8K investment in education programs, building maintenance and insurance costs associated with the childcare centres.

General Purpose Funding

\$83K investment to include annual rates services, valuation expenses, employee costs, legal fees relating to rates collection and location information services.

Governance

\$272K investment includes auditor expenses, elected member training, allowances, expenses and superannuation payments, employee costs and council memberships.

Health

\$548K investment to deliver vital General Practitioner and business support services for the medical centres, contribution to the proposed Bremer Bay Emergency Services Precinct, Contract Health Services and employee costs.

Housing

\$95K investment into building maintenance on Shire owned assets.

Other Property & Services

\$3.4M investment into delivering the business continuity management, risk coordinator services, Council Plan, WALGA memberships and services, IT support services, Local Law review, asset management plan review, roll out of Shire branding project, administration software, engineering consultancy services, traffic maintenance, insurances, fuel and oil, parts and repairs, tyres, licences, utilities, infrastructure software, employee costs, training expenses, office maintenance and employee assistance program.

Recreation & Culture

\$939K investment to deliver turf management of the Boxwood Hill, Bremer Bay and Jerramungup sporting ovals, community swimming pool operational costs, revitalisation of parklands, trail maintenance and signage, employee costs, grounds maintenance on community facilities, park and reserves, library services and coastal reserve maintenance.

Transport

\$1.9M investment towards rural road maintenance, flood works, footpath maintenance, townsite street maintenance, street sweeping, drainage, employee costs, Bremer Bay boat ramp and facilities, employee costs and airstrip maintenance.

KEY BUDGET INITIATIVES 2026/27:

Bremer Bay Medical Centre

The Shire has committed \$650K towards the planning and construction of the new Bremer Bay Medical Centre that will commence in 2026/27. Located at 3 Yandil Street, the purpose-built facility will provide a modern home for the Shire's General Practitioner, supporting the ongoing delivery of essential primary healthcare services for the Bremer Bay community.

Shire Rebranding Project

Following the development of the Shire's new brand identity, this year's budget includes funding to progressively roll out the new branding across Council facilities, signage, vehicles, publications and digital platforms. The staged approach ensures the new brand is introduced in a practical and cost-effective way, with updates made as existing assets require replacement.

Construction Projects

The Shire continues to invest in improving the local transport network with \$2.52M allocated to road construction. Key projects include the continued sealing of Meechi and Cuiss Roads.

Relocation of Western Power pole on Mount Joy Road to allow road realignment in 2027/28, form, gravel resheet and drainage works on Exchange, Swamp, Cameron, Cardinnup and Cowalellup Roads. Apply asphalt seal to shoulder to increase seal width to 7 metres on Point Henry and Wellstead Roads. Footpath construction on Bennett – George Street and Bennett to Robert Street.

Proposed Construction of Wellstead Estuary Bird Hide

Following the completion of the planning phase in 2025/26, the Shire will focus on securing external funding in 2026/27 to progress construction of the proposed Bird Hide. The project aims to enhance nature-based tourism opportunities while providing a dedicated space for bird watching and appreciation of the area's unique natural environment.

St John Ambulance – Emergency Service Precinct

A \$300K provision has been reallocated in the 2026/27 budget to go towards the construction of the new Emergency Services Precinct in Bremer Bay.

Coastal Hazard Risk Management and Adaption Plan (CHRMAP)

The Shire has successfully secured funding of \$200K through the Coastal Management Plan Assistance Program 2026/27 to deliver a CHRMAP for Bremer Bay including Wellstead Estuary, Fisheries Beach and Little Boat Harbour. The project will identify current and future coastal hazards, assess the vulnerability of key assets and the values of our coastline, and deliver practical short and long-term adaption strategies to protect our coastline, community assets and natural environment while providing an evidence-based framework for sustainable land use planning and future decision-making.

Bremer Bay Cultural and Civic Precinct – Business Case and Cost Benefit Analysis

Bluesalt Consulting has been engaged to develop a business case and funding strategy for the Bremer Bay Cultural and Civic Precinct. Having led the feasibility study for this project the consultants are aware of community priorities and the partners involved, including the CRC, Wagyl Kaip Southern Noongar Aboriginal Corporation and DBCA.

“Don’t Be the Reason” Campaign

The Shire has sought external funding to contribute towards the ‘Don’t Be the Reason’ Campaign in partnership with the Department of Fire and Emergency Services (DFES). The campaign will promote bushfire prevention, preparedness and shared responsibility, while continuing to strengthen the strong partnership between the Shire and DFES.

Ongoing Annual Contributions

Council continues to support a variety of community groups with a \$10K annual contribution for Boxwood Hill, Jerramungup and Bremer Bay Sporting Clubs to go towards operational and maintenance costs associated with grounds and facilities. \$1500 contribution to Gairdner and Needilup Progress, school book prizes and Leeuwin Ocean Adventure Scholarship, \$15K contribution to the Fitzgerald Biosphere Group, \$13K contribution to the Dieback Working Group and \$2K contribution to the Bloom Festival.

Donation Requests 2026/27

Council are pleased to support the following donation requests from various groups; Kidzfest, Bremer Bay Men’s Shed, St John Ambulance, Jerramungup Sports Club, Friends of the Fitzgerald River National Park, Bremer Bay Sports Club, Boxwood Hill Combined Sports Club and Jerramungup CRC.

Shire Reserves

The Shire maintains a number of reserve accounts for specific purposes, with provisions included in the annual budget to transfer funds to and from reserves as required. As part of the 2026/27 annual budget process, it has been determined that the Bremer Bay Youth Camp Reserve is no longer required for its original purpose, as the facility is no longer in operation. It is therefore proposed that the reserve be closed and the remaining balance be transferred to the Shire’s General Building Reserve to support the maintenance, renewal and replacement of Shire-owned buildings and community infrastructure.

As the proposal is disclosed in the annual budget, section 6.11(3)(a) of the *Local Government Act 1995* allows Council to make the change through the annual budget process without the separate one-month public notice requirement.

STATUTORY ENVIRONMENT:

Sections 6.2, 6.11 and 6.47 of the *Local Government Act 1995*

(Preparation of annual budget & concessions, Reserve Accounts)

Clauses 24 and 25 of the *Local Government (Financial Management) Regulations 1996*

(Service charges & fees and charges)

Section 67 of the *Waste Avoidance and Resource Recovery Act 2007*

(Receptacle Charges for Waste Collections)

Clause 34(5) of the *Local Government (Financial Management) Regulations 1996*

Section 41 of the *Health (Miscellaneous Provisions) Act 1911* enables a local government to impose an annual area rate in respect to the Jerramungup effluent system.

Regulation 30-34AD of the *Local Government (Administration) Regulations 1996* sets the limits, parameters and types of allowances that can be paid to elected members.

STRATEGIC IMPLICATIONS:

The 2026/27 Budget aligns with Council's broader strategic direction by prioritising resilient communities, safe and accessible infrastructure, effective governance and long term service sustainability. The proposed investment profile demonstrates a continued focus on maintaining existing assets while progressing projects that support growth, liveability and emergency preparedness across the Shire.

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

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

FINANCIAL IMPLICATIONS:

The 2026/27 Budget maintains a disciplined approach to expenditure while recognising increasing cost pressures across materials, contractors, insurance, asset maintenance and service delivery. A continued focus on external funding and grant readiness will be important to reduce reliance on municipal funds and support delivery of larger capital projects.

The adoption of the budget authorises the expenditure and revenue collection for the 2026/27 financial year. It ensures financial sustainability and compliance with statutory obligations.

Risks associated with budget adoption include:

- Revenue shortfalls due to economic conditions
- Cost overruns in capital projects
- Legislative non-compliance

Budget monitoring will be undertaken through regular monthly financial reporting to Council, including variance analysis against the adopted budget and material variance threshold. Capital and operating projects will be closely monitored to identify emerging cost pressures relating to contractor rates, fuel, transport and materials. Where significant variances or project cost escalations are identified, officers will review project priorities, procurement options, available contingency allocations and, where required, present budget amendments or scope adjustments to Council for consideration. This approach will support responsible financial management and ensure the Shire remains responsive to changing market conditions throughout the 2026/27 financial year.

WORKFORCE IMPLICATIONS:

Total employee salaries including superannuation and allowances is predicted to be \$3,449,381.

POLICY IMPLICATIONS:

Significant Accounting Policies as detailed within the Monthly Financial Report.

VOTING REQUIREMENT:

Absolute Majority where indicated.

Simple Majority where indicated.

OFFICER RECOMMENDATIONS:

OFFICER RECOMMENDATION 1:

VOTING REQUIREMENT: ABSOLUTE MAJORITY

That Council ADOPTS:

1.1 Adoption of Rates – Section 6.32 Local Government Act 1995

That Council adopt the following municipal rates in the dollar on unimproved values and gross rental valuations for the 2026/2027 financial year:

a) General Rates

Impose the following rates in dollar and minimum rates for properties within the Shire of Jerramungup:

GRV: 10.0030 cents in the dollar

UV: 0.4938 cents in the dollar

GRV: \$884 minimum rate

UV: \$884 minimum rate

b) Effluent Rate – Townsite of Jerramungup

- i. That Council impose the following rates in dollar for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV: 4.1000c in the dollar

- ii. That Council impose the following minimum rate for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV: \$318.00

Non-Rateable First Fixture: \$318.00

Additional Fixture: \$178.00

c) Point Henry Fire Levy

That Council impose a levy of \$110 on all properties within the Point Henry Peninsula to be used for the maintenance of firefighting equipment and firebreaks on the Point Henry Peninsula. Any balance of funds created by the levy is to be put to the Point Henry Fire Levy Reserve.

1.2 That Council impose the following Refuse Collection and Recycling Charges for the Shire of Jerramungup for the 2026/2027 financial year:

a) Residential Properties – 240L Bin

- i. \$500.00 per annum per occupied Lot for one 240L General Rubbish Bin serviced weekly.
- ii. \$267.00 per annum per occupied Lot for one 240L Recycling Bin serviced fortnightly.
- iii. \$500.00 per annum per additional 240L Rubbish Bin.

b) Commercial Collections – 240L Bin

- i. \$500.00 per annum per occupied Lot for one 240L Bin serviced weekly.
- ii. \$267.00 per annum per occupied Lot for one 240L Recycling Bin serviced fortnightly.
- iii. \$500.00 per annum per additional \$240L Bin as listed on their property's bin count.

1.3 That, pursuant to the provisions of section 6.2 *Local Government Act 1995* and part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the Budget as contained in the agenda attachment for the Shire of Jerramungup for the 2026/2027 financial year which includes the following:

- **Statement of Comprehensive Income by Nature and Type**
- **Statement of Cash Flow**
- **Statement of Financial Activity**
- **Notes to and Forming Part of the Budget**

1.4 That the due dates for payment of Rates and Rubbish Collection Charges for 2026/2027 financial year be:

- **Pay rates in full - 6 October 2026**
- **Pay by two instalments:**
 - **First Instalment Payment - 6 October 2026 and**
 - **Second Instalment - 16 February 2027**
- **Pay by four instalments:**
 - **First Instalment Payment - 6 October 2026 and**
 - **Second Instalment - 8 December 2026 and**
 - **Third Instalment - 16 February 2027 and**
 - **Fourth Instalment - 27 April 2027**

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOTION: OCM260712

MOVED: Cr Hall

SECONDED: Cr Barrett

That Council ADOPTS:

1.1 Adoption of Rates – Section 6.32 *Local Government Act 1995*

That Council adopt the following municipal rates in the dollar on unimproved values and gross rental valuations for the 2026/2027 financial year:

a) General Rates

Impose the following rates in dollar and minimum rates for properties within the Shire of Jerramungup:

GRV: 10.0030 cents in the dollar

UV: 0.4938 cents in the dollar

GRV: \$884 minimum rate

UV: \$884 minimum rate

b) Effluent Rate – Townsite of Jerramungup

i. That Council impose the following rates in dollar for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV: 4.1000c in the dollar

ii. That Council impose the following minimum rate for GRV properties within the townsite of Jerramungup for the management and maintenance of the Jerramungup Effluent System.

GRV: \$318.00

Non-Rateable First Fixture: \$318.00

Additional Fixture: \$178.00

c) Point Henry Fire Levy

That Council impose a levy of \$110 on all properties within the Point Henry Peninsula to be used for the maintenance of firefighting equipment and firebreaks on the Point Henry Peninsula. Any balance of funds created by the levy is to be put to the Point Henry Fire Levy Reserve.

1.2 That Council impose the following Refuse Collection and Recycling Charges for the Shire of Jerramungup for the 2026/2027 financial year:

a) Residential Properties – 240L Bin

- i. \$500.00 per annum per occupied Lot for one 240L General Rubbish Bin serviced weekly.**
- ii. \$267.00 per annum per occupied Lot for one 240L Recycling Bin serviced fortnightly.**
- iii. \$500.00 per annum per additional 240L Rubbish Bin.**

b) Commercial Collections – 240L Bin

- i. \$500.00 per annum per occupied Lot for one 240L Bin serviced weekly.**
- ii. \$267.00 per annum per occupied Lot for one 240L Recycling Bin serviced fortnightly.**
- iii. \$500.00 per annum per additional \$240L Bin as listed on their property's bin count.**

1.3 That, pursuant to the provisions of section 6.2 *Local Government Act 1995* and part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the Budget as contained in the agenda attachment for the Shire of Jerramungup for the 2026/2027 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type**
- Statement of Cash Flow**
- Statement of Financial Activity**
- Notes to and Forming Part of the Budget**

1.4 That the due dates for payment of Rates and Rubbish Collection Charges for 2026/2027 financial year be:

- Pay rates in full - 6 October 2026**
- Pay by two instalments:**
 - First Instalment Payment - 6 October 2026 and**
 - Second Instalment - 16 February 2027**
- Pay by four instalments:**
 - First Instalment Payment - 6 October 2026 and**
 - Second Instalment - 8 December 2026 and**
 - Third Instalment - 16 February 2027 and**
 - Fourth Instalment - 27 April 2027**

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION 2:

VOTING REQUIREMENT: ABSOLUTE MAJORITY

That Council:

- 1. Pursuant to section 6.11 of the *Local Government Act 1995*, maintain the following reserves (noting the purpose of each reserve) detailed on page 18 of the Shire of Jerramungup 2026/2027 Budget:**
 - **Leave Reserve**
 - **Plant Reserve**
 - **Community Recreation Reserve**
 - **General Building Reserve**
 - **Bremer Bay Retirement Units Reserve**
 - **Jerramungup Retirement Units Reserve**
 - **Jerramungup Entertainment Centre Reserve**
 - **Effluent Reserve**
 - **Point Henry Fire Levy Reserve**
 - **Bremer Bay Boat Ramp Reserve**
 - **Capital Works Reserve**
 - **Swimming Pool Reserve**
 - **Roe Park Reserve**
 - **Skate Park Reserve**
 - **Regional Landfill Facility Reserve**
- 2. Pursuant to section 6.11(3)(a) of the *Local Government Act 1995*, close the Bremer Bay Youth Camp Reserve and transfer the balance of the Bremer Bay Youth Camp Reserve to the Shire's General Building Reserve as disclosed in the 2026/2027 Annual Budget in accordance with Section 6.11 of the *Local Government Act 1995*.**

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOTION: OCM260713

MOVED: Cr Barrett

SECONDED: Cr McQuoid

That Council:

- 1. Pursuant to section 6.11 of the *Local Government Act 1995*, maintain the following reserves (noting the purpose of each reserve) detailed on page 18 of the Shire of Jerramungup 2026/2027 Budget:**
 - **Leave Reserve**
 - **Plant Reserve**
 - **Community Recreation Reserve**
 - **General Building Reserve**
 - **Bremer Bay Retirement Units Reserve**
 - **Jerramungup Retirement Units Reserve**
 - **Jerramungup Entertainment Centre Reserve**
 - **Effluent Reserve**
 - **Point Henry Fire Levy Reserve**
 - **Bremer Bay Boat Ramp Reserve**
 - **Capital Works Reserve**
 - **Swimming Pool Reserve**
 - **Roe Park Reserve**
 - **Skate Park Reserve**
 - **Regional Landfill Facility Reserve**
- 2. Pursuant to section 6.11(3)(a) of the *Local Government Act 1995*, close the Bremer Bay Youth Camp Reserve and transfer the balance of the Bremer Bay Youth Camp Reserve to the Shire's General Building Reserve as disclosed in the 2026/2027 Annual Budget in accordance with Section 6.11 of the *Local Government Act 1995*.**

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION 3:

VOTING REQUIREMENT: ABSOLUTE MAJORITY

That Council IMPOSES the following Rates and Charges to provide for Administration and Interest Charges on Rating, Rubbish, Waste, Recycling, Effluent and General Debtor Collection Charges for the 2026/2027 financial year:

a) Instalment Plan Administration Fee

Pursuant to Section 6.45 of the *Local Government Act 1995*, and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an administration charge of \$8 for each instalment after the initial instalment is paid, where the owner has elected to pay rates and charges through an instalment option.

b) Instalment Plan Interest Charge

Pursuant to Section 6.45 of the *Local Government Act 1995*, and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

c) Late Payment Interest Charge

Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995*, and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 11% for rates and service charges that remain unpaid after becoming due and payable.

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOTION: OCM260714

MOVED: Cr Hall

SECONDED: Cr Foreman

That Council IMPOSES the following Rates and Charges to provide for Administration and Interest Charges on Rating, Rubbish, Waste, Recycling, Effluent and General Debtor Collection Charges for the 2026/2027 financial year:

a) Instalment Plan Administration Fee

Pursuant to Section 6.45 of the *Local Government Act 1995*, and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an administration charge of \$8 for each instalment after the initial instalment is paid, where the owner has elected to pay rates and charges through an instalment option.

b) Instalment Plan Interest Charge

Pursuant to Section 6.45 of the *Local Government Act 1995*, and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.

c) Late Payment Interest Charge

Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995*, and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 11% for rates and service charges that remain unpaid after becoming due and payable.

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION 4:

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council:

- a) In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Shire President annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$17,843.
- b) In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Deputy Shire President and Councillor annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$8,681.
- c) In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996*, Part 7.2(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, annual allowance for the Shire President be set at \$18,327.
- d) In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996*, Part 7.3(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, annual allowance for the Deputy Shire President be set at \$4,581.
- e) In accordance with Section 5.99A(b) of the *Local Government Act 1995*, Regulation 34A *Local Government (Financial Management) Regulations 1996*, and Part 9.2(2) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowance Act 1975*, the annual allowance for ICT expenses for the Shire President, Deputy Shire President and Councillors be set at \$1,000.
- f) Annual Travel and Accommodation Allowance (allowable claims will be reimbursed).
- g) Pursuant to *Local Government Amendment Act 2024* and new Sections 5.99B and 5.99E of the *Local Government Act 1995* agrees to make superannuation contribution payments to its Council members who opt in by providing written notice to the Chief Executive Officer.

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOTION: OCM260715

MOVED: Cr Barrett

SECONDED: Cr McQuoid

THAT Council:

- a) In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Shire President annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$17,843.**
- b) In accordance with Section 5.98(1)(b) of the *Local Government Act 1995*, Regulation 30 *Local Government (Financial Management) Regulations 1996*, Part 6.2(1) and Part 6.3(1)(a) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, Deputy Shire President and Councillor annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees, be set at \$8,681.**
- c) In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996*, Part 7.2(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, annual allowance for the Shire President be set at \$18,327.**
- d) In accordance with Section 5.98(5) of the *Local Government Act 1995*, Regulation 33 *Local Government (Financial Management) Regulations 1996*, Part 7.3(1) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowances Act 1975*, annual allowance for the Deputy Shire President be set at \$4,581.**
- e) In accordance with Section 5.99A(b) of the *Local Government Act 1995*, Regulation 34A *Local Government (Financial Management) Regulations 1996*, and Part 9.2(2) of the Determination for Local Government Elected Council Members pursuant to Section 7B of the *Salaries and Allowance Act 1975*, the annual allowance for ICT expenses for the Shire President, Deputy Shire President and Councillors be set at \$1,000.**
- f) Annual Travel and Accommodation Allowance (allowable claims will be reimbursed).**
- g) Pursuant to *Local Government Amendment Act 2024* and new Sections 5.99B and 5.99E of the *Local Government Act 1995* agrees to make superannuation contribution payments to its Council members who opt in by providing written notice to the Chief Executive Officer.**

CARRIED BY ABSOLUTE MAJORITY: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION 5:

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ADOPTS a material variance level of 10% with a minimum \$10,000 variance for the 2026/2027 financial year for monthly reporting purposes.

VOTING REQUIREMENT: SIMPLE MAJORITY

MOTION: OCM260716

MOVED: Cr McQuoid

SECONDED: Cr Barrett

THAT Council ADOPTS a material variance level of 10% with a minimum \$10,000 variance for the 2026/2027 financial year for monthly reporting purposes.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION 6:

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT, pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, Council adopts the Fees and Charges forming part of the 2026/2027 Budget.

VOTING REQUIREMENT: SIMPLE MAJORITY

MOTION: OCM260717

MOVED: Cr Hall

SECONDED: Cr McQuoid

THAT, pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, Council adopts the Fees and Charges forming part of the 2026/2027 Budget.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

OFFICER RECOMMENDATION 7:

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council confirms that it is satisfied that the services and facilities it provides in accordance with section 3.18(3) of the *Local Government Act 1995*:

- **Integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;**
- **Do not duplicate, to an extent that the local government considered inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and**
- **Are managed efficiently and effectively.**

VOTING REQUIREMENT: SIMPLE MAJORITY

MOTION: OCM260718

MOVED: Cr Barrett

SECONDED: Cr McQuoid

THAT Council confirms that it is satisfied that the services and facilities it provides in accordance with section 3.18(3) of the *Local Government Act 1995*:

- **Integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;**
- **Do not duplicate, to an extent that the local government considered inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and**
- **Are managed efficiently and effectively.**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.3 DEVELOPMENT SERVICES

12.3.1 ADOPTION – TERMS OF REFERENCE – LOCAL HISTORY ADVISORY GROUP

Location/Address:	Shire of Jerramungup
Name of Applicant:	Internal
File Reference:	N/A
Author:	Richard Hindley, Manager of Development
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 July 2026
Attachments:	a) Terms of Reference – Local History Advisory Group
Authority/Discretion:	Legislative

SUMMARY:

This report recommends that Council adopt the Terms of Reference for the Jerramungup Local History Advisory Group, as contained in Attachment 12.3.1 a).

The proposed Advisory Group is intended to provide advice and recommendations to Council, through the Chief Executive Officer, on matters relating to the preservation, promotion and interpretation of the history and heritage of the Shire of Jerramungup. The Terms of Reference clarify that the Advisory Group will operate in an advisory capacity only, with no delegated authority to make decisions or incur expenditure on behalf of the Shire.

The adoption of the Terms of Reference will provide a formal governance framework for the establishment, membership, functions, meeting arrangements, reporting obligations and review of the Advisory Group.

BACKGROUND:

The Shire of Jerramungup has a rich local history, including places, stories, photographs, documents and artefacts that contribute to the district's identity and sense of place. The proposed Jerramungup Local History Advisory Group has been prepared to assist Council in providing a coordinated and community-focused approach to the preservation, documentation, interpretation and promotion of local history.

The Terms of Reference provide that the Advisory Group is to be established by resolution of Council as a Council Advisory Group. Its purpose is to preserve, document and promote the history of the Shire, support the identification and interpretation of historically significant places and materials, provide advice to Council on local history and heritage matters, encourage community participation, support exhibitions and publications, and identify opportunities for grant funding and partnerships.

The Terms of Reference also define the proposed functions of the Advisory Group, including providing advice and recommendations to Council, assisting with the management and preservation of historical collections owned or managed by the Shire, supporting historical displays and interpretive material, providing input into strategic planning relating to local history and heritage, and supporting Council-approved projects that contribute to the preservation of local history.

CONSULTATION:

At this stage, no formal public consultation has been undertaken in relation to the proposed Terms of Reference.

Should Council adopt the Terms of Reference, community participation in the Advisory Group will be facilitated through the appointment provisions contained in the document. The Terms of Reference provide that community members may be appointed by Council following a public Expression of Interest process, or by direct appointment where considered appropriate. As the Jerramungup History Group is already in existence it is proposed to roll over the membership.

The proposed membership structure includes two Councillors appointed by Council, the Chief Executive Officer or delegate, the Manager of Development, the Jerramungup Community Resource Centre Coordinator, and up to eight community members. The Terms of Reference also allow additional community members with specialist knowledge or experience to be invited where considered beneficial to the objectives of the Advisory Group.

COMMENT:

The adoption of the Terms of Reference will support the establishment of a clear and accountable framework for the Jerramungup Local History Advisory Group. The Terms of Reference clearly identify the role of the Advisory Group as advisory only, ensuring that Council retains decision-making authority and that the Advisory Group does not have delegated authority to make decisions or commit Council funds.

The proposed purpose and functions of the Advisory Group are considered appropriate, as they provide a structured mechanism for community participation in recording and preserving local history while also enabling Council to receive informed advice on heritage, interpretation, historical collections and related projects.

The membership model provides a balance between elected member representation, Shire administration, the Community Resource Centre and community members. This structure is considered suitable because it allows Council oversight while also drawing on local knowledge, community interest and relevant expertise. The inclusion of community members through an Expression of Interest process will provide an opportunity for interested residents and stakeholders to contribute to the Shire's local history objectives.

The Terms of Reference also establish appropriate governance provisions for meetings, decision-making, member conduct, financial management, reporting and future review. The Advisory Group is proposed to meet at least four times per year, with minutes recorded and recommendations reported to Council through the Chief Executive Officer. Recommendations of the Advisory Group are advisory only and are not binding on Council.

The conduct provisions require members to act in accordance with the Shire of Jerramungup Code of Conduct, declare conflicts of interest, maintain confidentiality where required and act in the best interests of the community and the objectives of the Advisory Group. These provisions provide an appropriate standard of governance for a Council Advisory Group involving both elected members, officers and community representatives.

The Terms of Reference also provide that the Advisory Group may submit recommendations to Council through the Chief Executive Officer and may provide an annual report to Council summarising its activities, achievements and priorities. This will assist Council in monitoring the work of the Advisory Group and ensuring its activities remain aligned with Council priorities.

It is therefore recommended that Council adopt the Terms of Reference for the Jerramungup Local History Advisory Group.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 5.25 of the *Local Government Act 1995* provides for regulations in relation to council and committee meetings, including matters to be dealt with at ordinary or special meetings, committee functions, meeting procedure, voting methods and public notice of agendas.

The proposed Advisory Group is not intended to be a committee with delegated authority. The Terms of Reference expressly provide that the Advisory Group has no delegated authority and cannot make decisions or incur expenditure on behalf of the Shire.

STRATEGIC IMPLICATIONS:

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

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

This item is broadly aligned with the Shire's role in supporting community identity, local heritage, community participation and preservation of local history.

The Terms of Reference identify that the purpose of the Advisory Group includes preserving, documenting and promoting the history of the Shire, encouraging community participation in recording and preserving local history, supporting exhibitions and educational initiatives, and identifying opportunities for grant funding and partnerships.

FINANCIAL IMPLICATIONS:

There are no financial implications for Council.

WORKFORCE IMPLICATIONS:

There are no workforce implications for Council.

POLICY IMPLICATIONS:

Members of the Advisory Group will be required to act in accordance with the Shire of Jerramungup Code of Conduct, declare any actual, potential or perceived conflict of interest, maintain confidentiality where required, and act in the best interests of the community and the objectives of the Advisory Group.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:**That Council:**

- 1. Adopt the Terms of Reference – Local History Advisory Group, as contained in Attachment 12.3.1 a), for the establishment and operation of the Jerramungup Local History Advisory Group.**
- 2. Establish the Jerramungup Local History Advisory Group as a Council Advisory Group in accordance with the adopted Terms of Reference.**
- 3. Appoint Cr Neil Foreman as the Chairperson and Cr Paul Hislop as the Deputy Chairperson as Council representatives to the Jerramungup Local History Advisory Group in accordance with the adopted Terms of Reference.**
- 4. Appoint all current members of the Jerramungup History Group as members of the Jerramungup Local History Advisory Group.**

MOTION: OCM260719

MOVED: Cr McQuoid

SECONDED: Cr Barrett

That Council:

- 1. Adopt the Terms of Reference – Local History Advisory Group, as contained in Attachment 12.3.1 a), for the establishment and operation of the Jerramungup Local History Advisory Group.**
- 2. Establish the Jerramungup Local History Advisory Group as a Council Advisory Group in accordance with the adopted Terms of Reference.**
- 3. Appoint Cr Neil Foreman as the Chairperson and Cr Paul Hislop as the Deputy Chairperson as Council representatives to the Jerramungup Local History Advisory Group in accordance with the adopted Terms of Reference.**
- 4. Appoint all current members of the Jerramungup History Group as members of the Jerramungup Local History Advisory Group.**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.4 EXECUTIVE SERVICES

12.4.1 INFORMATION BULLETIN – JUNE - JULY 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:	20 July 2026
Attachments:	a) Information Bulletin – June – July 2026
Authority/Discretion:	Information

SUMMARY:

To advise Council on the information items for June – July 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 June 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 June 2026.

MOTION: OCM260720

MOVED: Cr McQuoid

SECONDED: Cr Hall

That Council RECEIVE the Information Bulletin including the actions performed under delegated authority for the month of June 2026.

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.4.2 DRAFT COUNCIL PLAN FOR PUBLIC ADVERTISEMENT

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:	17 July 2026
Attachments:	a) Draft Council Plan
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is for Council to consider advertising the Draft Council Plan. A final report will then be presented to Council for adoption of the Council Plan at the August Ordinary Council Meeting.

BACKGROUND:

The Council Plan outlines the vision, outcomes and strategic priorities for the next ten years and identifies the strategic priorities and key actions to be delivered over the next four years.

The development of the Council Plan was guided by community consultation facilitated by 150 Square Pty Ltd including surveys, community and Council workshops and meetings. A detailed review of existing strategies, plans and actions was undertaken as part of the consultation.

The Council Plan sets out the various roles the Shire of Jerramungup plays in providing services and actions to support the community. Local governments deliver key services and infrastructure to their community and work collaboratively with key partners including other levels of government and local community groups to facilitate and partner in the delivery. Advocacy is also a key role of local government.

CONSULTATION:

Elected Members

Staff

Comprehensive community engagement was undertaken in April/May 2026 through workshops, surveys and stakeholder consultation.

COMMENT:

The Draft Council Plan has been developed following an extensive review of the Shire's current Strategic Community Plan, Corporate Business Plan and associated informing strategies. It has been informed by comprehensive community engagement undertaken during April and May 2026, together with workshops involving Council and staff.

The Draft Council Plan establishes the Shire's strategic direction for the next ten years and identifies the key priorities and actions to be delivered over the next four years. It provides a single integrated planning document that will guide Council's decision making, annual budget preparation, long term financial planning, workforce planning and asset management.

Recent reforms introduced through the *Local Government Amendment Act 2023* replace the requirement for separate Strategic Community Plan and Corporate Business Plan documents with a single Council Plan. Although the supporting regulations are yet to commence, the Department of Local Government, Industry Regulation and Safety has encouraged local governments to begin transitioning to the new framework, provided the existing legislative requirements continue to be met.

Advertising the Draft Council Plan provides the community with a final opportunity to review the document and provide feedback prior to Council considering its formal adoption. Any submission received during the consultation period will be presented to Council for consideration before the final Council Plan is adopted.

Following adoption, the Chief Executive Officer will publish the Council Plan on the Shire's website and provide public notice in accordance with the *Local Government (Administration) Regulations 1996*.

STATUTORY ENVIRONMENT:

The requirements for preparation, consideration, consultation and advertising of a Strategic Community Plan are detailed in the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

Local Government Act 1995

S 5.56 Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996

R 19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*

- (5) *In making or reviewing a strategic community plan, a local government is to have regard to –*
 - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

R 19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to –*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*

- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

STRATEGIC IMPLICATIONS:

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

Governance and Leadership

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

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

FINANCIAL IMPLICATIONS:

The Council Plan informs the Shire's Long Term Financial Plan and annual budget process. The financial projections contained within the Plan are indicative only and do not commit Council to future expenditure. Projects and initiatives will be subject to future Council budget deliberations, funding availability and external grant opportunities.

WORKFORCE IMPLICATIONS:

The Council Plan provides strategic direction for the organisation and informs workforce planning, organisational priorities and annual business planning over the life of the Plan.

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. Endorses the Draft Shire of Jerramungup Council Plan 2026-2036, as attached to this report, for the purpose of public advertising and consultation.**
- 2. Authorises the Chief Executive Officer to undertake public consultation on the Draft Council Plan for a period of 21 days.**
- 3. Notes that a further report will be presented to Council following the consultation period for consideration of submissions and adoption of the final Council Plan.**

MOTION: OCM260721

MOVED: Cr Barrett	SECONDED: Cr McQuoid
That Council:	
1. Endorses the Draft Shire of Jerramungup Council Plan 2026-2036, as attached to this report, for the purpose of public advertising and consultation.	
2. Authorises the Chief Executive Officer to undertake public consultation on the Draft Council Plan for a period of 21 days.	
3. Notes that a further report will be presented to Council following the consultation period for consideration of submissions and adoption of the final Council Plan.	
CARRIED: 6/0	
For:	President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid
Against:	Nil

12.4.3 2026 WA LOCAL GOVERNMENT CONVENTION AND APPOINTMENT OF VOTING DELEGATES

Location/Address:	Shire of Jerramungup
Name of Applicant:	Shire of Jerramungup
File Reference:	N/A
Author:	Glenda Forbes, Executive Administration Officer
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 July 2026
Attachments:	Nil
Authority/Discretion:	Executive

SUMMARY:

The purpose of this report is for Council to nominate which two members will be the voting delegates for this year's Annual General Meeting (AGM) of the WA Local Government Association (WALGA) to be held during the 2026 WA Local Government Convention.

BACKGROUND:

WALGA has advised that the 2026 WA Local Government Convention will be held at the Perth Convention and Exhibition Centre from Wednesday, 16 September to Friday, 18 September 2026.

WALGA's 2026 AGM will be held during the WA Local Government Convention, from 2.30pm on Thursday, 17 September 2026. All member Councils are entitled to be represented by two voting delegates, being Elected Members or serving employees. Two proxy voting delegates are also required to be nominated.

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

CONSULTATION:

Nil.

COMMENT:

The format of the 2026 Convention is as below:

Wednesday, 16 September 2026		
9.00am	Mayors & Presidents Forum	By invitation only
11.30am	Heads of Agency Lunch	By invitation only
4.30pm	Exhibition Opens	
5.00pm	Welcome Drinks	Opening event celebrating the Exhibition, featuring entertainment and light refreshments

Thursday, 17 September 2026		
7.30am	Exhibition Opens	
8.30am	Opening Segment / Welcome to Country	
8.45am	MC Welcome	
8.50am	Opening Address	
9.05am	WALGA President Address	
9.15am	Leader of the Opposition Address – Basil Zempilas	
9.30am	Foreign Interference – Keynote Speaker	
10.30am	Morning Tea	
11.15am	State of Play – Hon Hannah Beazley MLA, Minister for Local Government, and Shadow Local Government Minister Kirrilee Warr MLA will face-off and debate the key issues confronting the Local Government sector now and into the future. This influential panel will delve into the critical role of Local Government, amongst shifting community expectations, economic pressures and global uncertainty and the challenges and opportunities facing Local Government.	
12.15pm	Breakout Session A – Social Cohesion	Breakout Session B – Regional Development
1.30pm	Lunch & Exhibition Time	
2.30pm	WALGA's Annual General Meeting	
6.30pm	The Kingsman Soiree	A premium evening event featuring high end canapes, entertainment and drinks
Friday, 18 September 2026		
7.00am	Exhibition Opens	
7.00am	Icons Breakfast – Ariane Titmus with Dean Boxall (Olympic swimmer and coach)	
8.45am	Icons Photo Op	
9.30am	Opening Segment	
9.35am	Housing Panel	
10.50am	Morning Tea Break	
11.30am	The Mayor and CEO Relationship	

1.00pm	Lunch Break	
2.00pm	Breakout Session C – Social Media – Maintaining Mental Health and Best Practice	Breakout Session D – Native Title in Practice
3.15pm	Closing Keynote	
4.15pm	Closing Remarks	

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

This year's theme *Tomorrow's World* reflects the rapidly changing environment facing Local Governments across Western Australia. From emerging technologies and shifting community expectations to economic pressures and global uncertainty, the challenges and opportunities facing the sector are evolving faster than ever before.

The program brings together forward-thinking leaders, practical learning experiences and meaningful conversations focused on the changing priorities of Local Government. Through a curated mix of keynote sessions, interactive formats and peer-led discussions, it explores the challenges and opportunities shaping communities across Western Australia, while giving delegates the flexibility to tailor their experience to their role, region and priorities – ensuring relevant insights, valuable connections and real-world outcomes.

The WA Local Government Convention is an excellent opportunity for the Shire President, Elected Members and Chief Executive Officer to meet with Ministers, Government agencies and others, if required.

STATUTORY ENVIRONMENT:

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

STRATEGIC IMPLICATIONS:

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

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

FINANCIAL IMPLICATIONS:

There will be an allocation in the 2026/2027 budget for Elected Members to attend conferences. The cost is \$1,300 for a full delegate exc GST. Additional costs for functions and accommodation would be incurred.

WORKFORCE IMPLICATIONS:

Workforce implications do not apply to 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 with respect to the 2026 WA Local Government Convention, Council:

- 1. APPOINT Shire President Nathan Brown and Deputy Shire President Paul Barrett to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Thursday, 17 September 2026; and**
- 2. APPOINT Chief Executive Officer Martin Cuthbert and Councillor _____ as proxy voting delegates for the Western Australian Local Government Association's Annual General Meeting, to be held on Thursday, 17 September 2026.**

MOTION: OCM260722

MOVED: Cr McQuoid

SECONDED: Cr Foreman

That with respect to the 2026 WA Local Government Convention, Council:

- 1. APPOINT Shire President Nathan Brown and Deputy Shire President Paul Barrett to represent the Shire of Jerramungup as voting delegates at the Western Australian Local Government Association's Annual General Meeting, to be held on Thursday, 17 September 2026; and**
- 2. APPOINT Chief Executive Officer Martin Cuthbert as proxy voting delegate for the Western Australian Local Government Association's Annual General Meeting, to be held on Thursday, 17 September 2026.**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

12.4.4 PROPOSED FENCING LOCAL LAW – RE-COMMENCEMENT

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Niel Mitchell, Consultant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 July 2026
Attachments:	a) Summary of Submissions, Comment, Outcomes etc b) Draft Fencing Local Law 2026
Authority/Discretion:	Legislative

SUMMARY:

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

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

BACKGROUND:

There is no current local law dealing with the matters addressed by the draft.

The *Local Government Act 1995* requires the following statements be made in the agenda and minutes of the meeting –

Purpose – to prescribe sufficient fences, the standard for construction of fences and create offences for non-compliance.

Effect – to establish the minimum requirements for fencing, provide for permitted and prohibited fencing, and create offences for non-compliance.

Previously considered at the Council meeting held on 26 March 2026, the statutory process of the draft local law was re-commenced due to the extended delay in receiving advice, and the statutory public submission period of minimum six weeks was re-commenced.

One public comment was received during this most recent six week submission period.

The public comment was reviewed and considered by Council at the Briefing Session held 27 May 2026, and directions were given for amendment of the draft text in accordance with the Summary of Submissions, Comment and Outcomes attached.

Three consequential changes were made –

- a) Clause 2.2 table 3rd row – to avoid an electrified fence being used as a dividing fence within a rural residential zone.
- b) Clause 5.2.(2)(d) – again, to prevent an electrified fence being used as a dividing fence.

- c) Sch.3 cl.1(a) – it's common to allow the sufficient fence of a higher requirement to be a sufficient fence where there is a generally lower requirement. Included to avoid any dispute over whether a Sch 1 fence can be a sufficient fence in a rural residential zone.

Since the changes instructed by Council are considered to be significant, the statutory process for adoption must re-commence by advertising for public comment once again.

CONSULTATION:

Internal consultation with relevant employees.

COMMENT:

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 Department 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 Chief Executive Officer 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 Chief Executive Officer, since it requires a resolution. This is consistent with the Department of Local Government’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 the Chief Executive Officer, nor to mean administratively.
- (c) Council, Chief Executive Officer 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 the decision of 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 Chief Executive Officer, 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 –
 - (a) the local law applies throughout the district, but then limits that application to townsites or land with specific zoning in various Parts, Division or clauses, eg, clause 2.3(1).
 - (b) Local Planning Scheme No.2 has a special use zoning. The provision of the local law will apply to the purpose of the approved use of the zone, as determined by an authorised person.

Comments in relation to specific Parts, Divisions or Clauses –

- Although reference is made in the local law to the *Dividing Fences Act 1961*, this Act has no local law making provisions, and so is not a head of power for the local law.
- The provisions are on the basis of the use of the land (zoning) not on whether in a townsite or not. The exception to this is in clause 5.3(3)(b) & (c).
 - It is important to note that “townsite” is the area, but ‘townsite zone’ is the use.
- 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.
- Cl.2.4 – is an important clause allowing an authorised person to approve other than a sufficient fence, provided there is written consent between the adjoining owners. This does not extend to a dangerous fence or where one neighbour imposes on another. It also prevents one owner from requiring more than 50% of the cost of a sufficient fence, where one of a higher standard is built at the request of one and with the consent of the other. The neighbours can agree on 50% each of the greater expense, but the person requesting cannot require it.
- Cl.5.1 – controls over barbed wire fencing are intended to have minimal impact on farming.
- Cl.5.2 – controls for electrified stock fencing are also as relaxed as possible for farming areas. There are conditions that have to be met
- Cl.5.3 – controls over electrified security fencing require approval, other than in a rural zone. There are standards that are to be met, otherwise, no approval for the rural zone is required.
- Cl.5.4 – razor wire fencing can only be approved in certain areas and by a person with delegated power to do so, not simply an authorised person.
- Part 6 – standard operation through all proposed new local laws.

- Cl.6.6 – False or misleading statement applies if a decision has been made based on the incorrect information supplied. Not a common provision in local laws, but has been accepted by both Department of Local Government, Industry Regulation and Safety (DLGIRS) and Joint Standing Committee on Delegated Legislation (JSCDL).
- Cl.8.1 – are powers of the Council where non-compliance has occurred. This clause allows where the offender is known, to –
 - (a) Issue a notice to repair, pay for repairs or carry out works needed for compliance with the local law. Generally, if there is damage, it is suggested that paying for reinstatement or repairs is most appropriate as the local government would then control the standard of works.
 - (b) If the recipient of the notice does not comply with the notice, they can be infringed or prosecuted.
 - (c) The local government may carry out the works and recover the cost as a debt, applying interest to the outstanding amount if necessary, or taking legal action. This is consistent with the provisions of the *Local Government Act 1995* s.3.25 and 3.26 in relation to notices issued concerning Schedule 3.1 matters.
- Cl.8.1(5) – entry onto private land has statutory requirements that must be complied with.
- Cl.8.2 – recent *Local Government Act 1995* amendments permit a general penalty of up to \$10,000, with daily penalty remaining at \$500 per day. These amounts can only be applied by a Court and cannot be imposed at Council's discretion.
- Sch.1 to 4 – requirements for a sufficient fence according to the zoning.
- Sch.5 – the recent *Local Government Act 1995* amendments also permitted an increase of modified penalties (infringements) to 20% of the general penalty that is listed in the local law. Penalties are suggested on the basis of whether the offender is likely to be an individual or a business, health and safety risk or impact to the community etc.

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 weeks (reduced period only if substantially in the form of the WALGA model).
- During this time, submit to DLGIRS.
- At the end of public comment, summary of public comments and any changes recommended by the DLGIRS to Council for decision regarding those comments, and consideration of any changes to the draft local law.
- Final adoption of the amended 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 of 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 weeks. The notice is required to be published on the Shire's website and at least three other places.

Should further significant amendments be made at time of final adoption, the statutory public comment period must be re-commenced.

The JSCDL will not review the local law until after it has been formally adopted and 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 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 any 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 Community Plan 2021-2031:

Governance and Leadership

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

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

FINANCIAL IMPLICATIONS:

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 Fencing Local Law, and inviting submissions for a minimum six week period –**

Purpose – to prescribe sufficient fences, the standard for construction of fences and create offences for non-compliance.

Effect – to establish the minimum requirements for fencing, provide for permitted and prohibited fencing, 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 Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety;**
 - Made available to any other person requesting a copy.**

MOTION: OCM260723

MOVED: Cr Barrett

SECONDED: Cr Hall

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 Fencing Local Law, and inviting submissions for a minimum six week period –**

Purpose – to prescribe sufficient fences, the standard for construction of fences and create offences for non-compliance.

Effect – to establish the minimum requirements for fencing, provide for permitted and prohibited fencing, 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 Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety;**
- Made available to any other person requesting a copy.**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

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

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	N/A
Author:	Niel Mitchell, Consultant
Responsible Officer:	Martin Cuthbert, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	20 July 2026
Attachments:	a) Comparison of current local laws b) Summary of Previous Submissions Received – Updated c) Briefing Paper 1 d) Briefing Paper 2 e) Draft Public Places and Local Government Property Local Law
Authority/Discretion:	Legislative

SUMMARY:

In accordance with the Local Laws Review presented to Council in August 2024, a draft Public Places and Local Government Property 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 Department of Local Government, Industry Regulation and Safety (DLGIRS) 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 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 submission received in June 2025 and approved at the April 2026 meeting.

Following this an internal submission was received. The amendment is substitution of cl.10.9 for a revised cl.10.9.

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 12.4.5 e)).

CONSULTATION:

Internal consultation with relevant employees.

COMMENT:

The *Local Government Act 1995* 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.

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 Department 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 Chief Executive Officer 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 Chief Executive Officer, since it requires a resolution. This is consistent with the Department of Local Government’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 the Chief Executive Officer, nor to mean administratively.
 - (c) Council, Chief Executive Officer 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 the decision of 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 Chief Executive Officer, 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 –
- (a) 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 –

- Previous significant changes regarding activities on beaches in Part 5 have been incorporated.
- Clause 10.9 – the revised clause extends the examples of conditions that may be imposed by an authorised person, and permits the holder of a licence to request authorisation of another person to be responsible for operation of the licence for a period.

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;
2. The requirement for vehicles to be used in a manner safe and considerate of other beach users; and
3. Subject to a decision regarding Submission item 1.4 clause 4.7, removal of speed restrictions on beaches. See Critical Note.

CRITICAL NOTE – removal of restrictions from the local law does not over-ride State law regarding speed of vehicles, including off-road vehicles, or use of boats and watercraft. Infringement or prosecution may occur if an authorised person under State legislation deems it appropriate.

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 weeks (reduced period only if substantially in the form of the WAGA 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 amended 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 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 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 any 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 Community Plan 2021-2031:

Governance and Leadership

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

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

FINANCIAL IMPLICATIONS:

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 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 Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety;**
 - Made available to any other person requesting a copy.**

MOVED: Cr Foreman

SECONDED: Cr Hall

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 week period –**

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

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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 Chief Executive Officer of the Department of Local Government, Industry Regulation and Safety;**
- Made available to any other person requesting a copy.**

CARRIED: 6/0

For: President Brown, Cr Barrett, Cr Foreman, Cr Hall, Cr Hislop, Cr McQuoid

Against: Nil

13.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

16.0 CLOSURE

16.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held on Tuesday, 1 September 2026, commencing at 1.00pm, in the Sports Club, Bremer Bay.

16.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at 1.17pm.

These minutes were confirmed at a meeting held

Date: _____

Signed: _____

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

Date: _____