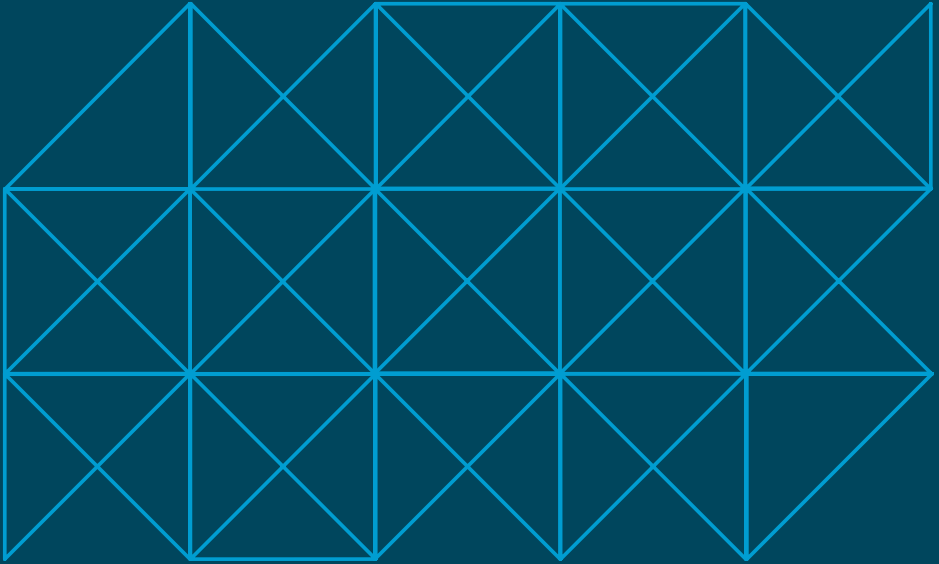




Ordinary Council Meeting (22 October 2025)

ATTACHMENTS

Number	Title
6.4(1)	Conference Report: Lean into Legacy – By Lisa Glover and President MacCarthy
7.1.1(1)	Minutes of Ordinary Council Meeting held 25 September 2025
7.2.1(1)	Minutes of Special Council Meeting held 9 October 2025
8.1.1(1)	Minutes of Bush Fire Advisory Committee Meeting held 9 October 2025
9.1.1(2)	Planned Focus – Development application proposal
9.1.1(2)	Public submissions
9.1.1(3)	Government agency submissions
9.1.1(4)	Assessment under Clause 67
9.1.3(1)	Memorandum of Understanding – The Regional Road Safety Program
9.1.4(1)	Letter – SWRRG Elected Members – Shire of Donnybrook Balingup Response to Bridge Works.
9.2.2(1)	Monthly Financial Report
9.2.3(1)	Committee Book



LEAN INTO LEGACY

WALGA LOCAL GOVERNMENT
CONVENTION 2025



WALGA



WALGA's Local Government Convention will return to the Perth Convention and Exhibition Centre from Monday 22 – Wednesday 24 September 2025.

Our 2025 theme 'Lean into Legacy' delves into how the decisions we make today form the building blocks for tomorrow. With a focus on reflective, current and future legacy, we will explore how leaving a lasting, positive legacy as a Local Government means making choices that endure far beyond election cycles.

Detailed information about the keynote speaker, breakout sessions and Program will be provided shortly and updated on the Convention website when published.



MONDAY, 22 SEPTEMBER

9:00am **Planning Showcase Registration (only)**

9:30am–3:15pm **Planning Showcase**

11:00am **Registration Desk Opens**

11:30am–2:30pm **Heads of Agency Lunch**

3:30pm–5:00pm **Mayors and Presidents Forum**

4:00pm **Exhibition Opens**
Pavilion 1

6:00pm–9:00pm **Welcome Drinks**
Pavilion 1

TUESDAY, 23 SEPTEMBER

7:30am	Registration Desk Opens
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8:00am	Exhibition Opens
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SESSION ONE - BELLEVUE BALLROOM 1 & 2

9:00am	Opening Segment, Welcome to Country
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9:15am	MC Welcome
--------	-------------------

9:20am	Opening Address
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9:35am	WALGA President Address
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9:55am	Keynote Address
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10:55am	Morning Tea
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SESSION TWO - BELLEVUE BALLROOM 1 & 2

11:45am	State of Play
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1:15pm	Address
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1:30pm	Lunch
--------	--------------

AGM - BELLEVUE BALLROOM 1 & 2

2:15pm–5:00pm	WALGA Annual General Meeting
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4:00pm	Exhibition Closes
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6:00pm–10:00pm	Convention Cocktail Gala Location: The Art Gallery of WA
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WEDNESDAY, 24 SEPTEMBER

6:30am **Registration Desk Opens**

7:00am–8:45am **Icons Breakfast**

7:00am **Exhibition Opens**

8:45am **Icons Photo Opportunity**

8:30am **Procurement Network Forum Registrations Open**

9:00am–4:30pm **Procurement Network Forum**

OPENING SESSION - BELLEVUE BALLROOM 1 & 2

9:45am **Opening**

9:55am **Panel Session**

10:55am **Address**

11:10am **Morning Tea**

BREAKOUT SESSIONS

11:40am–1:10pm **Breakout Session 1**

11:40am–1:10pm **Breakout Session 2**

1:10pm **Lunch**

CLOSING SESSION

2:30pm **Closing Keynote**

3:30pm **Closing Remarks**

3:45pm **Convention Close**



WALGA

LEAN INTO LEGACY

WALGA LOCAL GOVERNMENT
CONVENTION 2025

*Please note: this information was correct at the time of publication and is subject to change.



WA Local Government Convention 22 – 24 September 2025

1

Heads of Agency Lunch

Caroline Spencer, Auditor General



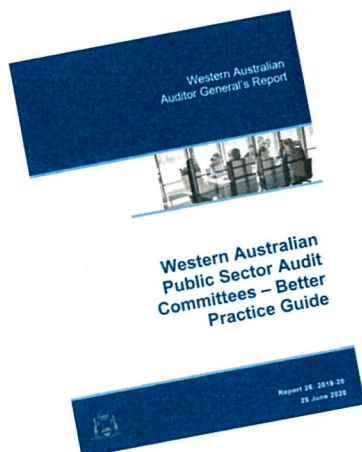
CEO's and Mayors / Presidents were invited to attend the Heads of Agency Lunch.

- Heads of State Government agencies were seated with Mayors/Presidents and CEOs from three local governments.
- Local Governments were invited to nominate their preferred Head of Agency and to submit two questions prior to the event.
- President MacCarthy and CEO O'Connor elected to sit with Caroline Spencer, Auditor General.
- Our questions centred on the A&R Committee's priorities in understanding risk management responsibilities and also, performance improvement in line with OAG's Better Practice Guide and Local Government Reforms.

2

Heads of Agency Lunch

Caroline Spencer, Auditor General



Question:

1. In light of LG AR&I reforms, do you consider the "OAG Better Practice Guide" to be the most appropriate tool to support Band 3 and 4 Shires in guiding improved A&R Committee performance?

The Guide is aligned with LG reforms and provides specific references for smaller entities.

Additionally, the Auditor General pointed out there are a number of other 'Better Practice' guides and reports on the Office of the Auditor General's website:

- [Better Practice Guidance](#)

3

Heads of Agency Lunch

Caroline Spencer, Auditor General



Questions asked:

2. What role does the Audit & Risk Committee perform in Risk Management?

The Audit Committee assists the Local Government in fulfilling their oversight responsibilities in relation to systems of risk management.

The audit committee is not responsible for the management of these functions.

Side note: LGIRS Local Government Guideline No. 9: [Audit in Local Govt – The appointment, function and responsibilities of Audit Committees](#) states:

The Audit & Risk Committee cannot be assigned a task that is the responsibility of the CEO.

4

Mayors & Presidents Forum



Keynote Presentation

Anthony De Ceglie (CEO Perth Bears)

Previously the Editor-in-Chief of the West Australian Newspaper and until recently, the Director of news and Current Affairs at Seven West Media, Anthony De Ceglie provided insights into executive leadership in business innovation.

Mr De Ceglie spoke about having courage to lead in uncertainty, to bring an NRL's 18th (expansion) team into a market in WA market that is focused on AFL. To be successful, his challenge is to not only establish a new organisation, but to grow NRL in WA.

He highlighted challenges in setting up an organisation from scratch – from some of the most basic organisational needs to recruiting key talent for coaching, and having a team ready to participate in the NRL 2027 season.

As CEO, Anthony spoke about appointing Mal Maninga as the team's inaugural Head Coach and how they would work together to create a new rugby league club that is connected to their local community and at the same time, value their heritage



5

Mayors & Presidents Forum



Harnessing AI for Local Government

WALGA Manager of Commercial Services, Sam McLeod and Liam Hoffman (The Strategy Group) provided an overview of the research being undertaken to support the LG sector in adopting and strengthening AI capabilities.

- **Barriers to AI Adoption in Local Governments:** limited expertise, budget constraints, competing priorities, uncertain policy on compliance and unclear business case benefits.

- **AI Cybersecurity Risks:**

1. Trust boundary expansion & exploitation	2. Cybersecurity supply chain opacity	3. Access control & privileges	4. Integrity manipulation & impersonation	5. Dependency poisoning
Local Government trust boundaries will need adjusting for long-term AI optimisation. Broad access across multiple platforms complicates governance, lowers risk visibility, and widens the attack surface.	Indirect links between data sets, development, deployment and consumption, reduce transparency in the cybersecurity supply chain. Reliance on complex underlying systems means inheriting risks and vulnerabilities.	AI reshapes access control. Overly broad or unclear permissions can enable unintended access to sensitive data and users may bypass traditional controls.	Attackers can manipulate models by altering goals, instructions, or training data, and by using spoofing, deepfakes, or impersonation.	Third party software, API's and model updates increase supply-chain risk . Poisoned dependencies can distort decisions, leak sensitive data, or silently undermine system integrity

6

Mayors & Presidents Forum

Harnessing AI for Local Government



Key take-aways

1. Invest in AI awareness & education

- Promote 'manageable' use as it is likely that staff are already using AI to some extent.
- Align all levels of local government on AI strategy with early focus on internal use.

2. Collaborate with peers and keep up to date

- Collaboration will be key to experimentation and to moving the sector forward in responsible AI adoption.

3. Ask more of your technology vendors

- Quick wins exist in the systems that local governments are currently using - be aware of 'change fatigue' through AI improvements.
- The market will become quickly oversaturated with new entrants and tools – trust in vendors will be a key determinant.

7

WALGA AGM

Item 7 – Executive & Member Motions

7.1 Provision of Medical Services in Remote and Very Remote Local Governments (CARRIED)

That WALGA calls on the Western Australian Government and WA Grants Commission to:

1. Increase the total funding and then the Medical Facilities Cost Adjuster component of the Financial Assistance Grants to Local Governments; and
2. Recalculate distributions to those Local Governments that are providing block cash payments to attract and retain general practitioners to allow affected Council to redirect ratepayer funds to Local Government responsibilities.

7.2 Homelessness – Short-term Accommodation Solutions (CARRIED)

That WALGA advocate to the State Government to provide culturally appropriate short-term accommodation options and wrap-around support services that provide sustainable homelessness solutions in all Local Governments across WA.



8

WALGA AGM

Item 7 – Consideration of Executive & Member Motions (cont.)

7.3 Revision of the LG (Administration) Regulations 1996 in Relation to the Holding of and Attendance at Meetings by Electronic Means (LOST)

That WALGA advocates for a change to the Local Government (Administration) Regulations 1996 in relation to the holding of and attendance at meetings by electronic means to allow elected members to attend more than 50% of meetings remotely, only if each instance more than 50% in the rolling year is justified and approved by the Mayor/President or Deputy Mayor/Deputy President.

7.4 Rating Exemption Advocacy Motion (CARRIED)

That WALGA, in addition to its current advocacy positions 2.1.1 and 2.1.2 relating to rating exemptions, advocate to the WA Government for the introduction of a reimbursement model, whereby the WA Government repays Local Government the greater of: 1. 75% of the value of rates lost in applying the charitable purposes exemption; or 2. 1% of the total rate revenue of the Local Government

WALGA AGM

Item 7 – Consideration of Executive & Member Motions (cont.)

7.5 Rateability of Miscellaneous Licenses (CARRIED)

That WALGA:

1. Formally oppose any move by the Local Government Minister to introduce amendments to the Local Government Act to restrict the application of rates on Miscellaneous Licenses.
2. Develop an advocacy position on sector consultation prior to any amendment to the Local Government Act. 3. Undertake a financial analysis of the cost to the Mining Industry of the rating of Miscellaneous Licenses compared to the benefit to the Local Government sector.

Conference Report: Lean into Legacy – Local Government Insights – By Lisa Glover

This year's theme, "Lean into Legacy", explored how decisions made today shape the foundations for future generations, highlighting sustainability, community engagement, economic development, and long-term planning in local government.

Key Points

- **Innovation & Sustainability:** Councils should embrace forward-thinking strategies to manage climate, infrastructure, and economic challenges.
- **Community Engagement:** Grassroots involvement and civic empowerment are critical for resilient communities.
- **Collaboration:** Partnerships across councils, state, and federal levels improve efficiency and long-term outcomes.
- **Leadership & Legacy:** Decision-making today shapes tomorrow; councils are challenged to leave a lasting, positive legacy for future generations.

Hon Josh Wilson MP stressed local government's role in responding to climate change, citing solar projects and coastal management. He highlighted the National Risk Assessment and Adaptation Plan and initiatives including \$50 million for sports clubs, \$40 million for EV charging, and \$1.3 billion for social housing. He expressed optimism about WA's renewable energy potential and science-based fire management, stressing the need for collaboration across all government levels.

Hon Kristy McBain MP focused on sustainability and future planning, with reforms reducing red tape and enabling funding for community precincts and projects. She reaffirmed the government's commitment to road safety through Roads to Recovery and the Black Spot Program.

Dr Richard Hames, futurist and author, urged councils to act as custodians of place and belonging. He highlighted resilient futures, grassroots engagement, collective leadership, collaboration over competition, and long-term thinking, using the "empty chair" to symbolise future citizens. He concluded by asking: "What kind of legacy will you create?"

Hon Hannah Beazley MP discussed strengthening oversight and accountability through the inspector role, encouraged reform, considered compulsory voting, and highlighted the need for sustainable boundaries and potential amalgamations.

The State of Play panel provided diverse perspectives:

- Kirrilee Warr MLA: partnerships, regional housing, water scarcity, and energy transmission.
- Rhys Williams MLA: local government's closeness to community, decisive action, and compulsory voting.
- Hon Lauren Canyon MLC: embedding councils in communities, local skills and training, cost-of-living pressures.

- David Bolt MLA: long-term thinking, cross-government collaboration, housing, and climate adaptation.
The panel emphasised sustainability, housing, energy reform, and stronger collaboration.

Anthony Vuleta, CEO of Kalamunda, discussed shared services models, allowing shires to provide planning, building, and mentoring support for smaller councils through MOUs and fee-for-service arrangements. Partnerships between the City of South Perth and Shire of Derby showcased cost recovery, staff upskilling, and strengthened service delivery, while promoting collaboration and economic development.

Matt Burnett, ALGA President, highlighted the reinstated inquiry into local government sustainability, noting insufficient rate bases for rising expenses. He advocated for a 1% increase in Federal Assistance Grant funding to support sustainable local services.

Economic Development Highlights

- Shire of Murray: Exchange Hotel project, \$8.8 million (50% council contribution), emphasising early consultation, adaptable business cases, and partnerships.
- City of Swan: Virtual accessible tours to enhance tourism accessibility, supported by staff training.
- Shire of Gnowangerup: Fields and Fortunes initiative, fostering business growth through the Business Leaders Forum, encouraging networking, idea exchange, and collaboration.

Key themes throughout the conference included innovation, sustainability, community engagement, collaboration, and long-term planning, reflecting the overarching message: local governments must make choices today that leave a lasting, positive legacy for generations to come.



Minutes of Ordinary Council Meeting

Held on 25 September 2025 and commenced at 5:00pm

Held at the Council Chambers in Donnybrook

(1 Bentley Street, Donnybrook)

Authorised:

Nick O'Connor, Chief Executive Officer

Prepared:

7 October 2025

TABLE 2: MEASURES OF CONSEQUENCE

Rating	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Health & Safety	First aid injuries	Medical treatment	Lost time injury of > 5 days	Notifiable incident	Fatality, permanent disability
Financial	Less than \$2,000	\$2,000 - \$20,000 Or < 5% variance in cost of project	\$20,001 - \$100,000 Or > 5% variance in cost of project	\$100,001 - \$1M	More than \$1M
Service Interruption	No material service interruption	Temporary interruption to an activity – backlog cleared with existing resources	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Indeterminate prolonged interruption of Service Unit core service deliverables
Compliance/ Legal	No noticeable regulatory or statutory impact	Some temporary non compliances	Short term non-compliance but with significant regulatory requirements imposed	Non-compliance results in termination of services or imposed penalties	Non-compliance results in criminal charges or significant damages or penalties
Reputation	Unsubstantiated , localised low impact on community trust, low profile or no media item	Substantiated, localised impact on community trust or low media item	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions
Community	No noticeable effect on constituents, community, organisations, businesses, services, etc.	Limited effect on constituents, community, organisations, businesses, services, etc.	Moderate and manageable effect on constituents, community, organisations, businesses, services, etc.	Substantial effect on constituents, community, organisations, businesses, services, etc.	Devastating effect on constituents, community, organisations, businesses, services, etc.
Property	Inconsequential or no damage.	Localised damage rectified by routine internal procedures	Localised damage requiring external resources to rectify	Significant damage requiring internal & external resources to rectify	Extensive damage requiring prolonged period of restitution. Complete loss of plant, equipment & building
Environment	Contained, reversible impact managed by on site response	Contained, reversible impact managed by internal response	Contained, reversible impact managed by external agencies	Uncontained, reversible impact managed by a coordinated response from external agencies	Uncontained, irreversible impact

TABLE 3: MEASURES OF LIKELIHOOD

Rating	Description	Frequency
Almost Certain (5)	The event is expected to occur in most circumstances	More than once per year
Likely (4)	The event will probably occur in most circumstances	At least once per year
Possible (3)	The event should occur at some time	At least once in 3 years
Unlikely (2)	The event could occur at some time	At least once in 10 years
Rare (1)	The event may only occur in exceptional circumstances	Less than once in 15 years

TABLE 4: RISK MATRIX

		Consequence				
		Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Likelihood	Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

TABLE 5: RISK TOLERANCE CRITERIA

Risk Rank	Description	Criteria For Risk Tolerance	Responsibility
Low	Tolerated	Risk tolerated with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk tolerated with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk tolerated with effective controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
Extreme	Unacceptable	Risk only tolerated with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

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1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Presiding Member acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Presiding Member declared the meeting open at 5:00pm and welcomed the public gallery.

The Presiding Member advised that the meeting is being live streamed and recorded in accordance with Council Policy EM/CP-2. The Presiding Member further stated the following:

“This meeting is being livestreamed and digitally recorded in accordance with Council Policy. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson. Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording.”

2. Attendance (OCM)

Councillors Present:

Cr Vivienne MacCarthy

Cr Lisa Glover

Cr John Bailey (entered the Chamber at 5:04pm)

Cr Alexis Davy

Cr Peter Gubler

Cr Anita Lindemann

Cr Anne Mitchell

Staff Present:

Nick O'Connor, Chief Executive Officer

Michelle Dennis, Acting Director Operations

Meta Hazeldine, Manager Financial Services

Samantha Farquhar, Administration Officer
Corporate Services

Other Members Present:

Public Gallery: 15 members of the public were in attendance.

Suspension of clause 8.2 (members to rise) of *Meeting Procedures Local Law 2017*.

- At the start of each council meeting a resolution should be carried suspending clause 8.2 (members to rise) of the Standing Orders as having councillors stand when debating interferes with the sound quality for livestream.

COUNCIL RESOLUTION: 174/09-25	
MOVED BY: Cr Anita Lindemann	SECONDED BY: Cr Anne Mitchell

That Council Suspend clause 8.2 (members to rise) of the Standing Orders

For: Cr MacCarthy, Cr Glover, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 6/0

2.1. Apologies

Cr Grant Patrick

Ross Marshall, Director Operations

Loren Clifford, Acting Director Finance and Corporate

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Presiding Member

Cr John Bailey entered the Council Chamber at 5:04pm.

The Community Citizen of the Year Awards are organised through Auspire and the Australia Day Council WA. This program gives local governments across WA the chance to celebrate individuals and groups who go above and beyond to make our communities better. The awards acknowledge outstanding contributions in areas such as education, health, the arts, environment, social inclusion, sport, business, volunteering, or any other area that helps build a stronger community. The award categories each year are for the Community Citizen of the Year (individuals aged over 16), Young Community Citizen of the Year (individuals aged 16-30), Senior Community Citizen of the Year (those aged over 65 years), and Active Citizenship (for groups or events). We strongly encourage individuals to consider submitting a nomination, and nominations close on 31 October 2025.

A production will be shown at the Donnybrook Memorial Hall on 16 December 2025, and the title of the show is called Taking Liberty. You can book tickets through the Shire website.

I would like to note that this is the last meeting that this Council will attend together. I would like to acknowledge the encouragement and support the Council has received from our community. Our community's willingness to move forward in a new era of collaboration and respect has helped Council navigate difficult decisions, especially the ones we faced with regard to improving our financial sustainability and broadening our community outcomes. I would also like to acknowledge each Councillor for your courage and resilience in meeting the initial challenges of transitioning our Shire from being governed by a state appointed Commissioner to a local and democratically elected Council. Together we have helped shape a more collaborative way of working together and I am confident that the five Councillors here will take that forward. You will recall we farewelled Councillor Shand last month when she relocated outside of the Shire, and this month we also say goodbye to two retiring Councillors, Councillor Peter Gubler and Councillor Anne Mitchell. On behalf of your fellow Councillors and your community, I thank both of you for your dedicated service and your lasting contributions to your community. Deputy President Lisa Glover, Councillor John Bailey, Councillor Alexis Davy, Councillor Anita Lindemann, and Councillor Grant Patrick will continue to serve for a further two years as per their term.

4. Declarations of Interest

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors, Committee Members and staff to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Question: Mr David Tuia

What can we do about all the problems on Gairdner Road i.e. road encroachments?

Response:

Council has written to other landowners on Gairdner Road seeking their co-operation to identify any other encroachments into the road reserve and, if required, develop a plan for their removal.

5.2. Public Question Time

Question: Adrian Dixon

These questions are in relation to the Smashed Avo event application.

If a rate payer has a complaint I assume it should be heard and responded to by council?

Response:

Complaints are responded to by the Shire administration, on behalf of Council. While the Smashed Avo Festival is being proposed to be held at the same venue as the Meliora event, it is a different operator.

Following the 2023 event, reports were provided to Council with a FAQ developed (refer Attachment 9.1.1(2), which was presented to Council at the Ordinary Council Meeting held March 20 2024). Feedback and complaints from the 2023 event were addressed during the 2024 event assessment process, including a much-improved neighbour notification process. For the 2024 event, Meliora included a commitment within their application that they would "... offer neighbours who logged in complaints last year and live close by an accommodation via Airbnb or Booking.com". They also offered neighbours free tickets to attend the event. That was a separate voluntary undertaking by the applicant and is considered outside the event application assessment process.

Neither the Shire, nor the event organiser, obtained any complaints regarding the 2024 Meliora event.

Question: Adrian Dixon

Do the indemnity documents being provided include all surrounding properties?

Response:

No. Proposed condition 13 as contained in the officer recommendation addresses the land being used to access the event grounds.

Question: Adrian Dixon

Fire is again as expressed to council and DFES for previous events the primary risk that we are concerned about. I believe there is another event already approved by council that if required will stretch the emergency services capabilities further?

Response:

Fire has been considered as part of the event assessment. The Shire's Community Emergency Services Manager has provided input into the event assessment process, considering the cumulative impact on the other event occurring in the Shire over the same weekend.

Question: Adrian Dixon

Some issues from the prior two events have still not been rectified/compensated for. When are these to be addressed?

Response:

The Shire is not privy to these items.

Question: Adrian Dixon

I believe a large sum of money for services provided has still not been paid from the previous event. Please correct me if I have this wrong.

Response:

The Shire is not aware of this, however this would be a commercial matter for resolution between the relevant parties. As noted above, the applicant for the Smashed Avo Festival is different from previous event organisers/applicants at this property.

Question: Rodney Axelby

Who has the legal right of the Newlands easement leading up to Arthur's property and who controls the easement?

Response:

This information is in the officer comment under the easement access consideration. The transfer of land act is where it is stated but essentially anyone who has that easement burden or benefit on their title which includes the site for the Smashed Avo Festival as well as the people who have land behind the land that's burdened. The users of the easement and the people who own and have the burden of the easement, have the responsibility of the easement.

Question: Rodney Axelby

Is Arthur allowed to make a dual lane on that easement and fence the easement?

Response:

The advice that the Shire received as part of the preparation of this report is that yes, he can be asked to upgrade the easement, but he still needs to work with the land that's burdened to make sure he meets his own legal obligations in relation to the easement use.

Question: Robert Gent

Why is 50 million insurance required for the Smashed Avo event?

Response:

It is the officer's recommendation to provide a requisite amount of public liability insurance. That figure was arrived at after discussions with Council insurers and after a discussion at the Audit and Risk Management Committee. Officers believe that it is the fair and reasonable benchmark. It seems 50 million is now becoming the benchmark with perceived higher risk activities.

Question: Robert Gent

Why is Jess the owner next door allowed to hold a yearly event without a permit?

Response:

The Shire is not aware of any events or permits that are being held on the site.

Question: Robert Gent

If you are having an event on your land, at what number of people are you then required to have a permit?

Response:

Within our event policy, Council arrived at a number of 75 people before an event application needs to be considered by Council. It might not necessarily have to be considered by Council, it could be an event that could be considered by staff.

Question: Mario Contarino

How many complaints for the Smashed Avo festival in 2023 and 2024?

Response:

Last year there were no complaints. The Shire didn't receive any complaints other than when the event was approved, we did receive notification from the adjoining land owner of an intention to instigate legal proceedings. In 2023, there was about 11 complaints, and that information is available within the Council Minutes from March 2024. Please note that these were 2 separate event applications.

Question: Mario Contarino

Who were the Councillors going around saying negative things about the Smashed Avo Festival.

Response:

If there is an insinuation or allegation of impropriety or not the correct behaviour, then there's other mechanisms of which to raise those concerns. You can raise these concerns with myself (CEO) outside of this forum.

6. Presentations

6.1. Petitions

Nil.

6.2. Presentations

Nil.

6.3. Deputations

Arthur Parson in relation to the Smashed Avo event application.

Mr Parson asked the Presiding Member for permission to finish his presentation and add an addition of 5 minutes to his deputation and President MacCarthy approved.

Jessica Gill in relation to the Smashed Avo event application.

6.4. Delegates' Reports

Nil.

Adoption by Exception

COUNCIL RESOLUTION: 175/09-25		
MOVED BY:	Cr Lisa Glover	SECONDED BY: Cr Anita Lindemann

That Council adopt the following items 'En-bloc' and resolves in accordance with each of the Executive Recommendations:

7.1.1 Ordinary Council Meeting held on 27 August 2025

8.2.1 South West Country Zone Meeting held on 22 August 2025

9.2.3 Council Plan – Biannual Progress Report January – June 2025

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 7/0

7. Confirmation of Minutes

7.1 Ordinary Council Meeting Minutes

7.1.1 Ordinary Council Meeting held on 27 August 2025

Minutes of the Ordinary Council Meeting held 27 August 2025 are attached as [Attachment 7.1.1\(1\)](#).

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 27 August 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION: 176/09-25	
MOVED BY: Cr Lisa Glover	SECONDED BY: Cr Anita Lindemann

That the Minutes from the Ordinary Council Meeting held 27 August 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 7/0 by en-bloc resolution 175/09-25

8. Reports of Committees

8.1. Bunbury Geographe Group of Councils Meeting

8.1.1 Bunbury Geographe Group of Councils Meeting held on 21 August 2025

Minutes of the Bunbury Geographe Group of Councils Meeting held 21 August 2025 are attached at Attachment 8.1.1(1).

Committee Recommendation:

That the CEO Working Group engage with all relevant stakeholders to:

1. Develop a draft governance model
2. Fund the development of the draft governance model from the existing surplus funds up to \$20,000
3. Develop a contributions proposal to fund the governance model
4. Recommend the most effective member group for the region
5. Complete the above by 31 March 2026

Executive Recommendation:

That Council:

1. **Receives the Minutes from Bunbury Geographe Group of Councils Meeting held on 21 August 2025.**
2. **Adopt the recommendation as detailed above and in the minutes summarised in item 4.1 (1.1) of Attachment 8.1.1(1)**

MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr Anne Mitchell
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That Council:

1. **Receives the Minutes from Bunbury Geographe Group of Councils Meeting held on 21 August 2025.**
2. **Adopt the recommendation as detailed above and in the minutes summarised in item 4.1 (1.1) of Attachment 8.1.1(1)**

For: Cr MacCarthy, Cr Gubler, Cr Lindemann
Against: Cr Glover, Cr Bailey, Cr Davy, Cr Mitchell
Lost: 3/4

Cr Anne Mitchell raised an Alternate Motion which was put to the vote as the original motion was lost.

COUNCIL RESOLUTION: 177/09-25		
MOVED BY:	Cr Anne Mitchell	SECONDED BY: Cr Lisa Glover

That Council:

- 1. Receives the Minutes from Bunbury Geographe Group of Councils Meeting held on 21 August 2025.**
- 2. That the Shire of Donnybrook Balingup withdraw from the BunGeo group of Councils and request unspent funds to be returned to Council.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Lindemann, Cr Mitchell
Against: Cr Gubler
Carried: 6/1

8.2 South West Country Zone Meeting

8.2.1 South West Country Zone Meeting held on 22 August 2025

Minutes of the South West Country Zone Meeting held 22 August 2025 are attached at [Attachment 8.1.2\(1\)](#).

Executive Recommendation:

That the Minutes from South West Country Zone Meeting held on 22 August 2025 be received.

COUNCIL RESOLUTION: 178/09-25	
MOVED BY: Cr Lisa Glover	SECONDED BY: Cr Anita Lindemann

That the Minutes from South West Country Zone Meeting held on 22 August 2025 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 7/0 by en-bloc resolution 175/09-25

9. Reports of Officers

9.1. Director Operations

9.1.1. Temporary Accommodation Request – 199 (Lot 100) Irishtown Road, Donnybrook

Report Details:

Prepared by:	Manager Development Services		
Manager:	Damien Morgan, Acting Director Operations		
Applicant:	Landowner		
Location:	199 (Lot 100) Irishtown Road, Donnybrook		
File Reference:	A5377	Voting Requirement:	Simple Majority
Attachment(s):	Nil.		

Executive Recommendation

That Council:

1. Considers the use of the transportable unit, tents and outdoor shower room at 199 (Lot 100) Irishtown Road, Donnybrook as temporary works and use and therefore exempt from development approval under clauses 61(1)(a)(17) and 61(2)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a 12-month period from the date of this approval.
2. Approves temporary accommodation at 199 (Lot 100) Irishtown Road Donnybrook in one caravan for a maximum of twelve (12) months by the applicant and their immediate family subject to the following conditions:
 - 2.1 The caravan is to be maintained in good condition;
 - 2.2 All wastewater generated is to be collected and disposed of in fit for purpose receptacles or an approved onsite effluent disposal system, subject to separate written approval to the satisfaction of the Shire;
 - 2.3 The sleeping compartment of the caravan is to be fitted with a suitable smoke detector and carbon monoxide detector;
 - 2.4 Hard annexures/patios/car ports are not permitted to be attached to the caravan;
 - 2.5 The use of a generator on site for the running of the caravan is permitted for up to a maximum of two (2) hours per day between the hours of 7:00 am and 7:00 pm Monday to Saturday inclusive and 9:00 am and 7:00 pm on a Sunday or public holiday;
 - 2.6 The power connection to the caravan is to be protected by a suitable residual current device (RCD); and;
 - 2.7 Within three months of this decision, applicant to obtain a time limited building approval certificate for all structures that do not meet the prescribed circumstances where a building permit is not required under Regulation 41(3) of the *Building Regulations 2012*.
3. All temporary works associated with the approved temporary accommodation shall be removed, and the site reinstated to its original condition, to the satisfaction of the local government, within 14 days upon the expiry of the approval period, unless separate

development approval or relevant approvals for the retention of the structures have been obtained prior to that date.

Advice notes:

1. Should the use of the lot (the tent (t-pee) and other structures) by persons other than the landowner(s) exceed the occupancy and frequency as contained within Council Policy COMD/CP-6 Events further Shire approvals will be required.
2. Under the Shire of Donnybrook Local Planning Scheme No. 7 use classes such as caravan park and camping area are not permitted in the Rural Residential zone. It is to be noted that if a person is charging money so that caravans may be used on their property, they are operating the business of a caravan park or camping area.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 6 - The built environment is responsibly planned and well maintained.

Objective: 6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.

Item: Nil.

Executive Summary

Council is requested to determine an application for the occupation of temporary accommodation on a rural residential zoned lot for a period of 12 months. While the Shire has several authorised persons appointed under the provisions of the *Caravan Parks and Camping Grounds Act 1995* in the absence of an adopted Policy and that this proposal may be considered contentious, this matter is being referred to Council for determination.

Conditional approval is recommended.

Background

The Shire has been informed that the owners are residing on the property using a caravan with associated temporary structures comprising:

- A 6 x 3 m transportable unit
- A 6 x 4 m tent
- An outdoor shower room
- A composting toilet room
- A teepee
- A 3 x 3m storage shed
- A timber framed camp kitchen space

The land is zoned Rural Residential within the Shire of Donnybrook-Balingup Local Planning Scheme No. 7 (LPS7). As illustrated in Figure 1, the lot, outlined in blue, is designated as bushfire prone. The lot is 12.2875 hectares in area.

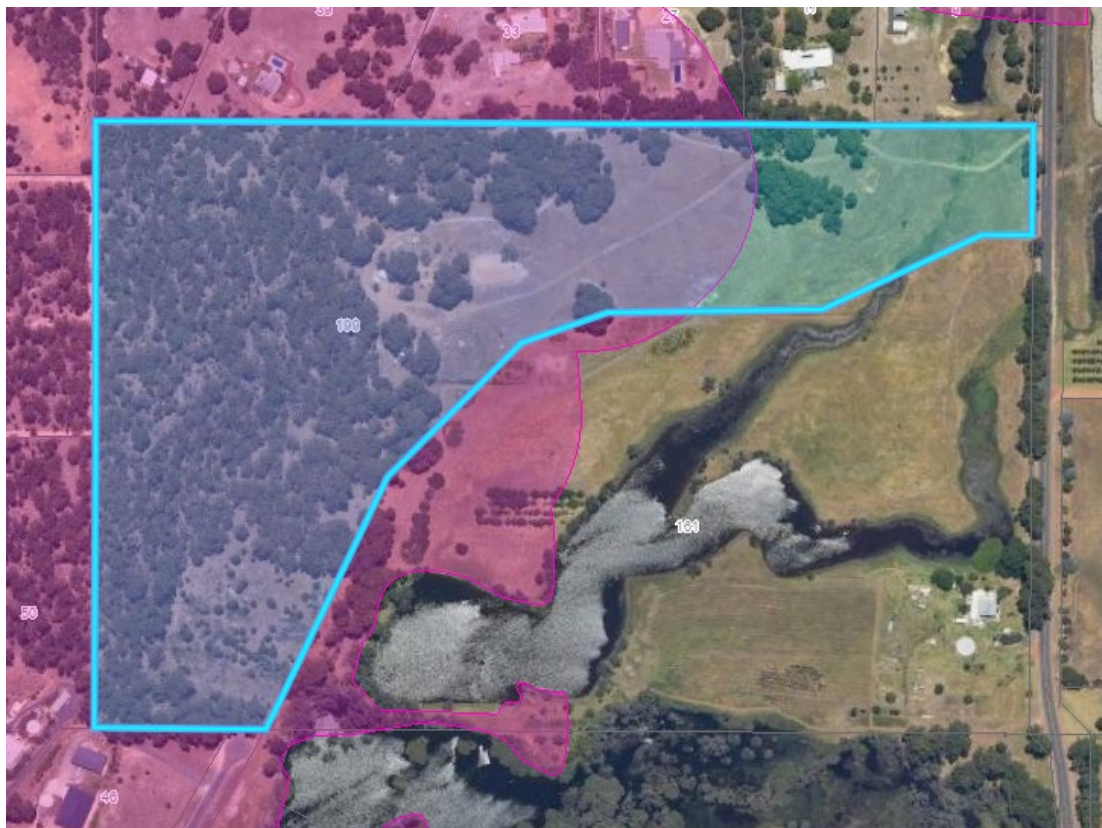


Figure 1 – Excerpt of DFES Map of Bushfire Prone Areas

The current housing crisis has resulted in the Minister for Local Government effecting changes to the *Caravan Parks and Camping Grounds Regulations 1997* enabling local governments to consider requests for the occupation of caravans and camps for up to 24 months. In considering such applications, the local government is to be satisfied that both the land and the caravan/camp are suitable for camping especially with respect to safety and health and access to services.

Conditions can be imposed on any approval.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Moderate (9)
Risk Description:	Not seen to be responding to community needs.		
Mitigation:	Consideration of an application on its merits.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Insignificant	Low (3)
Risk Description:	Impacts from use of temporary facilities.		
Mitigation:	Conditions requiring appropriate approvals for onsite effluent disposal.		

Financial Implications

The applicant has made payment of the application fee.

Policy Compliance

Local Planning Policy 9.16 Transportable Structures

LPP 9.16 outlines the development standards when considering an application for development approval for a transportable structure. If the Council agree that the use and works are temporary (refer “statutory compliance”), then the structures will be exempt from development approval and LPP 9.16 will not apply.

Draft LPP-1 Temporary Residential Accommodation

Council advertised the draft policy for public and agency submissions. Following workshops with Council further information has been requested from LGIS regarding risks associated with approving this type of accommodation.

The proposal meets the draft policy standards with respect to lot size, setback distances, access to water and power with parking available onsite and pets capable of being contained. The proposal does not meet the draft policy standards with respect to the existence of a building permit for the permanent dwelling, a bushfire attack level assessment has not been provided and existing onsite effluent disposal systems do not have statutory approvals.

Council Policy COMD/CP-6 Events

The Shire is in receipt of complaints alleging that the property is being used as an event space. The Shire has confirmed that the teepee is occasionally being used by a Men’s Group as a meeting point. The numbers involved do not meet the threshold necessitating an event application under item 3 of this Policy (i.e. less than 75 people) and the frequency of use currently meets the criteria for an exemption from Development Approval under item 4 of this Policy (i.e. does not involve permanent structures and less than 5 events in any 12 month period).

Council Policy EM/CP-6 Caretaker Provisions and Local Government Elections

The consideration of a temporary accommodation application is not a “Significant Act” within the context of the *Local Government Act 1995* and Council is therefore not precluded from determining this application, despite consideration occurring within the Caretaker Period.

Statutory Compliance

Regulation 11A of the *Caravan Parks and Camping Grounds Regulations 1997* Camping on private land with local government approval states the following:

- (1) A person may apply in writing to a local government for approval to camp on land the person owns or has a legal right to occupy if the land is in the local government’s district.
- (2) The local government may approve the person camping on the land for a period specified in the approval not exceeding 24 consecutive months.
- (3) The approval is subject to the following conditions —
 - (a) that any caravan or camp in which the person is camping on the land is maintained in such a condition that it is not a hazard to safety or health;
 - (b) that the land is maintained in such a condition that it is suitable for camping, particularly in relation to —
 - (i) safety and health; and

- (ii) *access to services;*
 - (c) *any other conditions specified by the local government in the approval.*
- (4) *The local government is taken to have refused the application if the local government does not give the approval within 63 days of the application.*
- (5) *The local government may revoke an approval given by the local government, by written notice to the holder of the approval, if the local government is satisfied that a condition of the approval has been breached.*
- (6) *Before revoking the approval, the local government must —*
 - (a) *give written notice to the holder of the local government's intention to revoke the approval unless, within 35 days after the notice is given, the holder shows cause why the approval should not be revoked; and*
 - (b) *consider any written response to the notice received from the holder during that period.*

Any decision of a local government with respect to these applications may be reviewed upon request by the Minister for Local Government.

In accordance with clause 61(1)(a)(17) and clause 61(2)(f) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, both temporary works and temporary uses are exempt from development approval if they exist for less than 48 hours, or for a longer period as agreed by the local government within any 12-month period. Should Council resolve to approve the proposed temporary accommodation, this exemption can be extended to cover the associated temporary works for the same 12-month period. A condition of approval will be included requiring the removal of the temporary works and the reinstatement of the site to its original condition once the approval period has expired, unless the applicant obtains separate approval for the structures under the relevant legislation prior to the expiry date.

Regulation 41(3) of the *Building Regulations 2012* prescribes the circumstances where a building permit is not required to include:

- Construction, erection, assembly or placement of a freestanding*
- Class 10a building that —*
 - (a) *has a floor area not exceeding 10 m²; and*
 - (b) *is no more than 2.4 m in height;*

The Regulations also enable permit authorities to issue time limited building approval certificates. A condition is proposed to require retrospective building approvals for those structures not exempt under Regulation 41(3), with the intention that the approval be time limited.

Clause 2.1 of the *Shire of Donnybrook-Balingup Waste Local Law 2017* Supply of receptacles states:

- (1) *The local government is to supply, for the use of each premises situated with the area covered by the kerbside collection service, receptacles that are, or are capable of being, occupied or used for residential purposes, one or more receptacles for the collection and removal, from those premises, of collectable waste.*
- (2) *The owner of premises to which subclause (1) applies must —*
 - (a) *ensure that the fee or charge (if any) imposed by the local government in relation to each receptacle is paid to the local government; and*

(b) ensure that each receptacle is used, in respect of those premises, in accordance with this local law.

Given the location of this property is within an existing kerbside collection service area, it is considered that should temporary accommodation be approved, the property would be eligible for a kerbside bin collection service.

Consultation

The Shire is in receipt of a customer complaint alleging the use of the property for business purposes to hold events as well as the presence of a number of structures within a designated bushfire prone area. Investigations to date suggest that the nature and frequency of the activities are currently exempt from requiring any formal approval.

The Executive Recommendation provides an approval pathway for the temporary structures associated with the applicant's request to reside on the property.

Officer Comment

In relation to the suitability of the site for camping in relation to safety, health and access to services, the applicant has indicated that the caravan and tent are cooled by shade and air conditioning units, with heated water provided by a gas hot water unit. A composting toilet is located on site with all greywater currently discharging to a leach drain. Washing water is pumped from a site bore by a solar panel powered pump into a storage tank. Rainwater is filtered for all cooking and drinking. Greywater is piped to a leach drain and rubbish is taken to the Donnybrook Landfill site via trailer.

The applicant employed a tree surgeon to assess and remove potentially dangerous tree limbs within the accommodation area and have acknowledged that they are located in a bushfire prone area. The applicant indicate that their bushfire plan necessitates them to leave at the earliest opportunity and not defend. They request that fire fighting resources are not deployed to defend any of the temporary structures.

For the safety of the occupants, it is recommended that the sleeping compartment of the caravan be fitted with a suitable smoke detector and carbon monoxide detector and that any power connection be protected by an RCD.

The property is large and there is minimal visibility from the road. Noise concerns from generators can be considered under the existing measures within the *Environmental Protection (Noise) Regulations 1997* regarding specified equipment and it is suggested that for the purpose of this application the generator be considered specified equipment. This restricts the use to a maximum of 2 hours per day between the hours of 7:00 am and 7:00 pm Monday to Saturday inclusive and 9:00 am and 7:00 pm on a Sunday or public holiday.

Conditional approval is therefore recommended.

COUNCIL RESOLUTION: 179/09-25		
MOVED BY:	Cr Lisa Glover	SECONDED BY: Cr Alexis Davy

That Council:

1. Considers the use of the transportable unit, tents and outdoor shower room at 199 (Lot 100) Irishtown Road, Donnybrook as temporary works and use and therefore exempt from development approval under clauses 61(1)(a)(17) and 61(2)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a 12-month period from the date of this approval.
2. Approves temporary accommodation at 199 (Lot 100) Irishtown Road Donnybrook in one caravan for a maximum of twelve (12) months by the applicant and their immediate family subject to the following conditions:
 - 2.1 The caravan is to be maintained in good condition;
 - 2.2 All wastewater generated is to be collected and disposed of in fit for purpose receptacles or an approved onsite effluent disposal system, subject to separate written approval to the satisfaction of the Shire;
 - 2.3 The sleeping compartment of the caravan is to be fitted with a suitable smoke detector and carbon monoxide detector;
 - 2.4 Hard annexures/patios/car ports are not permitted to be attached to the caravan;
 - 2.5 The use of a generator on site for the running of the caravan is permitted for up to a maximum of two (2) hours per day between the hours of 7:00 am and 7:00 pm Monday to Saturday inclusive and 9:00 am and 7:00 pm on a Sunday or public holiday;
 - 2.6 The power connection to the caravan is to be protected by a suitable residual current device (RCD);
 - 2.7 Within three months of this decision, applicant to obtain a time limited building approval certificate for all structures that do not meet the prescribed circumstances where a building permit is not required under Regulation 41(3) of the *Building Regulations 2012*; and
 - 2.8 Within one month of this decision, the applicant is to prepare and provide evidence of a bushfire management plan consistent with DFES's My Bushfire Plan WA.
3. All temporary works associated with the approved temporary accommodation shall be removed, and the site reinstated to its original condition, to the satisfaction of the local government, within 14 days upon the expiry of the approval period, unless separate development approval or relevant approvals for the retention of the structures have been obtained prior to that date.
4. Instruct the CEO to create policy for temporary structures on private property, and
5. Instruct the CEO to encourage, via media communication and website, that landholders with temporary accommodation on their properties inform Shire of Donnybrook Balingup and request a permit.

Advice notes:

1. Should the use of the lot (the tent (t-pee) and other structures) by persons other than the landowner(s) exceed the occupancy and frequency as contained within Council Policy COMD/CP-6 Events further Shire approvals will be required.
2. Under the Shire of Donnybrook Local Planning Scheme No. 7 use classes such as caravan park and camping area are not permitted in the Rural Residential zone. It is to be noted that if a person is charging money so that caravans may be used on their property, they are operating the business of a caravan park or camping area.

For: Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Mitchell
Against: Cr MacCarthy, Cr Lindemann,
Carried: 5/2

9.1.2 Smashed Avo Festival – Event Application

Report Details:

Prepared by: Manager Development Services
Manager: Damien Morgan, Acting Director Operations
Applicant: Illumiparti Pty Ltd
Location: 13 (L199) Newlands East Road, Newlands
File Reference: A2420 **Voting Requirement:** Simple Majority

Attachment(s):

- 9.1.2(1) Overall site plan
- 9.1.2(2) Appendix 2B – Emergency Evacuation Site Plan
- 9.1.2(3) Council Policy – COMD/CP-6 - Events

Executive Recommendation

That Council:

1. In accordance with Council Policy COMD/CP-6 Events considers the event application, Smashed Avo Festival, as temporary works and use and therefore exempt from development approval under clause 61(1)(a)(17) and 61(2)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Approves the event, Smashed Avo Festival, proposed to be held at 13 (L199) Newlands East Road, Newlands from 1:00 pm 29 December 2025 until 11:00am 2 January 2026 with setup from 9:00am 26 December 2025 and pack down completed by 7:00 pm 4 January 2026 and authorises the Chief Executive Officer to issue a certificate of approval under section 178(1) of the *Health (Miscellaneous Provisions) Act 1911* subject to the following:

Management Plans:

1. All commitments and undertakings provided for in the application to be complied with. Should there be any discrepancies between the documents and these conditions, the condition prevail to the extent of the inconsistency;
2. A detailed site plan is to be submitted with clear dimensions (or provided to scale) clearly demonstrating the space available within the event and camping grounds and the number and location of sites, parking bays and toilets. Site plan to be provided by no later than 1 November 2025;
3. Designated smoking areas are to be marked on the submitted site plan and clearly marked for the duration of the event;
4. Provided sufficient space is demonstrated, and subject to review by the Chief Health Officer of the Department of Health, a maximum accommodation number of 2,500 patrons, 2,900 people on site at any one time applies for this event;
5. The risk management plan is to be finalised and submitted to the Shire at least six weeks prior to the event date;
6. The emergency management plan is to be updated to reference the emergency contact number to “000” and submitted to the Shire at least six weeks prior to the event date;

7. All plans containing the proposed emergency access route to the north to be modified to remove reference to this access and submitted to the Shire at least six weeks prior to the event date;

Access and Traffic Management:

8. The right of carriageway and private driveway providing access to the event grounds being upgraded and maintained to an all-weather surface, minimum trafficable width of 6m;
9. Stormwater from the right of carriageway and private driveway must be disposed of on site in a manner so as not to cause a nuisance;
10. A certificate of structural suitability being provided by a practicing structural engineer certifying that the bridge within the right of carriageway is suitable for the intended use;
11. The right of carriageway providing access to the event grounds to be fenced with a substantial fence on the sides that abut land not containing the event grounds;
12. Written confirmation of permission to use, upgrade and maintain the private driveway providing access to the event grounds is to be supplied at least 14 days prior to upgrades commencing;
13. Applicant to provide evidence of suitable insurance indemnifying the relevant landowners whose land is being used for access to the event grounds. In addition to the event duration, the period of insurance is to include when upgrades, fencing, set up and pack down is occurring. Evidence of insurance to be provided at least 14 days prior to the upgrades commencing;
14. Written evidence of Main Roads WA approval for the proposed Traffic Management Plan (TMP) is required to be submitted at least 14 days prior to the event;
15. An accredited traffic management provider must be in control of all Traffic Management for the duration of the event. All aspects of the TMP must be adhered to at all times. Traffic controllers must be fully accredited for the tasks that they are undertaking;

Risk Management:

16. Demonstrated implementation of the Irrigation Plan to the satisfaction of the Shire;
17. Fires, fireworks or any other pyrotechnic display are not permitted for the duration of the event;
18. Applicant to provide evidence of minimum \$50 million public liability insurance for all proposed event activities to the satisfaction of the Shire. Evidence of insurance to be provided at least 14 days prior to the event date;
19. Bacteriological water sampling of the dam must be conducted by a competent person in the lead-up to the event and analysed by a laboratory accredited by the National Association of Testing Authorities (NATA) as follows:
 - a. A minimum of one sample must be collected four weeks prior to the scheduled event date. If the initial sample returns unsatisfactory results, a follow-up sample must be collected two weeks prior to the event.
 - b. If the second sample also returns unsatisfactory results, swimming will not be permitted at the event.
20. The maximum number of people permitted to occupy the dam at any one time is 200.

21. A minimum lifeguard-to-occupant ratio of 1:100 must be maintained, meaning at least two lifeguards must be present whenever the dam is in use for recreational purposes. Lifeguards must be appropriately qualified and experienced to respond to water emergencies.
22. All electrical equipment is to be tested and tagged by an appropriately qualified person;
23. All temporary generator and lighting tower installations must be earthed in accordance with Australian Standards, as appropriate. A Form 5 "Certificate of Electrical Compliance" is required to be submitted by a licensed electrical contractor for all temporary power installations prior to commencement of the event;
24. A minimum of sixty (60) temporary toilets comprising twenty-nine (29) male toilets, thirty (30) female toilets and one (1) unisex accessible toilet and associated hand basins are to be provided for the event use. They are to be placed so that they are within 90 metres of any camp site;
25. All toilets are to be serviceable for the duration of the event and located in a manner to facilitate servicing/replenishment for the duration of the event;
26. Event and camp grounds are to have adequate lighting after dark;
27. Lighting, to achieve a minimum of 40 Lux, to be provided in or above temporary toilets to facilitate safe use after dark;
28. All temporary structures (including gazebos, tents and camping structures) must be suitably secured to prevent movement in wind gusts and must not be used if winds will exceed manufacturer specified rating;
29. For the stages and any tent or marquee greater than 55m² and supplied glamping tents the event organiser is to provide a Certificate of Structural Adequacy from a practising structural engineer or authorised installer, confirming structural adequacy of temporary structures installed. Certificate of Structural Adequacy is required to be completed by an authorised installer or structural engineer and submitted prior to commencement of the event;
30. Camping for event attendees is permitted for four nights and subject to separate written approval from the Shire;
31. A first aid post with a minimum of six qualified first aid officers is required to be provided and adequately sign posted for the duration of the event;
32. The event organiser is to ensure there are sufficient waste receptacles provided to ensure all waste generated by the event is disposed of thoughtfully without any rubbish or debris being deposited on neighbouring properties;

Noise:

33. Separate approval under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to be obtained from the Shire Chief Executive Officer;
34. The application required under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to include:
 - a. A Noise Prediction Modelling report completed by a suitably qualified Acoustic Consultant whose qualifications/experience qualifies them for membership to the Australian Acoustical Society;

- b. A Noise Management Plan committing to monitoring of sound levels, by a suitably qualified/experienced Acoustic Consultant at the mixing desk and three locations external to the venue for the duration of the event; and;
- c. Notification to residents identified as likely to experience noise at levels exceeding the assigned levels through the noise modelling is to be undertaken by the Shire, at the applicant's cost. This notification is to include contact details for the applicant for management of complaints throughout the event period;

Food Safety:

- 35. Event organiser to provide evidence of a suitable potable water supply for patron use for the duration of the event to the satisfaction of the Shire;
- 36. Event organiser to submit a list of all food vendors, including potable water carter if proposed, to the Shire for separate approval. The following information, for each food vendor, is also required to be submitted:
 - a. A copy of the vendors 'Food Business Registration Certificate (*Food Act 2008*)' from their "home" Shire (if not from the Shire of Donnybrook Balingup); and;
 - b. A copy of the vendors Certificate of Currency product and public liability insurance, providing minimum cover of \$10 million;

Debrief:

- 37. An event debrief meeting is to be arranged with the Shire within two months of the event date, with relevant festival staff to be available to contribute. A list of complaints, issues and successes to be available for discussion.

Advice notes:

- 1. Applicant to note that any condition should not constitute an authorisation for the use of the right of carriageway or the carrying out of works within the right of carriageway area in a manner which is inconsistent with the terms of the right of carriageway. Applicant to continue to take its own legal advice in relation to the use of the right of carriageway and ensure that appropriate measures have been implemented with the owners of the land used to access the event grounds.
- 2. Applicant to note that the term "substantial fence" is taken to be as per the *Dividing Fencing Act 1961* i.e. capable of normally resisting the trespass of cattle and sheep.
- 3. Applicant to note that events during the established high bushfire threat period, particularly over long weekends when volunteer numbers are low, are at greater risk of being impacted by total fire bans and harvest vehicle movement bans.
- 4. Applicant to note that the capacity of firefighting resources in the Shire is responsive to other incidents in the Region. Applicant to consider their insurance coverage and communication plans should the event need to be cancelled at short notice due to a bushfire in the Region.
- 5. Applicant to satisfy themselves that they have the appropriate agency approvals for use of the dam water for wide scale irrigation as proposed.
- 6. Due to crowds, food safety and animal welfare concerns, the Shire's Ranger Services recommend that dogs are not permitted within the event grounds.

7. Water sample results of the dam will be assessed against the Department of Health's *Microbial Quality of Recreational Water – Guidance Note* to determine the dam's suitability for recreational use.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

- Outcome:** 2 - A safe and healthy community.
- Objective:** 2.2 - Facilitate, encourage and support a diverse range of festivals, community events, arts and cultural activities.
- Outcome:** 9 - A thriving economy.
- Objective:** 9.2 - Attract and retain a diverse mix of businesses and investment opportunities.
- Outcome:** 10 - A popular destination for visitors and tourists.
- Objective:** 10.1 - Encourage more people to stop, shop and experience the Shire of Donnybrook Balingup.

Executive Summary

The Shire is in receipt of an event application for Smashed Avo Festival (the event) to be held at 13 Newlands East Road, Newlands over New Year's 2025-2026. The applicant describes the event as "a multi-day camping festival celebrating music, art and community."

As this is a multi-day event that requires consideration of a Regulation 18 noise approval, it is being referred to Council for determination. Conditional approval is recommended.

Background

Smashed Avo Festival is proposed to be held at the former Meliora site in Newlands from 30 December 2025 until 2 January 2026, with early entry available for patrons on 29 December 2025. Set up is proposed to commence 26 December 2025 with pack down to be completed by 4 January 2026. It will be a public, ticketed event with a cap of 2,900 patrons, with up to 400 comprising volunteers and contributors. It is proposed that music will play over four distinct stages as follows:

Stage Name	Proposed Operating Hours	Music Source
Main Stage	Tues 30 Dec: 10:00 am to 1:30 am Wed 31 Dec: 11:00 am to 3:00 am Thurs 1 Dec: 10:00 am to 1:00 am	DJ
Second Stage	Tues 30 Dec: 2:00 pm to 1:00 am Wed 31 Dec: 12:00 pm to 1:00 am Thurs 1 Dec: 12:00 pm to 10:00 pm	DJ
Combi Stretch Tent Stage	Tues 30 Dec: 11:00 am to 12:00 am Wed 31 Dec: 10:00 am to 3:00 am Thurs 1 Dec: 10:00 am to 1:00 am	Live bands and fusion acts DJ
Camp Stage	Tues 30 Dec: 10:00 am to 1:30 am Wed 31 Dec: 10:00 am to 2:00 am Thurs 1 Dec: 10:00 am to 1:00 am	DJ

There will be a market village highlighting local food vendors and artisan producers, as well as a precinct to offer yoga, ceremony and healing practices. The dam will be available for swimming with a family and inclusive zone intended to incorporate relevant activities and appropriate access. It is proposed to be a BYO alcohol event. Camping will be available on site; both BYO as well as a number of “glamping” tents to be provided.

Along with their completed event application form Illumiparti have provided:

- Traffic Management Plan (internal)
- Traffic Management Plan (external)
- Risk Management Plan (preliminary)
- Event Management Plan
- Sound Management Plan
- Irrigation Plan
- Sustainability and Community Integration Plan

In their event application they have committed to providing:

- An updated Risk Management Plan
- Water Management Plan
- Weather Management Plan
- Trained, accredited security personnel at a ratio of 1 security person/100 patrons
- Temporary toilets to cater for the audience, including provision of accessible facilities
- Structural certification of temporary stages
- Irrigation across the event grounds in the lead up to and during the event to reduce dust and fire risk
- Limit occupancy of the dam to 200 patrons at one time
- Lifeguard provision during water activities with no activities permitted in the dam after dark
- A perimeter fire break
- On site water truck
- On site potable water stations
- Fire suppression equipment
- Lighting towers and portable generators
- Noise modelling with a responsive noise management plan

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Moderate (9)
Risk Description:	Negative community experience; risk to attendants.		
Mitigation:	Applications are assessed on a case-by-case basis, through an internal, multi-disciplinary approach. The application outcome is considered with a resultant recommendation determined using a risk based approach.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Possible	Moderate	Moderate (9)

Risk Description:	Negative community experience; risk to attendants.		
Mitigation:	The event is occurring on private property, accessed through easements. The establishment of a traffic management plan for the components on public roads minimises the risk to the Shire.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Catastrophic	High (10)
Risk Description:	Injury to attendees from fire risks, crowd behaviour and temporary facilities.		
Mitigation:	The event is proposed to be held within the established high threat period and the applicant has acknowledged this through additional preparatory measures. Fires will not be permitted, mobile/temporary food businesses are required to be registered and the applicant has committed to crowd control, first aiders and bringing in appropriate facilities.		

Financial Implications

The event assessment process is a collaborative effort between Shire staff across the Operations Directorate, who each provide recommendations specific to their area of expertise. Application fees are not intended to fully recover the costs associated with the event assessment process. This event attracts the following fees (as per Council's adopted fees and charges):

Item	Rate
Event application fee	\$525
Application fee Temporary Camping	\$100
Water sampling fee (per sample)	\$197.40
Application fee Regulation 18	\$1,000
Consultation letters	To be determined as per Council's Fees & Charges schedule
Public building assessment (hourly rate/min charge 2 hours)	\$100.10

After last year's feedback from neighbours concerning use of an easement across their land, the Shire has also sought legal advice regarding the use of the easement and the conditions that could be imposed to address neighbour concerns. A title search has also been conducted.

Policy Compliance

Council Policy COMD/CP-6 Events

As this event is a multi-day event, involves more than one stage and requires consideration of a non-complying noise event, this event application requires Council determination.

The duration of the event and set up/pack down dates meets the criteria for an exemption from Development Approval under item 4 of this Policy.

Council Policy EM/CP-6 Caretaker Provisions and Local Government Elections

The consideration of an event application is not a "Significant Act" within the context of the *Local Government Act 1995* and Council is therefore not precluded from determining this application, despite consideration occurring within the Caretaker Period.

Statutory Compliance

Under clause 61(1)(a)(17) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, events can be considered as exempted development where they meet the definition of “temporary works”. Temporary works are defined as “the works are in existence for less than 48 hours, or a longer period agreed by the local government, in any 12-month period”.

As outlined in the Policy section, the events policy established Council’s agreed period of temporary works and use as follows:

- a. *The use of land which is approved through an events approval process;*
- b. *The activity does not involve alterations to the land or construction of permanent structure(s);*
- c. *Each event is in existence for less than 96 hours (four days);*
- d. *Does not require a greater period than 10 days setup and breakdown of event infrastructure;*
and
- e. *The cumulative total number of events at the property does not exceed more than 5 events in any 12-month period*

The proposed event therefore meets the exempted development criteria.

Events in Western Australia are assessed under the following legislation:

- *The Health (Public Buildings) Regulations 1992* (primary legislation);
- *Caravan Parks and Camping Grounds Regulations 1997* (Temporary camping);
- *Regulation 18 Environmental Protection (Noise) Regulations 1997* (Noise exemptions);
- *Food Act 2008* (Temporary food businesses/mobile food stalls); and;
- *Bush Fires Act 1954* (Total Fire Bans and Harvest Vehicle Movement Bans).

The water quality of the dam for swimming will be assessed against the National Health and Medical Research Council (NHMRC) *Guidelines for Managing Risks in Recreational Waters*.

Due to the proximity of the event to a declared road, Traffic Management will need to be referred to Main Roads for their approval under the provisions of the *Main Roads Act 1930*.

Consultation

Due to the temporary nature of an event, community engagement regarding events is limited to informing the community rather than seeking their feedback for consideration prior to approving an event. Notwithstanding this, the Director Operations encouraged discussions between the proponent and immediate neighbour. Given the correspondence received from the neighbour following last year’s Council decision, the neighbour was also directly contacted to discuss access and measures to minimise risk.

A condition is recommended to include a mailout, at the applicant’s cost, to residents identified within the noise model as likely to experience noise levels exceeding the assigned levels. This notification will include start and finish times as well as key contact information to assist with any complaint management.

Officer Comment

Easement/Access

The Certificate of Title for the event grounds includes an easement benefit for right of carriageway purposes. The right of carriageway is shown as 20m wide. Section 65(1) of the *Transfer of Land Act 1893* stipulates that the following words “shall be deemed to have effect” with respect the creation of a right of carriage-way:

Together with full and free right and liberty to and for the transferee hereunder and to and for the registered proprietor or proprietors for the time being of the land hereby transferred or any part thereof and his her and their tenants servants agents workmen and visitors to go pass and repass at all times hereafter and for all purposes and either with or without animals or vehicles into and out of and from the said land or any part thereof through over and along the road or way or several roads or ways delineated and indicated by a symbol on the said map.

For the two previous Meliora events, patrons and contractors accessed the event grounds via private property and then accessed the easement as shown below (easement defined by purple dotted line):



Figure 1 – Meliora Access Arrangements

The Shire understands that these access arrangements are no longer available and the event organiser proposes to utilise a greater extent of the easement as shown below:

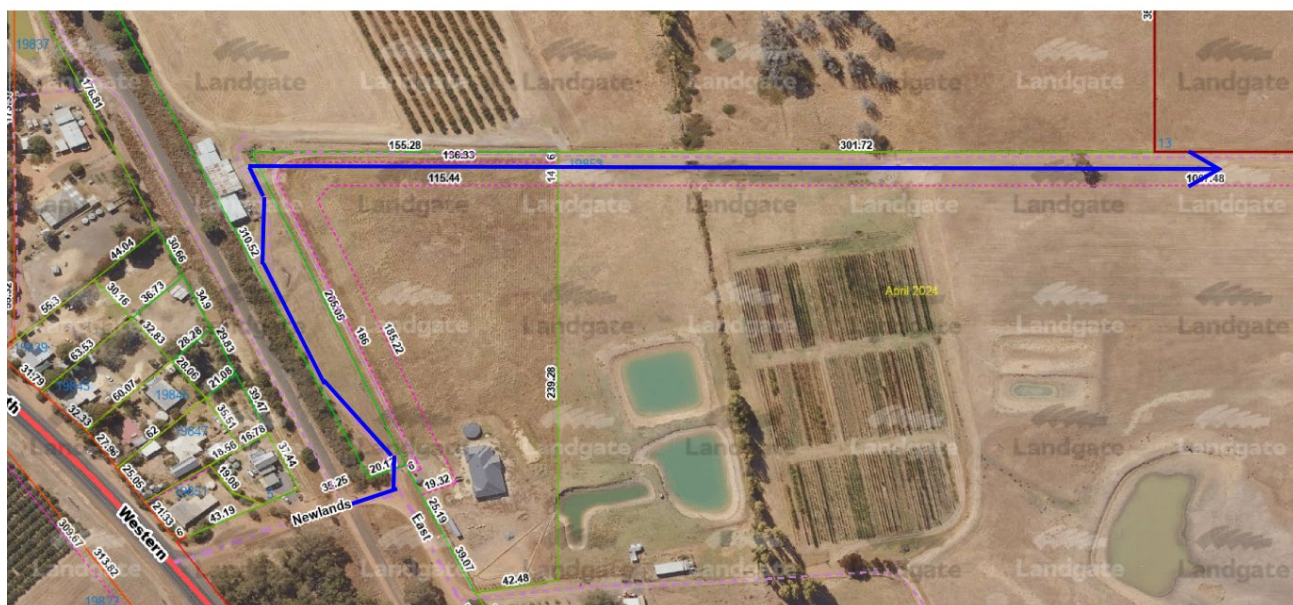


Figure 2 – Proposed Smashed Avo Access Arrangements

It is considered that the Shire cannot prevent the event organiser from utilising the existing easement for access. However, before the event is permitted to be undertaken, it is recommended that conditions be included to minimise the impact to the landowner whose property is burdened by this easement as follows, particularly given the time of year that the event is proposed to occur:

- Access easement is to be fenced
- Access easement to be upgraded to enable two-way traffic (i.e. 6m trafficable width)
- Burdened landowners to be indemnified
- Bridge suitability to be assessed by a practicing structural engineer

Noise

While this is a new applicant, similar events have occurred at this property over the last two years. A number of noise complaints were received during the New Year Period from the 2023 event, however the Shire did not receive any noise complaints following the November 2024 Event. The applicant has committed to engaging an acoustic consultant to prepare noise modelling and a noise management plan to substantiate the proposed music duration and timeframes. They have also committed to being responsive to noise complaints raised throughout the festival. The applicant proposes the following music duration (with last year's duration shown for comparison):

November 2024 Event		Current Proposal (New Year's 2025)	
Time	Duration	Time	Duration
Friday – 2:00 pm until 2:00 am (Saturday)	12 Hours	Tuesday – 10:00 am – 1:30 am (Wednesday)	15.5 Hours
Saturday – 10:00 am until 3:00 am (Sunday)	17 Hours	Wednesday – 10:00 am - 3:00 am (Thursday) New Year's Eve	17 Hours
Sunday – 9:00 am until 10:00 pm	13 Hours	Thursday – 10:00 am – 1:00 am (Friday)	15 Hours

Music events are unlikely to achieve the assigned levels as contained within the *Environmental Protection (Noise) Regulations 1997*, particularly where music is proposed after 7:00 pm at night in a rural setting such as Newlands. For this reason a Regulation 18 application is recommended, with the requirement for noise modelling, as a condition, if approved.

Water Activities

There are water safety risks associated with the use of farm dams such as:

- The bacteriological quality of the water. Poor water quality can cause ailments such as skin rashes, gastroenteritis (diarrhoea and abdominal pain), fever, respiratory infections. High water temperature increases the risk of amoebic meningitis which is of greater risk where activities cause water to go up the nose.
- The ability for a person to be retrieved, in the case of an incident where they become submerged, where vision is impeded due to dam turbidity/discolouration.
- Thermal shock from the cold layer of water that is often present near the bottom of a dam if a person jumps into the water
- Potential for injuries from submerged objects not clearly visible from the dam surface

The applicant has acknowledged these risks in their risk management plan and also propose to mitigate risks by providing signage, lifeguards and security guards and will facilitate water sampling,

While water quality fluctuates significantly, sampling undertaken for previous events have not identified that the water has been unacceptable for recreation use. Standard conditions are recommended for recreational water sampling to enable an assessment of the water suitability in the lead up to the event.

Fire

Figure 3 illustrates Bushfire Prone Areas, as designated by the Fire and Emergency Services Commissioner, with radiant heat likely to impact areas shaded in pink.

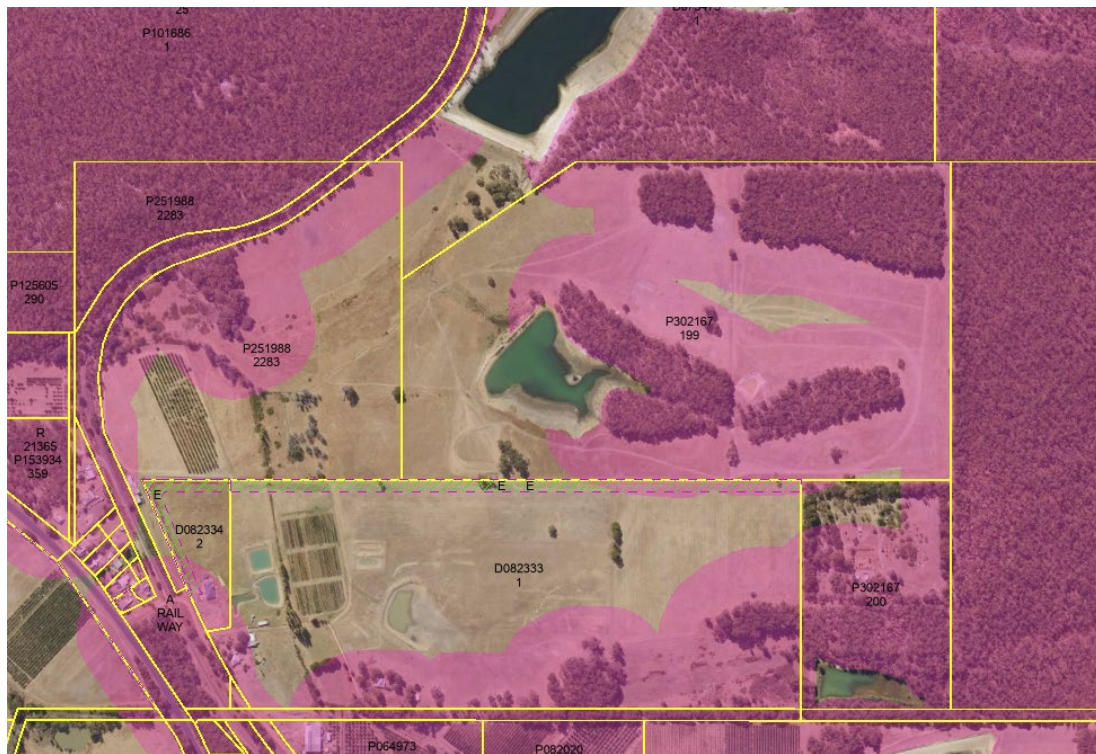


Figure 3 – Excerpt DFES Bushfire Prone Mapping

As illustrated in [Attachment 9.1.2\(2\)](#) the event organiser has proposed an emergency evacuation route to the north. This has been reviewed by the Shire and is not supported and is considered that it would complicate any evacuation efforts made for the following reasons:

The intended route crosses multiple land tenure (comprises private, railway and State Government tenure);

Is surrounded by bushland, most of which that is identified as bushfire prone; and;

Accessibility, maintenance and suitability of the track for the likely vehicles attending the event is undetermined.

It is recommended that the applicant update their supporting documentation to remove the proposed emergency evacuation route.

Notwithstanding this it is considered that there is sufficient open space within the event grounds, particularly with the irrigation plans and grassland to be kept to below 10cm high, that will provide a safe area for attendees to muster, should an emergency situation from bushfire arise.

Given the event is proposed during the established high bushfire threat period the Shire's Bushfire Service anticipates a High Season heavy tanker will be provided by the State during this period. Considering the cumulative impacts of the proposed Bliss Fest event 3km to the North, the Shire would consider strategically positioning this appliance to provide a more rapid response for these events. However, it is important to note that the Shires Bushfire Service is manned by volunteers and over the New Year period many of our volunteers may travel and therefore not readily available to provide an immediate response.

COUNCIL RESOLUTION: 180/09-25		
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Anne Mitchell

That Council:

1. In accordance with Council Policy COMD/CP-6 Events considers the event application, Smashed Avo Festival, as temporary works and use and therefore exempt from development approval under clause 61(1)(a)(17) and 61(2)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Approves the event, Smashed Avo Festival, proposed to be held at 13 (L199) Newlands East Road, Newlands from 1:00 pm 29 December 2025 until 11:00am 2 January 2026 with setup from 9:00am 26 December 2025 and pack down completed by 7:00 pm 4 January 2026 and authorises the Chief Executive Officer to issue a certificate of approval under section 178(1) of the *Health (Miscellaneous Provisions) Act 1911* subject to the following:

Management Plans:

1. All commitments and undertakings provided for in the application to be complied with. Should there be any discrepancies between the documents and these conditions, the condition prevail to the extent of the inconsistency;
2. A detailed site plan is to be submitted with clear dimensions (or provided to scale) clearly demonstrating the space available within the event and camping grounds and the number and location of sites, parking bays and toilets. Site plan to be provided by no later than 1 November 2025;
3. Designated smoking areas are to be marked on the submitted site plan and clearly marked for the duration of the event;
4. Provided sufficient space is demonstrated, and subject to review by the Chief Health Officer of the Department of Health, a maximum accommodation number of 2,500 patrons, 2,900 people on site at any one time applies for this event;
5. The risk management plan is to be finalised and submitted to the Shire at least six weeks prior to the event date;
6. The emergency management plan is to be updated to reference the emergency contact number to "000" and submitted to the Shire at least six weeks prior to the event date;
7. All plans containing the proposed emergency access route to the north to be modified to remove reference to this access and submitted to the Shire at least six weeks prior to the event date;

Access and Traffic Management:

8. The right of carriageway and private driveway providing access to the event grounds being upgraded and maintained to an all-weather surface, minimum trafficable width of 6m;
9. Stormwater from the right of carriageway and private driveway must be disposed of on site in a manner so as not to cause a nuisance;
10. A certificate of structural suitability being provided by a practicing structural engineer certifying that the bridge within the right of carriageway is suitable for the intended use;

11. The right of carriageway providing access to the event grounds to be fenced with a substantial fence on the sides that abut land not containing the event grounds;
12. Written confirmation of permission to use, upgrade and maintain the private driveway providing access to the event grounds is to be supplied at least 14 days prior to upgrades commencing;
13. Applicant to provide evidence of suitable insurance indemnifying the relevant landowners whose land is being used for access to the event grounds. In addition to the event duration, the period of insurance is to include when upgrades, fencing, set up and pack down is occurring. Evidence of insurance to be provided at least 14 days prior to the upgrades commencing;
14. Written evidence of Main Roads WA approval for the proposed Traffic Management Plan (TMP) is required to be submitted at least 14 days prior to the event;
15. An accredited traffic management provider must be in control of all Traffic Management for the duration of the event. All aspects of the TMP must be adhered to at all times. Traffic controllers must be fully accredited for the tasks that they are undertaking;

Risk Management:

16. Demonstrated implementation of the Irrigation Plan to the satisfaction of the Shire;
17. Fires, fireworks or any other pyrotechnic display are not permitted for the duration of the event;
18. Applicant to provide evidence of minimum \$50 million public liability insurance for all proposed event activities to the satisfaction of the Shire. Evidence of insurance to be provided at least 14 days prior to the event date;
19. Bacteriological water sampling of the dam must be conducted by a competent person in the lead-up to the event and analysed by a laboratory accredited by the National Association of Testing Authorities (NATA) as follows:
 - a. A minimum of one sample must be collected four weeks prior to the scheduled event date. If the initial sample returns unsatisfactory results, a follow-up sample must be collected two weeks prior to the event.
 - b. If the second sample also returns unsatisfactory results, swimming will not be permitted at the event.
20. The maximum number of people permitted to occupy the dam at any one time is 200.
21. A minimum lifeguard-to-occupant ratio of 1:100 must be maintained, meaning at least two lifeguards must be present whenever the dam is in use for recreational purposes. Lifeguards must be appropriately qualified and experienced to respond to water emergencies.
22. All electrical equipment is to be tested and tagged by an appropriately qualified person;
23. All temporary generator and lighting tower installations must be earthed in accordance with Australian Standards, as appropriate. A Form 5 "Certificate of Electrical Compliance" is required to be submitted by a licensed electrical contractor for all temporary power installations prior to commencement of the event;
24. A minimum of sixty (60) temporary toilets comprising twenty-nine (29) male toilets, thirty (30) female toilets and one (1) unisex accessible toilet and associated hand basins are to be

provided for the event use. They are to be placed so that they are within 90 metres of any camp site;

25. All toilets are to be serviceable for the duration of the event and located in a manner to facilitate servicing/replenishment for the duration of the event;
26. Event and camp grounds are to have adequate lighting after dark;
27. Lighting, to achieve a minimum of 40 Lux, to be provided in or above temporary toilets to facilitate safe use after dark;
28. All temporary structures (including gazebos, tents and camping structures) must be suitably secured to prevent movement in wind gusts and must not be used if winds will exceed manufacturer specified rating;
29. For the stages and any tent or marquee greater than 55m² and supplied glamping tents the event organiser is to provide a Certificate of Structural Adequacy from a practising structural engineer or authorised installer, confirming structural adequacy of temporary structures installed. Certificate of Structural Adequacy is required to be completed by an authorised installer or structural engineer and submitted prior to commencement of the event;
30. Camping for event attendees is permitted for four nights and subject to separate written approval from the Shire;
31. A first aid post with a minimum of six qualified first aid officers is required to be provided and adequately sign posted for the duration of the event;
32. The event organiser is to ensure there are sufficient waste receptacles provided to ensure all waste generated by the event is disposed of thoughtfully without any rubbish or debris being deposited on neighbouring properties;

Noise:

33. Separate approval under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to be obtained from the Shire Chief Executive Officer;
34. The application required under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to include:
 - a. A Noise Prediction Modelling report completed by a suitably qualified Acoustic Consultant whose qualifications/experience qualifies them for membership to the Australian Acoustical Society;
 - b. A Noise Management Plan committing to monitoring of sound levels, by a suitably qualified/experienced Acoustic Consultant at the mixing desk and three locations external to the venue for the duration of the event; and;
 - c. Notification to residents identified as likely to experience noise at levels exceeding the assigned levels through the noise modelling is to be undertaken by the Shire, at the applicant's cost. This notification is to include contact details for the applicant for management of complaints throughout the event period;

Food Safety:

35. Event organiser to provide evidence of a suitable potable water supply for patron use for the duration of the event to the satisfaction of the Shire;

36. Event organiser to submit a list of all food vendors, including potable water carter if proposed, to the Shire for separate approval. The following information, for each food vendor, is also required to be submitted:

- c. A copy of the vendors 'Food Business Registration Certificate (*Food Act 2008*)' from their "home" Shire (if not from the Shire of Donnybrook Balingup); and;
- d. A copy of the vendors Certificate of Currency product and public liability insurance, providing minimum cover of \$10 million;

Debrief:

38. An event debrief meeting is to be arranged with the Shire within two months of the event date, with relevant festival staff to be available to contribute. A list of complaints, issues and successes to be available for discussion.

Advice notes:

- 1. Applicant to note that any condition should not constitute an authorisation for the use of the right of carriageway or the carrying out of works within the right of carriageway area in a manner which is inconsistent with the terms of the right of carriageway. Applicant to continue to take its own legal advice in relation to the use of the right of carriageway and ensure that appropriate measures have been implemented with the owners of the land used to access the event grounds.
- 2. Applicant to note that the term "substantial fence" is taken to be as per the *Dividing Fencing Act 1961* i.e. capable of normally resisting the trespass of cattle and sheep.
- 3. Applicant to note that events during the established high bushfire threat period, particularly over long weekends when volunteer numbers are low, are at greater risk of being impacted by total fire bans and harvest vehicle movement bans.
- 4. Applicant to note that the capacity of firefighting resources in the Shire is responsive to other incidents in the Region. Applicant to consider their insurance coverage and communication plans should the event need to be cancelled at short notice due to a bushfire in the Region.
- 5. Applicant to satisfy themselves that they have the appropriate agency approvals for use of the dam water for wide scale irrigation as proposed.
- 6. Due to crowds, food safety and animal welfare concerns, the Shire's Ranger Services recommend that dogs are not permitted within the event grounds.
- 7. Water sample results of the dam will be assessed against the Department of Health's *Microbial Quality of Recreational Water – Guidance Note* to determine the dam's suitability for recreational use.

For: Cr MacCarthy, Cr Davy, Cr Lindemann, Cr Mitchell
Against: Cr Glover, Cr Bailey, Cr Gubler
Carried: 4/3

9.2. Director Finance and Corporate

9.2.1 Schedule of Accounts Paid as at 31 August 2025

Report Details:

Prepared by: Finance Officer

Manager: Manager Financial Services

File Reference: FNC 10/2

Voting Requirement: Simple Majority

Attachment(s):

Nil.

Executive Recommendation

That Council receive the schedule of accounts paid as detailed in the report for the period ending 31 August 2025.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

Council is requested to receive the Schedule of Accounts Paid for the period 1 to 31 August 2025, in accordance with Regulation 13(3) of the *Local Government (Financial Management) Regulations 1996*. The total payments made under delegated authority during this period amount to \$1,581,770.15.

Background

In accordance with Delegation 1.2.23 – *Payments from the Municipal or Trust Funds* adopted by Council on 26 June 2024, the Chief Executive Officer is authorised to incur expenditure in line with the provisions of the adopted Annual Budget, including limited over-expenditure subject to subsequent budget amendments. Pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of account paid under this delegation is to be prepared and presented to Council on a monthly basis.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Minor	Low (2)
Risk Description:	Additional checks and balances of accounts paid by the Shire.		
Mitigation:	Monthly reporting on accounts paid.		

Compliance	Unlikely	Minor	Low (2)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on accounts paid.		

Financial Implications

All liabilities settled have been in accordance with the annual budget provisions.

Policy Compliance

All payments have been made in line with Shire policies:

- FIN/CP-4 Purchasing
- FIN/CP-5 Regional Price Preference
- FIN/CP-7 Credit Card

Statutory Compliance

Local Government (Financial Management) Regulations 1996

Where the local government has delegated the CEO the exercise of its power to make payments from the municipal fund or the trust funds, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- The payee's name; and
- The amount of the payment; and
- The date of the payment; and
- Sufficient information to identify the transaction.

This list of accounts is to be:

- Presented to Council at the next ordinary meeting of the Council after the list is prepared; and
- Recorded in the minutes of that meeting.

Consultation

Relevant staff have been consulted and have confirmed that all payments were authorised in accordance with their delegated authority.

Officer Comment

A detailed listing of payments has been provided below for Council's formal receipt. Elected Members are encouraged to raise any queries prior to the Ordinary Council Meeting to allow sufficient time for investigation and preparation of a response.

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 AUGUST TO 31 AUGUST 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
CREDIT CARD				
	28/06/2025	BP	STAFF FUEL	106.23
	29/06/2025	AMPOL	STAFF FUEL	97.28
	01/07/2025	SENDGRID	MONTHLY AUTOMATED EMAIL SERVICE, LINKED TO ENVIBE	141.77
	03/07/2025	WALGA	TRANSPORT & ROADS FORUM	100.00
	10/07/2025	DEPARTMENT OF TRANSPORT	TRANSFER OF VEHICLE LICENCE PLATE	39.90
	10/07/2025	RIMPA	SKYFALL TO SECURE FILES ROADSHOW	255.50
	16/07/2025	PLE COMPUTERS	CLOUDKEY VCMP PAVILLION 1	598.00
	24/07/2025	MAILCHIMP	MONTHLY MARKETING SUBSCRIPTION	40.72
	28/07/2025	JB HIFI	WATER FILTER COFFEE MACHINE	96.00
	29/07/2025	4U CAFÉ	MEETING REFRESHMENTS	37.10
	30/07/2025	BENDIGO BANK	CARD FEES	16.00
DD28627.1	14/08/2025	BENDIGO BANK	TOTAL: CREDIT CARD PAYMENTS	1,528.50
EFT PAYMENTS				
EFT31425A	07/08/2025	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 07.08.25	167,332.86
EFT31425B	07/08/2025	AUSTRALIAN TAX OFFICE	PAYG PE: 06.08.25	48,571.00
EFT31426	14/08/2025	HARMONIC IT	ANNUAL OFFSITE HOSTING, MANAGED FORTIANALYZER	12,908.50
EFT31427	14/08/2025	ALFS MACHINERY PTY LTD	PINS, FOLDING SAW	93.50
EFT31428	14/08/2025	AUSTRALIA POST - ACCOUNTS	SHIRE POSTAGE	396.43
EFT31429	14/08/2025	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	79.50
EFT31430	14/08/2025	AMITY SIGNS	STREET SIGNS	273.90
EFT31431	14/08/2025	WINC AUSTRALIA PTY LTD	STATIONARY SUPPLIES	674.54
EFT31432	14/08/2025	ALLENS TRAFFIC MANAGEMENT	TRAFFIC CONTROL - SITE WORKS - UPPER CAPEL RD, RYALLS RD, THOMAS RD, YABBERUP RD, CARMICHAEL RD, BENDALL RD	12,694.00
EFT31433	14/08/2025	AGTRAC MACHINERY	COVER. BLADE, FILTERS	256.18
EFT31434	14/08/2025	ALL WOOD WA	VC MITCHELL - SUPPLY AND INSTALLATION AV CABINET	2,370.38
EFT31435	14/08/2025	ANIMAL PEST MANAGEMENT SERVICES	CALL OUT	330.00
EFT31436	14/08/2025	BUNNINGS GROUP LIMITED	HARDWARE SUPPLIES	2,293.45
EFT31437	14/08/2025	BDA TREE LOPPING	TREE PRUNING	31,548.00
EFT31438	14/08/2025	BALINGUP LIQUOR & GENERAL STORE	BFB - DIESEL EXPENSES JUL	73.91
EFT31439	14/08/2025	BOYANUP BOTANICAL	PLANTS BLN CEMETERY NICHE WALL GARDEN	429.65
EFT31440	14/08/2025	BLUE FORCE PTY LTD	PRESTON VILLAGE - MONTHLY EMERGENCY HELP MONITORING	504.90
EFT31441	14/08/2025	BETTER TELCO SOLUTIONS PTY LTD - PHONE ACCOUNT	ADMIN - MONTHLY PHONE/SIP ACCOUNT	929.24
EFT31442	14/08/2025	BRIGHTMARK GROUP PTY LTD	CLEANING - JUL 25	16,775.96
EFT31443	14/08/2025	J & M BALLANTYNE	RATES REFUND	2,202.64
EFT31444	14/08/2025	COCA COLA AMATIL (AUST) P/L	DBK REC CTR - KIOSK STOCK	185.11

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31445	14/08/2025	DUG CROSS ELECTRICS	ELECTRICAL SERVICES - BLN TRANSIT PARK, DBK DEPOT, BLN LIBRARY, DBK ADMIN, DBK HALL	7,805.00
EFT31446	14/08/2025	SHIRE OF CAPEL	LONG SERVICE LEAVE CONTRIBUTIONS	12,601.83
EFT31447	14/08/2025	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	350.80
EFT31448	14/08/2025	WESTERN AUSTRALIA POLICE	ESL - VOLUNTEER POLICE CHECK	54.00
EFT31449	14/08/2025	COATES CIVIL CONSULTING PTY LTD	BALINGUP-NANNUP RD - MRWA DESIGN AUDIT	3,300.00
EFT31450	14/08/2025	CIVIC LEGAL	MINN COTTS - PROVIDE ADVICE - DECEASED TENANT	10,450.00
EFT31451	14/08/2025	CROSS SECURITY SERVICES	LOWDEN BFB - SECURITY MONITORING	135.00
EFT31452	14/08/2025	CORSIGN WA	TRAFFIC SIGNS	250.80
EFT31453	14/08/2025	CAFE 48	CESM LEMC MEETING - CATERING, COUNCIL WORKSHOP - REFRESHMENTS	309.00
EFT31454	14/08/2025	CS LEGAL	DEBT RECOVERY FOR RATES	60.50
EFT31455	14/08/2025	DONNYBROOK MEDICAL SERVICES	PRE EMPLOYMENT MEDICALS	1,135.00
EFT31456	14/08/2025	DONNYBROOK HARDWARE & GARDEN	HARDWARE SUPPLIES - PLANTS, KWIKSET, KEY, BATTERIES, TAPE, SHOWER HEAD, BOLTS, NUTS, WASHERS, METHYLATED SPIRITS, COUPLING, SPRAYER	401.48
EFT31457	14/08/2025	DONNYBROOK BUTCHERS	FIREFIGHTING SKILLS - CATERING	75.00
EFT31458	14/08/2025	DONNYBROOK FAMILY BAKERY	FIREFIGHTING SKILLS - CATERING	131.00
EFT31459	14/08/2025	DONNYBROOK BRIDGESTONE TYRE SERVICE	TYRE REPLACEMENT & REPAIRS	485.00
EFT31460	14/08/2025	DONNYBROOK FARM SERVICE	POOL CHEMICALS, RETIC COMPONENTS, FERTILISER & HERBICIDE	696.74
EFT31461	14/08/2025	DONNYBROOK FRESH SUPA IGA	GROCERY SUPPLIES	748.00
EFT31462	14/08/2025	DONNYBROOK FOOTBALL & SPORTING CLUB (INC)	PAVILLION 1- COMMUNITY ROOM HIRE - COMMUNITY PREPAREDNESS WORKSHOP	760.00
EFT31463	14/08/2025	DE LAGE LANDEN PTY LTD	CISCI CATALYST SWITCHES X 3	670.12
EFT31464	14/08/2025	DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT	BLN FLORA RESERVE - PERMIT FOX CONTROL	90.13
EFT31465	14/08/2025	DONNYBROOK ACCIDENT REPAIR CENTRE	EXCESS INS CLAIM	500.00
EFT31466	14/08/2025	FAIRTEL PTY LTD	DBK SES - PHONE & NBN SERVICE	159.97
EFT31467	14/08/2025	D FIGLIOMENI	REIMBURSE 50% OF INVOICE FOR BLACKBERRY CONTROL	2,601.50
EFT31468	14/08/2025	N GOODBAN	REIMBURE TRAVEL EXPENSES	8.32
EFT31469	14/08/2025	HERSEY'S SAFETY PTY LTD	VARIOUS WORKSHOP CONSUMABLES	1,782.50
EFT31470	14/08/2025	HASTIE WASTE PTY LTD	DBK & BLN WMF - MANAGEMENT, SERVICING OF WASTE BINS	40,483.50
EFT31471	14/08/2025	HEATLEYS SAFETY & INDUSTRIAL	SPARY AND MARK PAINT	214.10
EFT31472	14/08/2025	SKIPPERS PLUMBING SERVICES	LANGLEY VILLAS - REPAIR KITCHEN SINK TAP	121.00
EFT31473	14/08/2025	HERE 2 HEAR AUDIOLOGY	AUDIOLOGICAL TEST	275.00
EFT31474	14/08/2025	INFIELD SERVICES PTY LTD	VEHICLE SERVICE	1,102.48

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31475	14/08/2025	JONNO'S HANDYMAN AND CARPENTRY SERVICES	COMMUNITY HOUSING - GENERAL MAINT & GARDENING, COUNCIL CHAMBERS - FLOOR MAT, REPLACE WINDOW, DBK TRANSIT PARK - REPAIR DAMAGED DOOR, INSTALL SOAP DISPENSER	2,659.69
EFT31476	14/08/2025	KMART SOUTH BUNBURY - 1187	DBK REC CTR - SCHOOL HOLIDAY PROGRAMS EQUIPMENT	29.00
EFT31477	14/08/2025	J KING	REFUND CAT TRAP BOND	100.00
EFT31478	14/08/2025	LIVING SPRINGS WATER PTY LTD	BOTTLED SPRING WATER	65.00
EFT31479	14/08/2025	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA	MEMERSHIPS 2025-26, LIFT OFF MENTORING PROGRAM	1,410.00
EFT31480	14/08/2025	MCDONALD FENCING	EGAN PARK - SUPPLY AND INSTALL CHAINMESH FENCING	5,857.50
EFT31481	14/08/2025	MICROSOFT REGIONAL SALES CORPORATION	MICROSOFT 365 BUSINESS PREMIUM & EXCHANGE PLAN	2,122.23
EFT31482	14/08/2025	MONARCH360 PTY LTD	MONARCH - ANNUAL SUBSCRIPTION & SUPPORT	52,629.45
EFT31483	14/08/2025	M NICKOLAKIS	REIMBURSE POLICE CHECK	64.80
EFT31484	14/08/2025	OFFICEWORKS	STATIONERY SUPPLIES	285.91
EFT31485	14/08/2025	PRESTON PRESS	ADVERTISING SHIRE CONNECT	500.00
EFT31486	14/08/2025	PRESTON VALLEY MAINTENANCE	GENERAL MAINTENANCE -SUPPLY & INSTALL GALVANISED MESH ENCLOSURE, SUPPLY FOOTRESTS, REMOVE GRAFFITI & REPAINT TUNNEL, INTALL GUIDEPOSTS/NUMBERS, ADJUST DOWNPIPE	4,009.50
EFT31487	14/08/2025	PRESTON POWER EQUIPMENT	MOWER PARTS, A/CUT HEADS	224.00
EFT31488	14/08/2025	CR GRANT PATRICK	TRAVEL REIMBURSEMENT APR TO JUL 25	662.09
EFT31489	14/08/2025	WREN OIL	DBK WMF - PUMP OUT WASTE OIL	418.00
EFT31490	14/08/2025	REDFISH TECHNOLOGIES PTY LTD	REDFISH GOLD SLA & SHIELD SUPPORT	4,725.60
EFT31491	14/08/2025	RANTAM PTY LTD	BTS - SHED CONSTRUCTION	27,700.00
EFT31492	14/08/2025	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE – P&G GENERAL HAND & PLANT OPERATOR	3,379.79
EFT31493	14/08/2025	SHIRE OF BRIDGETOWN- GREENBUSHES	BUSHFIRE MITIGATION CO-ORDINATOR CLAIM - APR TO JUN 25	6,464.47
EFT31494	14/08/2025	CITY OF BUSSELTON	MARKETING CONTRIBUTION 2025/26 - BUSSELTON MARGARET RIVER AIRPORT	2,200.00
EFT31495	14/08/2025	SURVCON PTY LTD	VC MITCHELL - ENGINEERING SURVEY	444.68
EFT31496	14/08/2025	SEEK LIMITED	ADVERTISEMENT - RECRUITMENT - MOBILE PLANT OPERATOR, WORKS ADMIN OFFICER	1,424.50
EFT31497	14/08/2025	SYKES ENGINEERING PTY LTD TRADING AS SOUTHWEST ELECTRICAL & COMMUNICATION	VC MITCHELL PARK TENNIS COURT LIGHTING - PROGRESS CLAIM 2 & 3	44,850.08
EFT31498	14/08/2025	SOUTHWEST SURFACING PTY LTD	POTHOLE REPAIRS	13,860.00
EFT31499	14/08/2025	SUPAGAS	GAS FACILITY FEE	50.60
EFT31500	14/08/2025	SOUTHERN STAR BUILDING COMPANY & MAINTENANCE	BROOKHAMPTON PUBLIC HALL - REFURBISHMENT PROJECT	12,000.00

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31501	14/08/2025	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	1,805.62
EFT31502	14/08/2025	JTAGZ PTY LTD	DOG & CAT TAGS	354.48
EFT31503	14/08/2025	TRUCKLINE	SEAT SENSOR	103.83
EFT31504	14/08/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	187.36
EFT31505	14/08/2025	THE PRINT SHOP BUNBURY	PRODUCTION OF FIRE PREVENTION ORDER 2025/26 SEASON	3,498.00
EFT31506	14/08/2025	TOTALLY WORKWEAR BUNBURY	UNIFORM	573.49
EFT31507	14/08/2025	TELAIR PTY LTD	NBN SERVICE	678.90
EFT31508	14/08/2025	THINK WATER CAPES REGION	VC MITCHELL PARK - SUPPLY & INSTALL RETIC	23,217.00
EFT31509	14/08/2025	VALVOLINE AUSTRALIA PTY LTD	FUEL & OIL	3,289.25
EFT31510	14/08/2025	WATER CORPORATION - ACCOUNTS	WATER & SEWERAGE CHARGES	1,431.56
EFT31511	14/08/2025	SYNERGY	ELECTRICITY CHARGES	33,371.55
EFT31512	14/08/2025	VEOLIA ENVIRONMENTAL SERVICES	ROAD SWEEPING	3,712.13
EFT31513	14/08/2025	WESTRAC EQUIPMENT PTY LTD	PURCHASE OF LOADER	350,350.00
EFT31514	14/08/2025	MACHINERY WEST	CHAINSAW - REPLACEMENT CHAIN	63.36
EFT31515	14/08/2025	THE WARREN BLACKWOOD ALLIANCE OF COUNCILS (INC)	WARREN BLACKWOOD ALLIANCE 2025/26 CONTRIBUTIONS	47,629.38
EFT31516	14/08/2025	WESTSPAN SHEDS	VC MITCHELL PARK - STORAGE SHED & ASSOCIATE WORKS	10,664.82
EFT31517	14/08/2025	YABBERUP COMMUNITY ASSOCIATION INC.	GRANT - WATER TANKS	8,390.00
EFT31517A	21/08/2025	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 20.08.25	169,806.05
EFT31517B	21/08/2025	AUSTRALIAN TAX OFFICE	PAYG PE: 20.08.25	45,449.00
EFT31518	28/08/2025	HARMONIC IT	ANNUAL MANAGED SERVICES AGREEMENT	10,367.50
EFT31519	28/08/2025	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	79.50
EFT31520	28/08/2025	AUSTRALIAN COMMUNICATIONS	DBK FIXED POINT TO POINT 25/26	369.00
EFT31521	28/08/2025	ALL TECH PLUMBING	DBK REC CTR - INVESTIGATE & FIX WATER HAMMER	754.60
EFT31522	28/08/2025	WINC AUSTRALIA PTY LTD - ACCOUNTS	STATIONERY SUPPLIES	452.51
EFT31523	28/08/2025	ABCO PRODUCTS PTY LTD	CLEANING CONSUMABLES	5,147.04
EFT31524	28/08/2025	ADDELEC POWER SERVICES	INSPECTION OF EV CHARGING STATION - STORM DAMAGE	1,241.63
EFT31525	28/08/2025	BUNBURY & BUSSELTON AIR	SERVICE OF HAVAC SYSTEM, AIR-CON PREVENTATIVE MAINTENANCE, INVESTIGATE POOL HEATER	2,027.60
EFT31526	28/08/2025	AGRI SPARK AUTO ELECTRICS	BATTERY	350.00
EFT31527	28/08/2025	BRAD BROOKSBY CONSULTING	ROAD OPENING SAFETY AUDIT - BALINGUP-NANNUP RD	3,300.00
EFT31528	28/08/2025	BALINGUP TOURISM COMMITTEE	SERVICE LEVEL AGREEMENT 2025/26	10,000.00
EFT31529	28/08/2025	CITY & REGIONAL FUELS	PURCHASES ON FUEL CARDS & BULK FUEL - JUL 25	19,055.40

SHIRE OF DONNYBROOK BALINGUP
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EFT31530	28/08/2025	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	350.80
EFT31531	28/08/2025	CLEANAWAY OPERATIONS PTY LTD.	BLN TRANS STATION - RECYCLING - JUL 25	1,053.50
EFT31532	28/08/2025	CLEANAWAY	REFUSE COLLECTION & DISPOSAL - JUL 25	58,101.53
EFT31533	28/08/2025	CAFE TIFFANY'S	ESL - SES TRAINING - CATERING	247.50
EFT31534	28/08/2025	CONNECT CALL CENTRE SERVICES	AFTER HOURS CALL CENTRE	195.14
EFT31535	28/08/2025	CLEANAWAY PTY LTD	DBK WMF - RECYCLING TRANS/PROCESS	979.19
EFT31536	28/08/2025	CLEANAWAY OPERATIONS PTY LTD	BLN TRANSFER STN - GENERAL WASTE BINS - JUL 25	3,738.52
EFT31537	28/08/2025	CHARGEFOX PTY LTD	EV CHARGING STATION - MANAGEMENT FEES	108.44
EFT31538	28/08/2025	DONNYBROOK & DISTRICTS PLUMBING SERVICE	BLN TRANSIT PARK - SUPPLY & INSTALL NEW PLUMBING FIXTURES, APEX PARK - BLOCKED TOILET, BLN TRANSIT PARK - REPAIR BROKEN SHOWER RAILS/HEADS, BLN HALL - REPAIR GAS OUTLETS KITCHEN STOVE	4,510.00
EFT31539	28/08/2025	DONNYBROOK FAMILY BAKERY	CATERING	24.00
EFT31540	28/08/2025	DONNYBROOK BRIDGESTONE TYRE SERVICE	TYRE REPLACEMENT & REPAIR, DRY HIRE OF DIGGER	396.00
EFT31541	28/08/2025	DONNYBROOK DISTRICT HIGH SCHOOL	MURAL FOR YARNING CIRCLE & LIBRARY POSTAGE, STATIONERY & ELECTRICITY REIMBURSEMENT	6,632.20
EFT31542	28/08/2025	DONNYBROOK FOOTBALL & SPORTING CLUB (INC)	COMMUNITY ROOM HIRE – LSWR- REGIONAL OPERATIONAL ADVISORY COMMITTEE MEETING	510.00
EFT31543	28/08/2025	DATA#3 LIMITED	ADOBE ACROBAT PRO & INDESIGN SOFTWARE LICENCE 25/26	9,482.65
EFT31544	28/08/2025	DEPARTMENT OF ENERGY, MINES, INDUSTRY REGULATION AND SAFETY - BUILDING COMMISSION	BSL COLLECTIONS - JUL 25	3,199.94
EFT31545	28/08/2025	D MORGAN	INSURANCE CLAIM - REIMBURSE CAR WINDOW REPLACEMENT	536.71
EFT31546	28/08/2025	ENVIRONMENTAL HEALTH AUSTRALIA	ENVIRONMENTAL HEALTH AUSTRALIA MEMBERSHIP RENEWAL 2025/26	435.00
EFT31547	28/08/2025	CR LISA KATHLEEN GLOVER	TRAVEL REIMBURSEMENT MAY TO AUG 25	245.12
EFT31548	28/08/2025	HASTIE WASTE PTY LTD	DBK & BLN WMF - PROCESSING OF MATTRESSES FOR RECYCLING - JUL 25	520.00
EFT31549	28/08/2025	HIP POCKET WORK WEAR	UNIFORMS	513.58
EFT31550	28/08/2025	SKIPPERS PLUMBING SERVICES	DBK REC CTR - NEW SHOWER HANDLE & INSTALL	272.47
EFT31551	28/08/2025	HARDY SPICER	HYDRAULIC HOSE	130.86
EFT31552	28/08/2025	INFIELD SERVICES PTY LTD	BLN BFB - FUEL DRAIN & FLUSH	286.00
EFT31553	28/08/2025	JONNO'S HANDYMAN AND CARPENTRY SERVICES	COMMUNITY HOUSING - GENERAL MAINT & GARDENING	816.75
EFT31554	28/08/2025	JB HI FI	MOBILE PHONE, SCREEN PROTECTOR & CASE	636.63
EFT31555	28/08/2025	LANDGATE CUSTOMER ACCOUNT	COPY OF CERTIFICATE OF TITLE	32.60

SHIRE OF DONNYBROOK BALINGUP
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EFT31556	28/08/2025	LEISURE INSTITUTE OF WA AQUATIC (INC.)	LIWA ANNUAL MEMBERSHIP	148.50
EFT31557	28/08/2025	LETHLEAN FIRE AND ENVIRONMENT PTY LTD	DBK WMF - FIRE & EMERGENCY MANAGEMENT PLAN	3,036.00
EFT31558	28/08/2025	METAL ARTWORK BADGES	STAFF NAME BADGE	15.84
EFT31559	28/08/2025	CEMETERIES & CREMATORIA ASSOCIATION OF WESTERN AUSTRALIA	DBK CEMETRY - ORDINARY MEMBERSHIP CCAWA ANNUAL FEE 25-26	130.00
EFT31560	28/08/2025	MCLEODS BARRISTERS & SOLICITORS	LEASE ASSIGNMENT, PREPARATION OF LEGAL AGREEMENT & LEGAL ADVICE	4,685.78
EFT31561	28/08/2025	OMNICOM MEDIA GROUP AUSTRALIA PTY LTD	ADVERTISING - LPS SCHEME AMENDMENT & STREET UPGRADE	1,743.33
EFT31562	28/08/2025	PRESTON VALLEY MAINTENANCE	GENERAL MAINTENANCE - SUPPLY OF ROCK FOR RETAINING WALL, REPLACE TILE ON ROOF, REPAIR FENCE DAMAGE, REPAIR LOCK ON DOORS, REPAIR BLACKBOARDS, REPLACE SKYLIGHT	1,545.00
EFT31563	28/08/2025	REPCO - DONNYBROOK	DISC BRAKE, UHF BASE, DRILL SOCKET, FUSE	145.54
EFT31564	28/08/2025	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	6,145.92
EFT31565	28/08/2025	STEWART & HEATON CLOTHING CO. P/L	BFB - PPE	334.75
EFT31566	28/08/2025	SOS OFFICE EQUIPMENT	MONTHLY PRINTER METER READS & BLACK & WHITE PRINTER WITH SCANNER	2,093.46
EFT31567	28/08/2025	SEEK LIMITED	ADVERTISEMENT - COORDINATOR WORKS AND SERVICES	434.50
EFT31568	28/08/2025	A VAN STADEN	REIMBURSEMENT OF 50% COSTS FOR BLACKBERRY WORKS	168.53
EFT31569	28/08/2025	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	407.45
EFT31570	28/08/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	132.67
EFT31571	28/08/2025	TENDERLINK	SMITH & TIMMS ST ROAD UPGRADE RFT	180.40
EFT31572	28/08/2025	TPG NETWORK PTY LTD	IP LINE - MONTHLY FEE	1,304.60
EFT31573	28/08/2025	TRANSTAGE	VC MITCHELL PAVILLION - MOBILE FOLDING STAGE	4,631.00
EFT31574	28/08/2025	VALVOLINE AUSTRALIA PTY LTD	DEPOT SUPPLIES - MOTOR OIL	485.38
EFT31575	28/08/2025	VISIMAX	TRACEMAX MICROCHIP STICK READER	1,233.50
EFT31576	28/08/2025	WATER CORPORATION - ACCOUNTS	WATER & SEWERAGE CHARGES	8,423.54
EFT31577	28/08/2025	SYNERGY	ELECTRICITY CHARGES	8,244.48
EFT31578	28/08/2025	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	WALGA - ASSOC, EMPLOYEE, PROCUREMENT, TAX SVCE, LOCAL LAWS LG COMPLETE SUBSCRIPTIONS	29,764.17
EFT31579	28/08/2025	VEOLIA ENVIRONMENTAL SERVICES	ROAD SWEEPING	2,382.67
EFT31580	28/08/2025	WESTRAC EQUIPMENT PTY LTD	WATER PUMP, COOLANT & FREIGHT	1,149.48
			TOTAL: EFT PAYMENTS	1,507,460.49
CHEQUE PAYMENTS				

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
53840	21/08/2025	DEPARTMENT OF TRANSPORT	CUSTOMER PURCHASE OF SHIRE LOGO NUMBER PLATE	225.00
			TOTAL: CHEQUE PAYMENTS	225.00
BANK FEES				
	31/08/2025	BENDIGO BANK	BANK FEES	364.23
		COMMONWEALTH	BANK FEES	68.42
		TYRO	BANK FEES	651.09
		PAYPAL	TRANSACTION FEES	2.84
		WA TREASURY	BANK FEES	2.00
		EZIDEBIT	TRANSACTION FEES	5.75
		SPACETOCO	TRANSACTION FEES	1,220.16
			TOTAL: BANK FEES	2,314.49
DIRECT DEBITS				
DD28596.1	06/08/2025	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	23,419.74
DD28596.2	06/08/2025	TATE SUPERANNUATION FUND	EMPLOYEE SUPER DEDUCTIONS	327.01
DD28596.3	06/08/2025	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	288.65
DD28596.4	06/08/2025	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	332.31
DD28596.5	06/08/2025	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,223.37
DD28596.6	06/08/2025	GESB SUPER SCHEME	EMPLOYEE SUPER DEDUCTIONS	1,275.10
DD28596.7	06/08/2025	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	5,951.09
DD28596.8	06/08/2025	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	344.73
DD28596.9	06/08/2025	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	943.15
DD28596.10	06/08/2025	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	934.74
DD28596.11	06/08/2025	UNISUPER	EMPLOYEE SUPER DEDUCTIONS	642.72
DD28596.12	06/08/2025	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	408.30
DD28624.1	20/08/2025	SPECTRUM SUPER	EMPLOYEE SUPER DEDUCTIONS	71.43
DD28624.2	20/08/2025	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	408.61
DD28624.3	20/08/2025	TATE SUPERANNUATION FUND	EMPLOYEE SUPER DEDUCTIONS	329.08
DD28624.4	20/08/2025	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	288.65
DD28624.5	20/08/2025	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	332.31
DD28624.6	20/08/2025	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	196.70
DD28624.7	20/08/2025	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	EMPLOYEE SUPER DEDUCTIONS	138.48
DD28624.8	20/08/2025	HOSTPLUS	EMPLOYEE SUPER DEDUCTIONS	220.90
DD28624.9	20/08/2025	TELSTRA SUPERANNUATION SCHEME	EMPLOYEE SUPER DEDUCTIONS	110.45
DD28624.10	20/08/2025	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	21,306.22
DD28624.11	20/08/2025	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,223.37
DD28624.12	20/08/2025	GESB SUPER SCHEME	EMPLOYEE SUPER DEDUCTIONS	910.64
DD28624.13	20/08/2025	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	5,984.93
DD28624.14	20/08/2025	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	962.97
DD28624.15	20/08/2025	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	285.30
DD28624.16	20/08/2025	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	726.16
DD28624.17	20/08/2025	UNISUPER	EMPLOYEE SUPER DEDUCTIONS	654.56
			TOTAL: DIRECT DEBITS	70,241.67

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
			TOTAL: PAYMENTS FROM MUNICIPAL ACCOUNT	1,581,770.15

CERTIFICATION BY CHIEF EXECUTIVE OFFICER

This Schedule of Accounts Paid is submitted to the Council Meeting on 24 September 2025 in accordance with the Local Government (Financial Management) Regulations 1996 Section 13. These accounts have been checked and are fully supported by vouchers and invoices, which have been duly certified as to the receipts of goods and the rendition of services and as to prices, computations and costings.


 Chief Executive Officer

COUNCIL RESOLUTION:	181/09-25
MOVED BY:	Cr Anne Mitchell
SECONDED BY:	Cr Peter Gubler

That Council receive the schedule of accounts paid as detailed in the report for the period ending 31 August 2025.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 7/0

9.2.2. Statement of Financial Activity report for the period ending 31st of July 2025

Report Details:

Prepared by: Manager Financial Services

Manager: Acting Director Finance & Corporate

File Reference: Nil

Voting Requirement: Simple Majority

Attachment(s):

9.2.2(1) Statement of Financial Activity July 2025

Executive Recommendation

That Council receive the Statement of Financial Activity report for the period ending 31st of July 2025 as per Attachment 9.2.2(1).

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

Pursuant to Section 6.4 of the *Local Government Act 1995* (the Act) 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 monthly financial report presented to Council details the Shire's performance in relation to its adopted/amended budget and actuals.

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 for the period ending 31st of July 2025.

Background

The Regulations detail the form and manner in which the monthly financial report is to be presented to the Council, and is to include the following:

- Annual budget estimates.
- Budget estimates to the end of the month in which the statement relates.
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates.
- Material variances between budget estimates and actual revenue/expenditure.
- Net current assets at the end of the month to which the statement relates.

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 Special Meeting of Council on 6th of August 2025 it was recommended Council adopt the following material variance reporting thresholds for the 2025/26 financial year:

- a) *Variances equal to or greater than 10% of the year-to-date budget amounts detailed in the Statement of Financial Activity, however variances due to timing differences are to be reported only if not to do so would present an incomplete picture of the financial performance for a particular period; and*
- b) *Reporting of variances only applies for amounts greater than \$25,000.*

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Moderate	Moderate (6)
Risk Description:	Monetary loss that may or may not be managed within existing budget or may not impact a program or services		
Mitigation:	Reporting financials monthly		
Compliance	Unlikely	Minor	Low (4)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on financial reports.		

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Policy Compliance

Nil

Statutory Compliance

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare financial activity statements.

Consultation

The Shire's Executive Team, Department Managers and Finance staff monitor the Shire's monthly revenue and expenditure.

Approved budget amendments are recorded in the financial statements to always reflect the Shire's current budget and financial position.

Officer Comment

Due to end-of-financial-year processing requirements, the presentation of the July 2025 Financial Statements to Council was postponed to the ordinary meeting in September 2025. These statements compare year-to-date expenditure and revenue against the 2025/26 Adopted Budget. The opening surplus for the financial year reflects figures from the draft Annual Financial Statements, which remains subject to audit.

Please note that material variance reporting may contain anomalies, as certain budget timing data, budget amendments and carried over projects from 2024/25 has not been included when this Agenda Report was prepared. These discrepancies will be addressed in future Financial Reports presented to Council. Explanation of current material variances is included in Note 3 of the attached financial report.

COUNCIL RESOLUTION: 182/09-25		
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Peter Gubler

That Council receive the Statement of Financial Activity report for the period ending 31st of July 2025 as per Attachment 9.2.2(1).

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 7/0

9.2.3. Council Plan - Biannual Progress Report January - June 2025

Report Details:

Prepared by: Loren Clifford, Acting Director Finance and Corporate

Manager: Nick O'Connor, Chief Executive Officer

File Reference: CNL 16

Voting Requirement: Simple Majority

Attachment(s):

9.2.3(1) Council Plan - Biannual Progress Report 1 January – 30 June 2025

Executive Recommendation

That Council:

1. **Receives the Council Plan - Biannual Progress Report as shown in** Attachment 9.2.3(1).
2. **Notes that the Chief Executive Officer will publish the Council Plan - Biannual Progress Report on the Shire's website.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 11 - Strong, visionary leadership.

Objective: 11.1 - Provide strategically focused, open and accountable governance.

Item: Nil.

Executive Summary

Council adopted its Council Plan 2022-2032 on 25 May 2022 at its Ordinary Council Meeting. The Council Plan outlines the Shire's operational and capital project priorities to meet the aspirations of the community as outlined in the Strategic Community Plan 2040.

It is best practice for the Shire to report progress against the Council Plan to Council on a biannual basis.

This report relates to the period between 1 January to 30 June 2025 (second half) for the 2024/2025 financial year. Council is asked to receive the Council Plan - Biannual Progress Report as shown in Attachment 9.2.3(1).

Background

Under the state government Integrated Planning and Reporting Framework (IPRF), local governments in Western Australia must deliver reports such as Corporate Business Plans, Strategic Community Plans and Annual Reports. The aim of the Framework is to make sure local governments consult their communities, and plan responsibly and sustainably according to community directions.

To understand local needs and priorities, the Shire of Donnybrook Balingup commissioned an independent review in 2019, when 441 community members completed a MARKYT® Community Scorecard.

In 2021, the Shire embraced elements of the FUTYR® approach to strategic planning. This is a community-led, integrated and streamlined approach designed specifically for local government. As part of this process the benefits of merging the Shire's 34-page Strategic Community Plan and 21-page Corporate Business Plan became clear. The Department of Local Government confirmed this is acceptable, provided the elements required by the *Local Government Act 1995* were included. Merging the two documents is more efficient in staff time and Shire resources, and delivers a simpler, more easily understood Council Plan to the community.

Under the Integrated Planning and Reporting Framework (IPRF), Corporate Business Plans are reviewed each year and Strategic Community Plans every four (4) years, with minor reviews every two (2) years. To make sure the new Plan stays relevant to community goals and aspirations it will have desktop reviews annually, with major reviews every four years in line with the IPRF schedule.

At its Ordinary Council meeting held 25 May 2022 Council resolved the following:

"COUNCIL RESOLUTION 70/22

That Council:

1. *Acknowledges the renaming of the Corporate Business Plan to Council Plan.*
2. *Adopts the reviewed Shire of Donnybrook Balingup Council Plan, as attached.*
3. *Requests the Chief Executive Officer to reference objectives and/or priority project numbers from the Donnybrook Balingup Council Plan in Ordinary Council Meeting Agenda items, in order to clearly articulate the Strategic Alignment, focus of each agenda item.*
4. *Instructs the Chief Executive Officer to undertake bi-annual reporting on the Council Plan to Council and the community."*

Council endorsed the annual review of the Council Plan at its June Ordinary Council meeting.

"COUNCIL RESOLUTION 123/06-25

That Council:

1. *Notes the annual review of the Council Plan 2022-2032; and*
2. *Adopts the Council Plan 2022-2032, including the modifications to the priority project as outlined in Attachment 9.2.5(2)."*

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Insignificant	Low (4)
Risk Description:	Council don't receive ongoing progress updates on Council Plan Items, which undermines transparency and accountability.		
Mitigation:	Report progress against the Council Plan to Council on a biannual basis.		

Financial Implications

The actions and projects which are detailed in the Council Plan are aligned with the Shire's Annual Budget.

Items flagged in this report as red (deferred) or yellow (monitor) will continue to be monitored and addressed through budget review and reporting.

Policy Compliance

Nil.

Statutory Compliance

Local Government Act 1995

Section 5.56 (1) requires local governments to have in place a plan for the future of the district.

Although not legislatively required, it is considered best practice for Council to receive updates on progress against the Council Plan.

At its Ordinary Council Meeting 25 May 2022 Council resolved that the Chief Executive Officer undertake bi-annual reporting on the Council Plan to Council and the community.

Consultation

External consultation is not required as part of the biannual reporting. Internally, the Executive, Leadership Team, Business Unit Managers and Coordinators were consulted.

Officer Comment

The Shire's Council Plan expresses the community's vision for the future through five (5) focus areas of People, Planet, Place, Prosperity, and Performance.

The Council Plan details the current situation, a list of services and facilities that the Shire will strive to continuously improve, and an overview of recent achievements relevant to each focus area.

To ensure that Council allocates resources and meets the current and changing community needs overarching outcomes were developed for each focus area, then broken down into objectives with several priority projects to be prioritise between over the 10-year period of 2022 - 2032.

The Council Plan progress report includes an update against the 26 priority projects.

Of the 26 priority projects adopted in the Council Plan 2022-2032, 10 have been Achieved, 9 are in progress, 6 require monitoring, and 1 has been marked for deferment.

Details regarding the performance from, 1 January to 30 June 2025 for each strategic project can be found in [Attachment 9.2.3\(1\)](#) to this report.

COUNCIL RESOLUTION: 183/09-25		
MOVED BY:	Cr Lisa Glover	SECONDED BY: Cr Anita Lindemann

That Council:

- 1. Receives the Council Plan - Biannual Progress Report as shown in** Attachment 9.2.3(1).
- 2. Notes that the Chief Executive Officer will publish the Council Plan - Biannual Progress Report on the Shire's website.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell
Against: Nil.
Carried: 7/0 by en-bloc resolution 175/09-25

9.2.4. Adoption of EM/CP-7 Agenda Briefing Sessions Policy

Report Details:

Prepared by: Loren Clifford, Acting Director Finance and Corporate

Manager: Nick O'Connor, Chief Executive Officer

File Reference: Monarch-2055293383-1164 **Voting Requirement:** Simple Majority

Attachment(s):

9.2.4(1) New Council Policy EM/CP-7 Agenda Briefing Sessions

9.2.4(2) Current 2019 Agenda Briefing Guidelines

Executive Recommendation

That Council:

1. **Revokes the 2019 Agenda Briefing Guidelines previously used to guide briefing session conduct.**
2. **Adopts Council Policy EM/CP-7 Agenda Briefing Sessions as the formal framework for briefing sessions.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 11 - Strong, visionary leadership.

Objective: 11.2 - Improve community consultation and engagement.

Item: 11.2.3 - Review best practice approaches for conducting council meetings and consider recommendations to enhance community engagement.

Executive Summary

This report recommends the formal adoption of EM/CP-7 Agenda Briefing Sessions as Council policy, replacing the 2019 Agenda Briefing Guidelines. The new policy introduces clearer governance, broader participation, and enhanced transparency. Particularly, it allows public deputations on agenda items, improving Elected Members' access to community perspectives prior to decision-making.

Background

The 2019 Guidelines focused on information-sharing between Executive staff and Councillors. However, they lack formal governance, review mechanisms, and provisions for public engagement.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Failure to revoke the 2019 Guidelines could confuse stakeholders and may expose the Shire to governance scrutiny.		
Mitigation:	Revoking outdated guidelines ensures consistent expectations for all stakeholders.		

Financial Implications

Nil.

Policy Compliance

Council Policy EXE/CP-8 Policy Framework

The recommendation to adopt Council Policy EM/CP-7 Agenda Briefing Sessions aligns with the principles and procedural expectations outlined in Council Policy EXE/CP-8 Policy Framework, which provides direction on the development and implementation of policies to reflect the Shire's strategic goals and to fulfil statutory requirements.

Statutory Compliance

Local Government Act 1995

The *Local Government Act 1995* and Operational Guidelines No. 05 – Council Forums support the use of briefing sessions for information-sharing. While briefing sessions are not formal decision-making forums under the Act, EM/CP-7 complies with statutory expectations by:

- Prohibiting decision-making.
- Requiring disclosure of interests.
- Ensuring public access unless confidential matters are discussed.

Consultation

Executive staff and Elected Members reviewed the 2019 Guidelines and provided input that informed the development of the new EM/CP-7 policy. The inclusion of deputations reflects feedback from Elected Members seeking greater community engagement.

Officer Comment

The inclusion of public deputations is a significant change to the previous guidelines. It allows Elected Members to:

- Hear directly from community members or stakeholders,
- Ask clarifying questions during the briefing session, and
- Be better informed prior to formal decision-making.

Additionally, the following summary outlines the key changes and their implications:

Current Guidelines	Proposed Policy (EM/CP-7)	Change Summary
Title & Format		
Informal "Guidelines"	Formal "Council Policy EM/CP-7"	<i>Elevated to formal policy status with structured governance.</i>
Scope & Applicability		
Focused on Councillors	Applies to Elected Members, Executive staff, and other participants	<i>Broader inclusion of stakeholders.</i>
Objectives		

Current Guidelines	Proposed Policy (EM/CP-7)	Change Summary
Emphasized informed decision-making	Same objective, framed under strategic outcome “Strong Visionary Leadership”	<i>Strategic alignment added.</i>
Session Conduct		
No debate, questions via Chair	Adds prohibition on expressing positions, especially on planning matters	<i>Reinforces impartiality and procedural integrity.</i>
Attendance		
CEO-determined staff and consultants	Explicit expectation for all Elected Members to attend	<i>Stronger emphasis on participation.</i>
Transparency		
Public access unless confidential	Same, with mandated public upload of papers 48 hours prior	<i>Enhances public transparency.</i>
Disclosure of Interests		
Financial interests must leave; no exceptions	Adds “Impartiality Interests” may remain	<i>Clarifies types of interests and participation rules.</i>
Deputations		
Not permitted	Permitted with CEO approval for agenda items	<i>New provision enabling public input.</i>
Elected Member Motions		
Not addressed	Must be introduced with supporting information	<i>Formalises process for member motions.</i>
Governance & Review		
Not specified	Includes review frequency, responsible officer, version control	<i>Adds accountability and policy lifecycle management.</i>

COUNCIL RESOLUTION: 184/09-25		
MOVED BY:	Cr Alexis Davy	SECONDED BY: Cr Vivienne MacCarthy

That Council:

1. **Revokes the 2019 Agenda Briefing Guidelines previously used to guide briefing session conduct.**
2. **Adopts Council Policy EM/CP-7 Agenda Briefing Sessions as the formal framework for briefing sessions.**

Cr Mitchell foreshadowed the following alternate motion.

That Council:

1. **Revokes the 2019 Agenda Briefing Guidelines previously used to guide briefing session conduct.**
2. **Requests the CEO to cease Agenda Briefing Sessions.**

The Presiding Member put the original recommendation to vote which was carried as shown below.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann
Against: Cr Mitchell
Carried: 6/1

9.3. Chief Executive Officer

Nil.

10 Elected Member Motions

10.1 Cr John Bailey

10.1.1. Audit and Risk Committee Compliance Review

Report Details:

Prepared by: Councilor John Bailey

Manager: Nick O'Connor, Chief Executive Officer

Location: Shire of Donnybrook Balingup

File Reference: CNL 33

Voting Requirement: Simple Majority

Attachment(s):

10.1.1(1) WA Public Sector Audit Committees – Better Practice Guide

10.1.1(2) Audit and Risk Management Committee Charter

10.1.1(3) Fact Sheet: Reforms to Governance and Committees

Elected Member Recommendation

That Council requests the CEO to interrogate the Local Government Act, The Western Australian Auditor General's report and any other state government regulation to ascertain whether our Audit and Risk Committee management team are Compliant with all regulations and operating in the best interest of the people of our Shire.

The report will be presented to Council within two months of the September OCM.

The Committee has a vital role to identify any risk in the operation of our Council.

The Committee must not be silent.

Elected Member Summary

Nil.

Elected Member Background

Nil.

MOVED BY:	Cr John Bailey
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SECONDED BY:	Cr Lisa Glover
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That Council requests the CEO to interrogate the Local Government Act, The Western Australian Auditor General's report and any other state government regulation to ascertain whether our Audit and Risk Committee management team are Compliant with all regulations and operating in the best interest of the people of our Shire.

The report will be presented to Council within two months of the September OCM.

**The Committee has a vital role to identify any risk in the operation of our Council.
The Committee must not be silent.**

For: Cr Glover, Cr Bailey, Gubler,
Against: Cr MacCarthy, Cr Davy, Cr Lindemann, Cr Mitchell
Lost: 3/4

11. New Business of an urgent nature introduced by Decision of the Meeting
Nil.

12. Meeting Closed to the Public

12.1. Matters for which the Meeting may be closed
Nil.

12.2. Public reading of Resolutions that may be made public
Nil.

13. Closure

The Presiding Member advised that the next Agenda Briefing Session will be held on 15 October 2025 at 5:00PM, in the Shire of Donnybrook Balingup Council Chamber.

The Presiding Member declared the meeting closed at 7:36pm.



Minutes of Special Council Meeting

Held on 9 October 2025 and commence at 5:00pm

Held at the Council Chambers in Donnybrook

(1 Bentley Street, Donnybrook)

Purpose: CEO performance review (confidential)

Authorised:

A handwritten signature in black ink, appearing to read "Nick O'Connor".

Nick O'Connor, Chief Executive Officer

Prepared:

15 October 2025

TABLE 2: MEASURES OF CONSEQUENCE

Rating	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Health & Safety	First aid injuries	Medical treatment	Lost time injury of > 5 days	Notifiable incident	Fatality, permanent disability
Financial	Less than \$2,000	\$2,000 - \$20,000 Or < 5% variance in cost of project	\$20,001 - \$100,000 Or > 5% variance in cost of project	\$100,001 - \$1M	More than \$1M
Service Interruption	No material service interruption	Temporary interruption to an activity – backlog cleared with existing resources	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Indeterminate prolonged interruption of Service Unit core service deliverables
Compliance/ Legal	No noticeable regulatory or statutory impact	Some temporary non compliances	Short term non-compliance but with significant regulatory requirements imposed	Non-compliance results in termination of services or imposed penalties	Non-compliance results in criminal charges or significant damages or penalties
Reputation	Unsubstantiated , localised low impact on community trust, low profile or no media item	Substantiated, localised impact on community trust or low media item	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions
Community	No noticeable effect on constituents, community, organisations, businesses, services, etc.	Limited effect on constituents, community, organisations, businesses, services, etc.	Moderate and manageable effect on constituents, community, organisations, businesses, services, etc.	Substantial effect on constituents, community, organisations, businesses, services, etc.	Devastating effect on constituents, community, organisations, businesses, services, etc.
Property	Inconsequential or no damage.	Localised damage rectified by routine internal procedures	Localised damage requiring external resources to rectify	Significant damage requiring internal & external resources to rectify	Extensive damage requiring prolonged period of restitution. Complete loss of plant, equipment & building
Environment	Contained, reversible impact managed by on site response	Contained, reversible impact managed by internal response	Contained, reversible impact managed by external agencies	Uncontained, reversible impact managed by a coordinated response from external agencies	Uncontained, irreversible impact

TABLE 3: MEASURES OF LIKELIHOOD

Rating	Description	Frequency
Almost Certain (5)	The event is expected to occur in most circumstances	More than once per year
Likely (4)	The event will probably occur in most circumstances	At least once per year
Possible (3)	The event should occur at some time	At least once in 3 years
Unlikely (2)	The event could occur at some time	At least once in 10 years
Rare (1)	The event may only occur in exceptional circumstances	Less than once in 15 years

TABLE 4: RISK MATRIX

		Consequence				
		Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Likelihood	Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
	Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
	Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

TABLE 5: RISK TOLERANCE CRITERIA

Risk Rank	Description	Criteria For Risk Tolerance	Responsibility
Low	Tolerated	Risk tolerated with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
Moderate	Monitor	Risk tolerated with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
High	Urgent Attention Required	Risk tolerated with effective controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
Extreme	Unacceptable	Risk only tolerated with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

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1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Presiding Member acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Presiding Member declared the meeting open at 5:01pm and welcomed the public gallery.

The Presiding Member advised that the meeting is not being live streamed, but is being recorded in accordance with Council Policy EM/CP-2. The Presiding Member further stated the following:

"This meeting is being digitally recorded in accordance with Council Policy.

Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson.

Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording."

2. Attendance

Councillors Present:

Cr Vivienne MacCarthy

Cr Lisa Glover

Cr John Bailey

Cr Alexis Davy

Cr Peter Gubler

Cr Anita Lindemann

Cr Anne Mitchell (teams)

Cr Grant Patrick (teams)

Cr Mitchell read the following out loud:

"Pursuant to Section 14CA(5) of the Local Government (Administration) Regulations 1996, I Councillor Mitchell declare that I am situated in a location where I can maintain confidentiality throughout the duration of the meeting."

Cr Patrick read the following out loud:

"Pursuant to Section 14CA(5) of the Local Government (Administration) Regulations 1996, I Councillor Patrick declare that I am situated in a location where I can maintain confidentiality throughout the duration of the meeting."

Staff Present:

Loren Clifford, Acting Director Finance and Corporate

Public Gallery: 0 members of the public were in attendance.

2.1. Apologies

Nil.

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Presiding Member

Nil.

4. Declarations of Interest

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Nil.

5.2. Public Question Time

Nil.

6. Presentations

6.1. Petitions

Nil.

6.2. Presentations

Nil.

6.3. Deputations

Nil.

6.4. Delegates' Reports

Nil.

7. Reports of Committees

Nil.

8. Reports of Officers

Nil.

9. Elected Member Motions of which previous notice has been given

Nil.

10. New Business of an urgent nature introduced by Decision of the Meeting

Nil.

11. Meetings Closed to the Public

11.1. Matters for which the Meeting may be closed

11.1.1 2024/2025 CEO Performance Review – Mr O'Connor – Confidential

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

(a) a matter affecting an employee or employees; and

That the meeting be closed to the public.

COUNCIL RESOLUTION: 185/10-25		
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Alexis Davy

That the meeting be closed in accordance with section 5.23(a) of the *Local Government Act 1995* to discuss the following confidential items:

11.1.1 2024/2025 CEO Performance Review – Mr O'Connor – Confidential

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

The meeting was closed to the public at 5:03pm.

That the meeting be re-opened to the public.

COUNCIL RESOLUTION:	187/10-25
MOVED BY:	Cr Alexis Davy
SECONDED BY:	Cr Lisa Glover

That Council re-open the meeting to the public.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

The meeting was re-opened to the public at 5:08pm.

11.2. Public reading of Resolutions that may be made public

That Council:

- 1. Notes that the appraisal of Mr O'Connor, Chief Executive Officer, has been completed for the period of October 2024 to September 2025,**
- 2. Endorses by *Absolute Majority* the findings as presented in this report and the Review Report (Attachment 11.1(1)) by Price Consulting and thanks Mr O'Connor for his efforts,**
- 3. Approves an increase of 4% to Mr O'Connor's salary (cash component) effective 1 July 2025, and**
- 4. Endorses the Performance Review Panel to hold a separate workshop with Mr O'Connor to develop the 2025 – 2026 Performance Criteria and associated professional development plan (if required) by 30 November 2025.**

12. Closure

The Presiding Member advised that the next Agenda Briefing Session will be held on 15 October 2025 at 5:00pm, in the Shire of Donnybrook Balingup Council Chamber.

The Presiding Member declared the meeting closed at 5:10pm.



Minutes of Bush Fire Advisory Committee Meeting

Held on 9 October 2025 and commenced at 6:00pm
at the Donnybrook Incident Control Centre SES Headquarters
(80 Bentley Street, Donnybrook WA 6239)

Authorised:

Ross (Rosco) Marshall, Director operations

Prepared:

13 October 2025

Disclaimer:

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Chairperson to acknowledge the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Chairperson to declare the meeting open at ##:##pm and welcome the public gallery.

2. Attendance

Committee members

Chairperson & Upper Capel Bush Fire Brigade	Bevan Dix
Argyle Irishtown Bush Fire Brigade	Jayden Hitchcock
Balingup Bush Fire Brigade	Paul Davis
Beelerup Bush Fire Brigade	Stuart Simmonds
Donnybrook Town Bush Fire Brigade	Apology
Stirling Park Bush Fire Brigade	Max Walker
Ferndale Bush Fire Brigade	Apology
Kirup Bush Fire Brigade	Chris Wringe
Lowden Bush Fire Brigade	Michael Anderson / Andrew Rohrbach
Mullalyup Bush Fire Brigade	Andrew Scott
Mumballup Bush Fire Brigade	Garth Fitzpatrick / Brendon Giudici
Munro Bush Fire Brigade	Tosh Thamo
Brookhampton Bush Fire Brigade	Tim McNab
Thomson Brook Bush Fire Brigade	Graham Foan
Elected Member	Apology

Guests

Dept. Fire & Emergency Services	Chris Sousa
Volunteer Fire & Rescue Service	Ben Anderson
Forest Products Commission	-
Dept. Biodiversity Conservation & Attractions	Apology

Shire Staff

Community Emergency Services Manager	Conor McGregor
Chief Executive Officer	Apology
Director Operations	Ross Marshall (Rosco)
Senior Ranger	Apology

2.1. Apologies

Grant Patrick, David Tooke, Nicholas O'Connor, Jamie Thomson, Ange Browne, Mick Zwart, Steve Ward, Jewell Crossberg

3. Declarations of Financial/Impartiality Interest

Division 6: Sub-Division 1 of the Local Government Act 1995. Care should be taken by all Committee members to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Declaration made by the following:

1. Paul Davis – Staff
2. Andrew Rohrbach – Staff
3. Michael Anderson – Contractor

4. Confirmation of Minutes – Previous Bush Fire Advisory Committee Meeting

4.1. Bush Fire Advisory Committee Annual General Meeting held on 10 April 2025

Minutes of the Bush Fire Advisory Committee Meeting held 10 April 2025 are attached as (Attachment 4.1)

That the Minutes from the Bush Fire Advisory Meeting held on 10 April 2025 be confirmed as a true and accurate record.

MOVED BY:	S Simmonds	SECONDED BY:	P Davis
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5. Correspondence

5.1. Correspondence In

From	To	Topic	Date
Balingup FCO	CESM	Item 1 - Firepits on Shire managed land Item 2 - SoDB Bush Fire Brigades Local Law – Section 5.6	30/09/2025

5.2. Correspondence Out

From	To	Topic	Date
CESM	SoDB BFAC	Notification of BFAC Meeting	9/9/2025

6. Business Arising from Previous Meetings

Topic	Agreed Action	Outcome
Outstanding Fire reports	Brigade Leaders to complete and submit outstanding incident Fire Reports	Ongoing. Training was conducted on the 15 th of June, CESM to arrange/promote additional training courses to provide brigades assistance in completing these reports.
Longterm asset management planning	Brigades submit to Shire their ideas on long term planning	Ongoing. CESM has created an online form to capture maintenance issues this can be built on to capture trends on where issues may be. DO request to remain as item.
In-Cab Air units and Blankets have a 10-year expiry	All Brigades Check in cab air and blankets for expiry – if expired report to CESM to arrange replacement	
Fire pit at Balingup	CESM to request Shire to remove	
Audit of brigade's financial expenditure	Recommended all brigades hold special meetings and appoint an auditor prior to next AGM as per local law.	
Non-life-threatening/Emergency calls being made to 000 resulting in brigades turning out	Request DFES to get more information from callers before engaging brigades.	

Call signs	CBFCO and Weather Officer to update call signs.	
WAERN Radios now have scan as a function button and GPS in menu	CESM to find avenue to put complaints to DFES.	
Generator Servicing	Who is responsible for the servicing of generators on station? – Shire to find out.	

7. Reports

7.1. Committee Members

NIL

7.2. Staff

1. CESM Report (Verbal – Report in Attachment 7.2 (1))
2. Ranger Report (Apology - Report in Attachment 7.2 (2))
3. Director Operations (Verbal)

7.3. Chief Bush Fire Control Officer Report

(Verbal - Report in Attachment 7.3)

7.4. Guests

1. VFRS (Verbal – Report in Attachment 7.4.1)
2. DFES (Verbal)

8. Funding

8.1. Local Governments Grants Scheme

The LGGS acquittal was submitted in August 2025 with a total overspend of \$56,717.96

Expenditure Category	Amount
Purchase Plant & Equipment <\$1,000 per item	\$ 4,368.40
Maintenance of Plant & Equipment	\$ 18,825.10
Vehicle Maintenance	\$ 68,111.37
Maintenance of Land & Buildings	\$ 7,129.27
Clothing & Accessories	\$ 27,674.43
Utilities, Rates & Taxes	\$ 15,055.61
Other Goods & Services	\$ 29,441.93
Insurance	\$ 121,451.85
Total	\$ 292057.96
Amount Overspent	\$ 56,717.96

Funding for the 2025/26 Period includes \$243,980 operational funds and \$14,980 in funds for:

- Meeting room Vinyl upgrades to Mullalyup BFB
- Thermal Imaging Camera for Mumballup BFB
- Driver Training for various brigades (needs basis)
- Solar system Replacement – Balingup BFB (considering options for funds as facility is on grid).

The Shire has received three new appliances to replace its existing fleet including:

2x Toyota Landcruiser LT's for Argyle/Irishtown BFB and Mullalyup BFB

1x Iveco 1.4 for Upper Capel

In addition, the Shire has received funding of \$1.6M for a new facility for Argyle/Irishtown BFB this is to replace the brigades existing buildings and construction is expected to begin during the current financial year.

Consultation is on-going for a solution to the Upper Capel BFB facility in that it does not house the new 1.4 appliance, the Shire anticipates it will have an application for submission prior to the 2026/27 Period.

9. Circulars

9.1. HeartSine AED Recall

(Attachment 9.1)

9.2. LT Front Hose Basket Removal

(Attachment 9.2)

9.3. State Hazard Plan - Fire

(Attachment 9.3)

The State Hazard Plan – Fire has undergone a comprehensive review, the attached summary outlines key changes the Plan itself can also be found by following this link - [State Hazard Plan – Fire](#)

10. General Business

10.1. Fire pits on Shire Managed Land

Item 1 - Balingup FCO

“There is a Fire Pit at the Balingup Transit Park with no information sign posted at or nearby, see attached images. It is located approx. 20m from unmanaged vegetation in the Balingup Brook and a traffic bridge.

My question is, is this fireplace situated in an authorised area (point 7 in the Fire Prevention Order Summary of the Bush Fires Act 1954), by whom is it authorised and are there any other such fire pits in the SoDB.

The concern is, during fire restrictions, someone will see a properly constructed fire pit in a camping area and assume they can have a fire, we all know where that can head on a hot windy summer day.

There is already a gas or electric BBQ at the Balingup Transit Park and therefore I think the fire pit be removed or signage be put in place regarding its use and even locked out/covered over during prohibited burning period.”

After conversation regarding concerns, a Unanimous decision was made to request Shire to remove fire pit from transit park.

10.2. Shire of Donnybrook Balingup Bush Fire Brigades Local Law – Section 5.6

Item 2 - Balingup FCO

From the SoDB Local Law

5.6 Auditor

(1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.

(2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.

Do any SoDB Brigades do an annual audit and if so what format/template is used. This item I will like to discuss at the BFAC meeting.

After conversation regarding possible implications, it was **Recommended** that brigades hold a special meeting to elect a Auditor as per the Shire of Donnybrook Balingup Local Law, allowing sufficient time for the audit to take place not less than 7 days prior to the next AGM.

10.3. Beelerup FCO

Please clarify if flammable liquids may be stored on station i.e. Beelerup has a Generator may they store diesel in a jerry can.

Response: The Shire does not support any storage of any flammable liquids on station the exemption is 5L of Unleaded fuel and 5L of Drip torch fuel, these are to be stored on the appliance in an approved container.

Who is responsible for the maintenance of the station generator?

Response: Taken on Notice

Weed spraying has not been occurring as frequently around the road verges etc, why is this?

Response: Across the Shire there has been a reduction in these works, it is requested that an online Works request is submitted to the Shire for areas of concern.

10.4. Mullalyup FCO

Noted that Mullalyup Brigade is getting Vinyl not Carpet installed in headquarters.

10.5. Brookhampton FCO

Advised that other Shires appoint a permit officer instead of having multiple FCO's could our Shire consider this?

Response: the powers given to write permits is that of an FCO, a permit officer would still be required to be appointed as a FCO by council.

10.6. Lowden FCO

What is the process for calling CommCen?

Response: All calls to CommCen should be made by the IC. If you are turning out to a job let the CBFCO know or in their absence the DCBFCO/CESM, if you cannot turn out for whatever reason let the IC know ASAP to call another brigade.

11. Closure

The Chairperson to advise that the next Bush Fire Advisory Committee Meeting will be advised.
The Chairperson to declare the meeting closed at 19:17 PM.



File Ref: PF 1160

9 May 2025

Cecilia Muller
Principal Planner
Shire of Donnybrook Balingup
Via email: cecilia.muller@donnybrook.wa.gov.au
shire@donnybrook.wa.gov.au

Dear Cecilia,

Lot 1, 18190 South Western Highway, Donnybrook
Relocate existing Licciardello Cherry Stall (proposed Market and associated Advertising Sign)

I act for the Licciardello family, the operators of a Cherry Stall at 18189 South Western Highway. This is an incidental road side stall where they predominantly sell seasonal produce grown in their family farming business.

To improve safety for customers accessing their existing Cherry Stall, they seek Development Approval to relocate to a new location further west at 18190 South Western Highway, accessed from Bendall Road which removes direct vehicular access from the South Western Highway.

The Licciardello family have farmed this land for several generations. The existing Cherry Stall is well known and has been operating for 12 years. The existing arrangement is a small shipping container with shade sail, and when open, a cool room, generator and staff toilet on moveable trailers. There is a gravel forecourt used informally for parking, and access is via a crossover direct to the Highway.

This stretch of the South Western Highway presently has a 110km/hour speed limit, and with increasing traffic volumes on the Highway, the Main Roads WA (MRWA) preference is for the stall to be relocated to improve access. This relocation comes at a cost, and in proposing to do this, the Licciardello's seek to improve and formalise the setup.

The following sets out the details of the application and a response to the local planning framework in support of approval.

Proposal

The new location for the Cherry Stall is further west, at the corner of the Highway and Bendall Road on a different lot, Lot 1. Although part of the Licciardello farm, this is a separate lot to the current cherry stall location.

Bendall Road and the Highway is a fully constructed intersection including turning lanes. Bendall Road is bitumen, providing access over the Preston River and into the rural residential area further north.

This part of the Licciardello farm on Lot 1 is presently, largely established for Avocado's. Once harvested in spring time, several rows are proposed to be removed, and the area levelled to accommodate the relocated stall, ready for trade in summer.

The new Cherry Stall will comprise:

- A total cleared area of approximately 4,400m².
- A one-way circulating internal access, designed to accommodate easy access for passenger vehicles and caravans. This will be compacted gravel, constructed to an all-weather standard.
- 4 caravan parking bays.
- 22 car parking bays.
- A 15m wide crossover, setback 52m from the Highway. The crossover will be bitumen.
- A new culvert arrangement over the drain in the Bendall Road verge.
- A central grassed area that will include the relocated Cherry Stall container, as well as a pad site for a coffee or food truck and a small playground with picnic tables.
- The food truck / coffee van is a new addition and would also operate on a self-contained basis.
- A farm style post and wire fence is proposed along all boundaries to separate the stall from the Highway and from the orchard operations.
- Internally, a post and rail type fence is proposed to delineate around the playground and create some separation around the central area from the internal access way.
- A new sign in the south western corner of the site. The sign is not illuminated. The sign will extend to a maximum 3.5m high. The sign has a triangular shape, extending to a maximum 3m wide.
- Opening hours – daylight hours, 7 days a week.
- A unisex, self-contained toilet on a trailer is proposed for both staff and the public.
- Commitment to provide onsite bins and for these to be regularly emptied.

Intention is to landscape the site around a small playground, including some shade trees, creating amenity for customers adjoining the stall. The Cherry Stall will continue to predominantly sell produce grown on the land but this may extend to other complementary / incidental / value add products. The food truck / coffee van is a new addition to complement and likewise, add value to the Cherry Stall.

In the new and improved location, the Cherry Stall will have capacity to be open all year round, however most peak trade is expected to remain focussed on weekends, holidays and as dictated by seasonal produce, such as cherries in summer.

Hours of operation may vary depending on demand, but intent is to have flexibility to operate across daylight hours, 7 days a week.

Although there is presently no public toilet provided, in the new arrangement, a unisex, self-contained toilet on a trailer is proposed for both staff and the public. Presently, many customers, a lot of whom are travellers, seek to use public amenities. A commercial arrangement is proposed where the toilet is fully self-contained and emptied routinely via a contracted service. A Management condition concerning this is anticipated.

Planning Framework

The subject land is within the Priority Agriculture zone. It is also within Special Control Area 6 (SCA6) Plantation Exclusion area and partly within SCA7, Road Protection area. South Western Highway is identified as a Major Road.

In the Priority Agriculture zone, a Market is an A use. A Market is considered the most suited definition, defined as:

“Premises used for the display and sale of goods from stalls by independent vendors”

Although Wayside Stall is also defined in the current Shire Planning Scheme, this is no longer a Model Scheme definition, it is being phased out as Schemes are reviewed and it is understood such a review is anticipated for the Shire’s Scheme.

Occasionally selling seasonal produce or excess produce from the land via a simple if not temporary wayside stall set up with low, infrequent patronage is considered incidental to the primary use of Agriculture Extensive or Intensive, not necessarily a standalone use. When the selling of produce grows in scale, even marginally beyond this like the Cherry Stall has, when there is permanent, independent infrastructure proposed, as well as the ability to sell goods not grown on the land, it is considered a separately defined use.

In this instance, and although the Cherry Stall will continue to predominantly sell produce grown on the land, the Licciardello farm is also more than just the subject land where the Market is being located on Lot 1. The produce will come from the broader Licciardello farm holdings which comprise multiple lots, and although a smaller component, there is desire to sell incidental / value added or other local produce as well, not all of which will come from the subject land or the broader Licciardello farm.

In essence, a shop selling goods by retail is too broad (and X prohibited), and Wayside Stall is too narrow and limited.

As this proposal is not a plantation, SCA6 does not apply.

SCA7 is about protecting the function of key travel routes, including the South Western Highway, and the amenity and visual character of adjacent land. The SCA7 reinforces new signs in the SCA7 require approval, and a preference for buildings to be setback 30m from the Highway (the current stall is setback approximately 10m and the new location is approximately 30m back).

The Scheme does not specify a car parking rate for Market, rather a discretionary volume to the satisfaction of the Shire is required – this is considered readily met, if not an oversupply is achieved.

The coffee van / food truck is considered complementary to the Cherry Stall, and this diversification will assist to justify and fund the Cherry Stall relocation. Although the Cherry Stall is the primary use, the coffee van / food truck will also have capacity to open when the Cherry Stall is closed, and vice versa. They complement but are not considered fully dependent on the other, but in any event, are stalls under the Market definition.

Assessment

The reason for this application is a request from MRWA to improve access. The present arrangement is established and has worked for many years however there is increasing concern about safety.

It is unfeasible for the small scale of this business and given the large costs involved to invest for example in a slip lane and a turning lane to service the current location, and in any event, such an upgrade in this location is unlikely to be supported by MRWA, including because of the proximity of the Bendall Road intersection.

Although on a separate lot to the relocated Cherry Stall so not part of this application / approval, the existing crossover will remain in use but downgraded and only for farm access. There is no other vehicular access point to the orchards on this northern part of Lot 873. The driveway to the house and packing shed further east only accesses these buildings, it does not service the orchards themselves. This crossover is also used for example to give truck access for infrequent soil lime deliveries, and for small farm vehicles crossing to access the balance of the farm that is on the opposite side of the Highway.

The current parking area at the existing Cherry Stall is small and informal. This relocation is opportunity to enhance the amenity and functionality of the stall and all the parking and access arrangements to present day standards. The relocation involves loss of productive Avocado trees, and with developing a new site, there is scope to complement the Cherry Stall with a coffee van and/or food truck.

The site is not serviced with water, sewer or power so all facilities remain low key and self-contained, which in turn limits scale of the use. It is understood the Cherry Stall, the sale of fresh produce, does not require running water to meet health regulations. A Coffee Van or Food truck are self-contained, designed to be standalone and not connected to reticulated services, operating under other Health / Food regulations.

The toilet arrangement, a moveable, regularly emptied and self-contained facility, caters to the low-key circumstance of the site. Conditions are anticipated to manage this to meet health standards. This is important to the Licciardello's as well, they must ensure appropriate management of waste given proximity to their orchards too. Should trade increase, there is potential to undertake Site & Soil testing and then construct a more permanent toilet set up, however this is a considerable leap and is presently an unfeasible financial investment from the low-key set up that is presently proposed.

As the access is no longer on the Highway, and setback 52m from the Highway intersection, this is considered a major improvement to safety. The new crossing will be constructed to meet Shire standards and will be bitumen seal at the entry / exit.

The amount of traffic is not easily predicated however the scale of the Stall is low key, relocating the existing building. Bendall Road is a local road, not a major road, and the minor increase in traffic this development is expected to generate is easily accommodated. In the chosen location, new traffic is limited to short stretch of Bendall Road. Site lines at the entry / exit are good in both directions, as well as stacking room, the new crossing has good visibility and there are constructed turning lanes at the Highway.

The Advertising sign is low key, and it is not illuminated. It simply identifies the small business and is considered suited to the locality.

The buildings, which are all moveable, are setback from the Highway more than 30m as per SCA7.

The subject land is within the Priority Agriculture zone, which is to provide for:

- The sustainable use of high-quality agricultural land, particularly where water resources exist, preserving existing agricultural production and allowing for new agricultural production by securing suitable land and water resources.
- To provide for intensive agricultural and horticultural production; including orchards, market gardens and vineyard enterprises.
- To also allow, where appropriate, limited forms of non-agricultural development that support, are compatible with and complement agricultural production.

Further objectives include:

- Encourage value-adding opportunities to agricultural products at source.
- Support a wide variety of productive agricultural and rural activities.
- Promote the existing intensive agricultural land use.
- Encourage other similar or complementary activities.

The proposal is considered to satisfy the zone purpose and be consistent with zone objectives. The proposal is low key and it reflects, complements and is compatible with agricultural production, both on the Licciardello farm and in context of the surrounding land uses.

Conclusion

The relocation of the Cherry Stall is considered positive; however, it comes at a cost, including loss of productive Avocado trees. The proposed arrangement is low key, and it has ample parking and improved access arrangements.

The Licciardello family trust the Shire will support this endeavour, which retains a well-known and much-loved local business, but in an improved location.

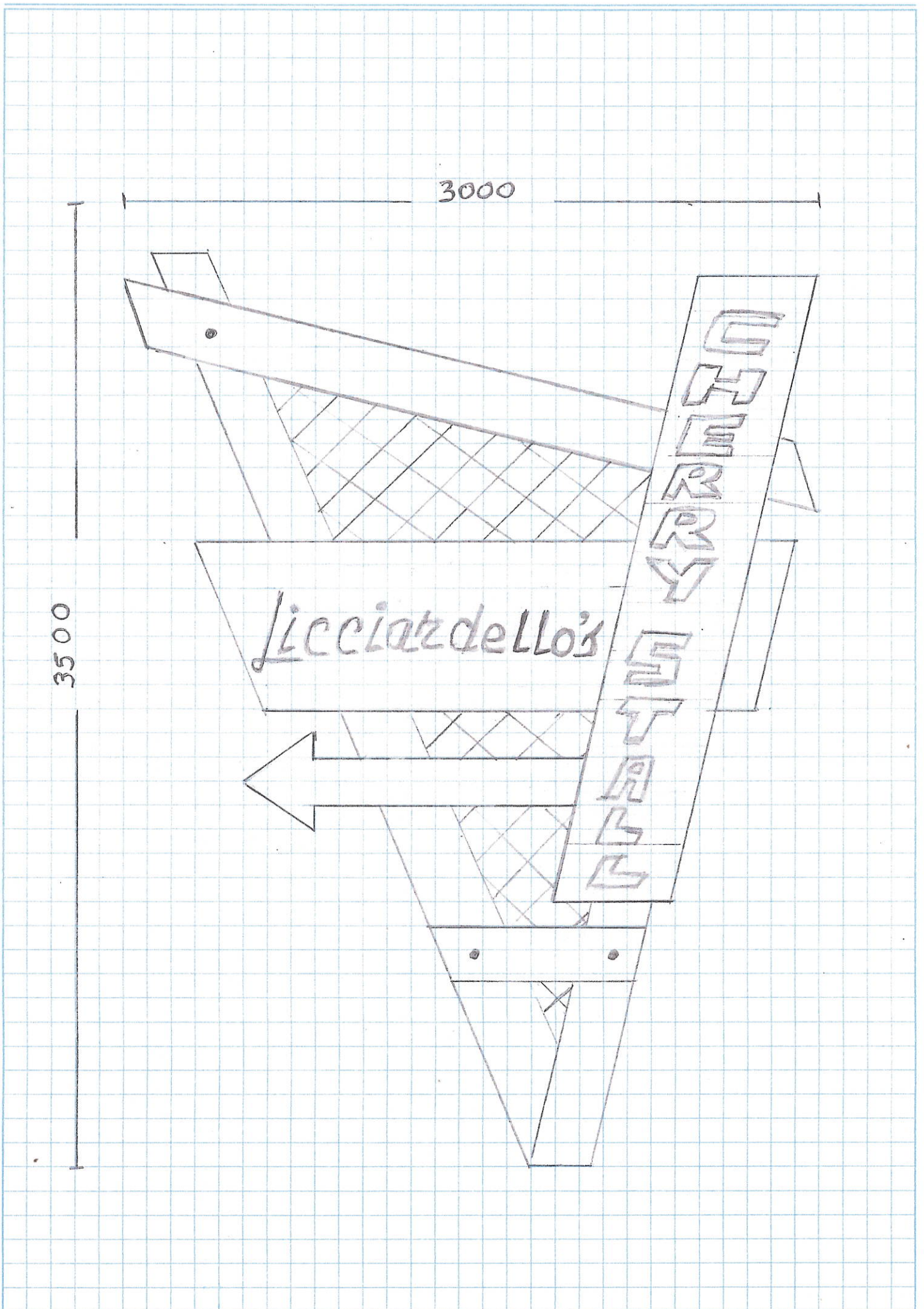
Please contact me should you require anything further. I can be contacted on 0401 046 852 or email kanella@plannedfocus.com.au

Kind regards,



Kanella Hope
Director + Principal Planner

Enc.
Application form
Landowners consent
Certificate of Title
Site Layout plan





EXISTING CHERRY STALL



EXAMPLE COFFEE / FOOD TRUCK



OTHER EXAMPLE IMAGES




LEGEND

- SUBJECT LAND
- CHERRY STALL (SEA CONTAINER)
- COFFEE / FOOD STALL (TRUCK ON CONC. PAD)
- CHILDRENS PLAYGROUND
- PICNIC BENCHES (5)
- INDICATIVE LANDSCAPING



Comment Submission Form

Shire of Donnybrook Balingup



SHIRE OF DONNYBROOK BALINGUP RECEIVED
10 JUN 2025
Record No:
File No:
Officer:
Signed Off:

Notice of Application for Development Approval P25029

Application for the Relocation of a Cherry Stall at Lot 1 (18190) South Western Highway,
Donnybrook

Your Name:	[REDACTED]	
Your Address:	[REDACTED]	
	Suburb: Argle	Postcode: 6239.
Email:	[REDACTED]	
Phone:	[REDACTED]	

Please choose from the following your response to the application:

☒ SUPPORT ☐ OBJECT ☐ COMMENT ONLY (no other response)

Please leave your comments in the space provided below. If you require additional space, please attach separate pages and ensure you submit them together.

Supported.

Signature: [REDACTED]

Date:

6 June 25.

Please complete and return this submission via post, email, or in person to the Shire
Administration Office.



(08) 9780 4200



www.donnybrook-balingup.wa.gov.au



shire@donnybrook.wa.gov.au



1 Bentley Street, Donnybrook, 6239

Comment Submission Form

Shire of Donnybrook Balingup



Notice of Application for Development Approval P25029

Application for the Relocation of a Cherry Stall at Lot 1 (18190) South Western Highway, Donnybrook

Your Name:	[REDACTED]		
Your Address:	[REDACTED]		
	Suburb: ARGYLE WA	Postcode: 6239	
Email:	[REDACTED]		
Phone:	[REDACTED]		

Please choose from the following your response to the application:

☒ SUPPORT ☐ OBJECT ☐ COMMENT ONLY (no other response)

Please leave your comments in the space provided below. If you require additional space, please attach separate pages and ensure you submit them together.

Signature:

[REDACTED]

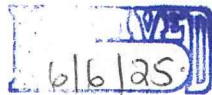
Date:

7/6/25

Please complete and return this submission via post, email, or in person to the Shire Administration Office.

Comment Submission Form

Shire of Donnybrook Balingup



Notice of Application for Development Approval P25029

Application for the Relocation of a Cherry Stall at Lot 1 (18190) South Western Highway, Donnybrook

Your Name:			
Your Address:			
	Suburb: <u>Donnybrook</u>	Postcode: <u>6239</u>	
Email:			
Phone:			

Please choose from the following your response to the application:

☒ SUPPORT ☐ OBJECT ☐ COMMENT ONLY (no other response)

Please leave your comments in the space provided below. If you require additional space, please attach separate pages and ensure you submit them together.

Good idea. We support this plan as it increases safety for all.

Signature: _____

Date: 1.6.25

Please complete and return this submission via post, email, or in person to the Shire Administration Office.



(08) 9780 4200



www.donnybrook-balingup.wa.gov.au



shire@donnybrook.wa.gov.au



1 Bentley Street, Donnybrook, 6239

The approach into Donnybrook is well documented in many tourist journals as being beautiful and giving the traveller/ visitors a large range of places to stop and purchase seasonal fresh fruit. It is something many growers on the highway pride themselves with and something the Donnybrook Shire should be proud of and endeavour to preserve.

A proposal like this to me, is a Crooked Carrot scenario, however the Crooked Carrot is situated far from any town centre to pose an impact. Even this site has large issues with traffic safety.

Please find some further points of interest when debating the proposed cherry stall development.

- Existing cherry stall has been running for 7 years, not 12 as suggested.
- I don't believe that Main Roads would request for it to be relocated to Bendall Road corner - have Main Roads been notified?
- If having to relocate, it should be to the existing site (packing shed roadside shop) which has been fully operational the entire time
- Two sites on one property have been used to sell from during the period that the cherry stall has been open. Because of this, the cherry stall should have been stopped by the shire in the first place.
- The applicant only grows three lines of produce. These include avocados, cherries and pears.

All other lines will, and have been purchased from Canningvale Markets to sell.

This is not a wayside stall, but a retail shop.

- Quote from page 3 of proposal "In essence, a shop selling goods by retail is too broad (and X **prohibited**), and Wayside Stall is too narrow and limited." Here they have acknowledged that their intentions are prohibited.
- How many application notices have been sent out?
 - The effect of this will impact more than the neighboring properties, it will extend to the Donnybrook townsite.
 - Have the businesses in the town centre been advised? As the proposal of food and coffee vans, kids park will have an affect on them as it is located only 3km from the centre of town.

- It is stated in the proposal that the reason for the application is a request from Main Roads WA to improve access. Relocating to Bendall Road will not help in this matter, but create another problem on the Bendall Road side by encouraging more cars, caravans, busses and children. The road as it is will not cope along with the local traffic especially the increase over the holiday period.

Question for the town planner; What is your final expectation for this proposal?

Throughout this proposal, Kanella Hope has been very broad in what they are asking for. On one hand they talk of it being a seasonal stall, on the other they talk of the large amount of cost to develop the site warrants them to trade more and push boundaries, regardless of zoning rules and affect on community.

For reference, this is stated on the Shire of Donnybrook-Balingup Local Planning Strategy:

5.4 Rural Land Use and Development

5.4.1 General Agriculture and Priority Agriculture The Shire's economic base is agriculture and to a lesser extent, tourism and timber production. The distinction between General Agricultural and Priority Agricultural land is set out in the Local Rural Strategy and State Planning Policy 2.5. Aim To identify and protect suitable land for agriculture. Zone Purpose (General Agriculture and Priority Agriculture) provide for the development of land for non-rural uses that are complementary to the purpose and intent of the land's rural zoning, consistent with the LPS7 zoning table and where the applicant can demonstrate:

- suitable land or buildings for the proposed uses are not available elsewhere; -
- that such uses will not detrimentally affect the amenity of any existing or proposed nearby development; - and that the proposed use will not result in the removal of prime agricultural land from agricultural production.

Comment Submission Form

Shire of Donnybrook Balingup



Notice of Application for Development Approval P25029

Application for the Relocation of a Cherry Sfall at Lot 1 (18190) South Western Highway, Donnybrook

Please leave your comments in the space provided below. If you require additional space, please attach separate pages and ensure you submit them together.

This proposal sounds like a commercial / retail operation on Farming land.

If wanting to do a project like this it should be in town, not farm land.

Not fair on Commercial / retail shops that are in town, as it will compete with town centre.

Signature: _____

Date: 10/6/25

Please complete and return this submission via post, email, or in person to the Shire Administration Office.

Notice of Application for Development Approval P25029

Application for the Relocation of a Cherry Stall at Lot 1 (18190) South Western Highway,
Donnybrook

Please leave your comments in the space provided below.
If you have multiple comments, attach separate pages and ensure you submit them together.

If developed, this will cause major
impact on Bendall Road + Ht/st Road
as well as surrounding streets residents.
It will increase traffic congestion
and be very dangerous when
entering + exiting the highway.

Signature: _____

Date: 10/6/26

Please complete and return this submission via post, email, or in person to the Shire
Administration Office.



Department of
**Primary Industries and
Regional Development**

Your reference: P25029
Our reference: LUP 2172
Enquiries: Leon van Wyk

Cecilia Muller
Principal Planner
Shire of Donnybrook-Balingup
PO Box 94
DONNYBROOK WA 6239
cecilia.muller@donnybrook.wa.gov.au

9 June 2025

Dear Cecilia

**COMMENT: Notice of application for development approval P25029 - Lot 1
(18190) South Western Highway, Donnybrook**

Thank you for the opportunity to comment on the proposed relocation of the existing cherry stall at Lot 1 South Western Highway, Donnybrook.

The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed relocation of the existing cherry stall at the abovementioned lot to provide access from Bendall Road, rather than directly from South Western Highway as preferred by Main Roads WA.

If you have any queries regarding the comments, please contact Leon van Wyk at (08) 9780 6171 or leon.vanwyk@dpird.wa.gov.au.

Yours sincerely

Mr Timothy Overheu
**Acting Director Agriculture Resource Management Assessment
Fisheries and Sustainability**



Our ref: A00008-25/ ADV-10008588
Enquiries: Paul Reed - 6551 7937

Gabriella Hayward
Planning Officer
Shire of Donnybrook-Balingup

Email: gabriella.hayward@donnybrook.wa.gov.au

Dear Ms Hayward

**REQUEST FOR COMMENT - NOTICE OF APPLICATION FOR DEVELOPMENT
APPROVAL P25029 - LOT 1 (18190) SOUTH WESTERN HIGHWAY -
DONNYBROOK**

Thank you for your email dated 27 May 2025 seeking comment on the above application for development approval. I understand the proposal is to relocate an existing cherry stall to provide access from Bendall Road. The proposal also includes the installation of advertising signage to support the visibility and operation of the relocated stall.

A review of the Register of Places and Objects, as well as the Department of Planning, Land and Heritage (DPLH) Aboriginal Heritage Database, concludes that the subject area, as depicted in the supporting documentation, does not intersect any known Aboriginal sites or heritage places. Therefore, based on the current information held by DPLH, no approvals under the *Aboriginal Heritage Act 1972* (AHA) are required in this instance.

I note limited Aboriginal heritage surveys have been conducted over the area. As such, Planned Focus needs to be aware of their obligations under the AHA.

Should you have any queries in relation to the above, please contact me on (08) 6551 7937 or email paul.reed@dplh.wa.gov.au.

Yours sincerely

Paul Reed
ASSISTANT MANAGER
Aboriginal Heritage Conservation

13 June 2025

Subject: RE: DA P25029, Shire of Donnybrook-Balingup, Relocation of Market Stall, Lot 1 (18190) South Western Highway Donnybrook (DWER Ref: PA 072601, DWERT51~105) DWER Response

From: Andrew Cresswell <andrew.cresswell@dwer.wa.gov.au>
Sent: Wednesday, 18 June 2025 10:54 AM
To: SM planning <planning@donnybrook.wa.gov.au>
Cc: Gabriella Hayward <gabriella.hayward@donnybrook.wa.gov.au>
Subject: FW: DA P25029, Shire of Donnybrook-Balingup, Relocation of Market Stall, Lot 1 (18190) South Western Highway Donnybrook (DWER Ref: PA 072601, DWERT51~105) DWER Response

Some people who received this message don't often get email from andrew.cresswell@dwer.wa.gov.au. [Learn why this is important](#)

OFFICIAL

To: Shire of Donnybrook-Balingup
From: Department of Water and Environmental Regulation

Att: Gabriella Hayward

Dear Gabriella,

DA P25029, Shire of Donnybrook-Balingup, Relocation of Market Stall, Lot 1 (18190) South Western Highway Donnybrook (DWER Ref: PA 072601, DWERT51~105) DWER Response

Thank you for referring the above-mentioned development application to the Department of Water and Environmental Regulation for consideration.

Please note, the advice below has been drafted for the Shire of Donnybrook-Balingup in response to the referral. As such, supporting advice and commentary are not intended for distribution directly to the proponent unless agreed by the undersigned. This advice is based on a desktop analysis of the information provided in this referral. A site visit has not been undertaken.

The Department understands the proposal relates to the relocation and development of a fruit stall on the subject lot with the intent to provide improved vehicular access, additional parking, playground, coffee van / food truck and public toilet.

The Department does not object to the proposal however we have identified it has the potential for impact on environment and/or water resource values and/or management. Key issues and recommendations are provided below, and these matters should be addressed:

1. Issue: Water Supply

Advice: The following advice note is recommended to be applied:

All facilities on the subject lot are proposed to be self-contained and therefore expected to be self-servicing in terms of water supply.

2. Issue: Wastewater Management

Advice: The following management condition is recommended to be applied:

The transportable toilet will be self-contained and emptied routinely by an appropriately registered and authorised service provider.

3. Issue: Stormwater Management

Advice: The following management condition is recommended to be applied:

A stormwater management plan and/or design for the developable area shall be submitted prior to approval, to the satisfaction of the Shire of Donnybrook-Balingup.

4. Issue: Flood Management

Advice: The topography of the subject lot is below the estimated 1 in 100 year AEP flood level of ~ 54m and maybe subject to flood.

More detail pertaining to the above issues and additional advice are provided in the table below.

Item No.	Reviewer comment/advice
1.	<p>Issue: Water Supply</p> <p>Advice: The following advice note is recommended to be applied: All facilities on the subject lot are proposed to be self-contained and therefore should be self-servicing in terms of water supply.</p> <p>Discussion: The Department notes a water supply for the proposal has not been identified in the supporting documentation however the fruit stall, coffee van/food truck and toilet have been identified as self-containing. This is interpreted to mean that they either do not need a water supply or that water requirements will be met from sources other than reticulated supply, ground and or surface water sources.</p> <p>In this regard the proposal has been assessed as self-contained and as such an advice note has been proposed.</p>

2.	<p>Issue: Wastewater Management</p> <p>Advice: The following management condition is recommended to be applied: The self-contained transportable toilet will be emptied routinely by an appropriately registered and authorised service provider.</p> <p>Discussion: The self-contained toilet facility poses a risk to the environment via discharge if not routinely emptied and maintained. As such a management condition has been proposed.</p>
3.	<p>Issue: Stormwater Management</p> <p>Advice: The following management condition is recommended to be applied: A stormwater management plan and/or design for the development area shall be submitted prior to approval, to the satisfaction of the Shire of Donnybrook-Balingup.</p> <p>Discussion: The site has a cleared area of ~4,400m². The plan (No: 1160-5-001) as detailed in the supporting documentation does not include any elements (drains, culverts etc) to manage stormwater generated on the site. In particular, the parking area has the potential to generate moderate volumes of stormwater that may require capture and conveyance to onsite drains or the nearby road drain – with suitable sedimentation controls. The parking area is proposed to be constructed of compacted gravel and will have relatively low permeability therefore consideration needs to be given to the capture and drainage of surface water on site. The plan and/or design should consider the objectives and principles of the Stormwater management manual for Western Australia.</p> <p>It is recommended the Shire consults with its engineers to determine the most appropriate drainage features in this regard noting stormwater generated should be managed on site.</p>
4.	<p>Issue: Flood Management</p> <p>Advice: The topography of the subject lot is below the estimated 1 in 100 year AEP flood level of ~ 54m.</p> <p>Discussion: The Department of Water and Environmental Regulation provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage.</p>

Our floodplain mapping for the Preston River through Donnybrook stops around 1.5 kilometre upstream of the Lot (please see map attached).

Based on the 1 in 100 AEP flood level of 54.57 m AHD at the limit of our mapping, we estimate the 1 in 100 AEP flood level applicable to the Lot is ~ 54.0 m AHD.

Based on our floodplain management strategy for the area, proposed development (ie, filling, building, etc) on the lot is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 54.5 m AHD is recommended to ensure adequate flood protection.

Please note that non-habitable developments (eg. garages, sheds, workshops, etc) may not require such a high level of flood protection. However, should development occur below our recommended level, all electrical installations should be located above the recommended minimum habitable floor levels and suitably insulated to increase resilience to major flooding.

In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable assessment.

Should you require any further information on the comments provided please contact me.

Kind Regards,

Andrew Cresswell

Senior Natural Resource Management Officer
Planning Advice South West Region
Statewide Delivery - Approvals

Working 9am to 3pm Monday to Friday.

Wardandi Country

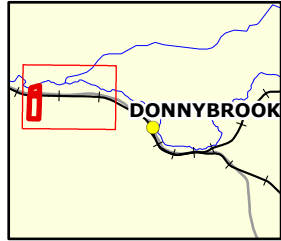
71 McCombe Road, Halifax, WA 6230

T: (08) 9726 4142 | F: (08) 9726 4100

E: andrew.cresswell@dwer.wa.gov.au | www.dwer.wa.gov.au

Lot 1 #18190
South Wester Hwy
DONNYBROOK

LOCALITY MAP



LEGEND

- Lot 1 South Western Hwy
- FPM Flood Level Points (m AHD)
- Floodway limit
- Extent of 1 in 100 (1%) AEP flooding
- Extent of study
- Floodway
- Flood fringe
- FPM Historical Flood Levels (m AHD)
- Topographic Contours Statewide (LGATE-015)

0 50 100 200
Meters



Datum and Projection Information

Vertical Datum: AHD71
Horizontal Datum: GDA2020
Projection: MGaz50
Spheroid: GRS80

Project Information

Client: Andrew Cresswell
Map Author: Van Cuong Nguyen
Task ID: B1305
Compilation date: 17/06/2025
Edition: Version 1

SOURCES

The Department of Water and Environmental Regulation acknowledges the following datasets and their custodians in the production of this map:

Railways - Landgate - 09/02/2010
Road Centrelines - Landgate - 01/02/2018
Spatial Cadastral Database - Landgate - 01/05/2018
Donnybrook Townsite 2022 10c orthomosaic - Landgate

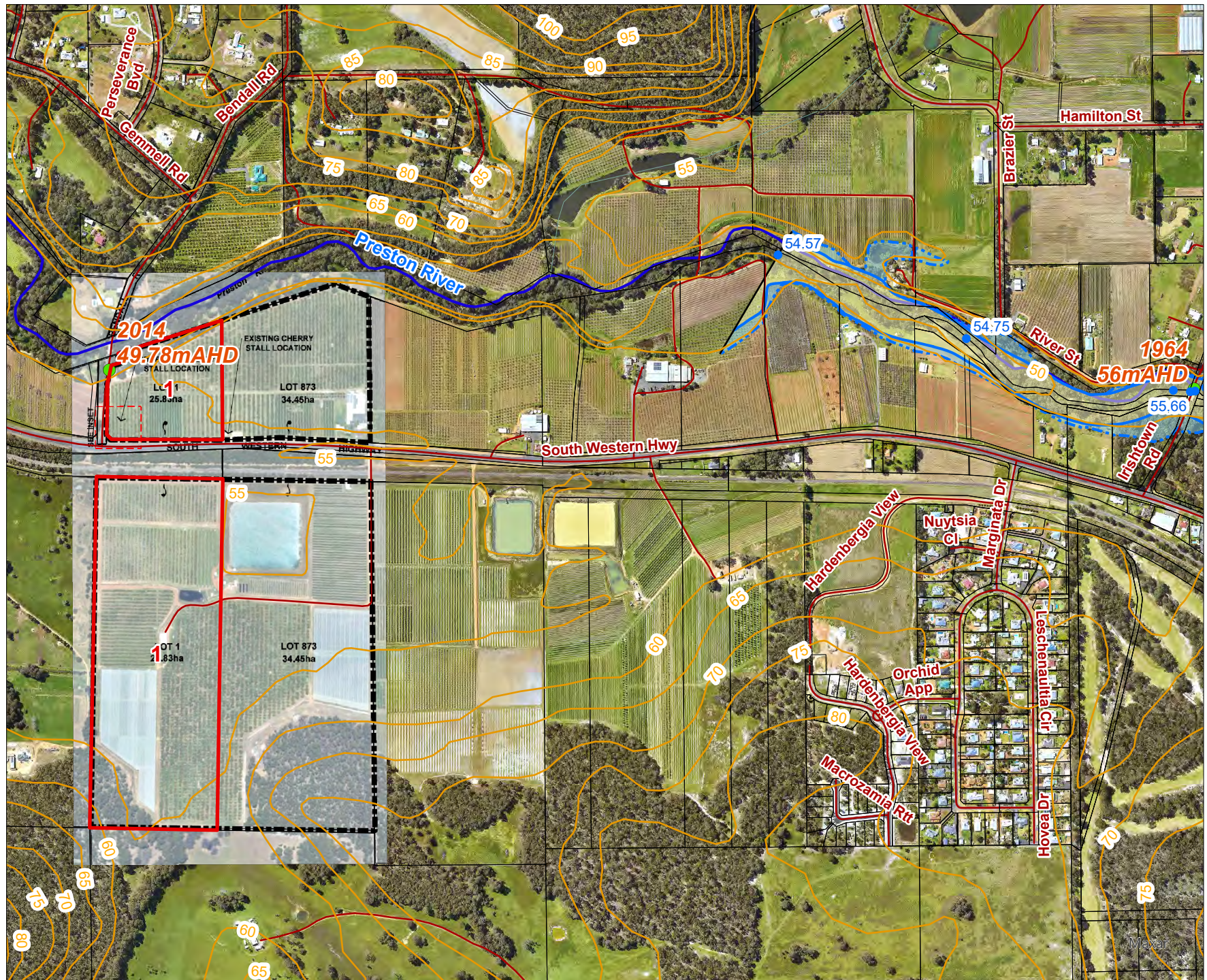


Government of Western Australia
Department of Water and Environmental Regulation

This map is a product of the Department of Water and Environmental Regulation, Assessment & Allocation and was printed on 17/06/2025.

This map was produced with the intent that it be used for display purposes at the scale of 1:1,500 when printing at A4.

While the Department of Water and Environmental Regulation has made all reasonable efforts to ensure the accuracy of this data, the department accepts no responsibility for any inaccuracies and persons relying on this data do so at their own risk.



From: South West Region Planning Services <swrplanning@mainroads.wa.gov.au>
Sent: Tuesday, 1 July 2025 3:44 PM
To: Gabriella Hayward
Cc: Cecilia Muller
Subject: Reply [PLR#0225-0114] Development Application - Driveway Relocation & Private Advertising Sign - P25029 - Lot 1 (18190) South Western Highway, Donnybrook

OFFICIAL

Hi Gabriella,

I refer to your email of 27 May 2025 and advise that Main Roads has no objections in principle to the proposal, subject to the following comments.

Main Roads notes that the development application references only Lot 1, but includes proposed works to downgrade the existing unauthorised access to South Western Highway via Lot 873, which services the existing cherry stall. As the proposal involves both Lot 1 and Lot 873, the application should be amended to reference both lots.

Regarding the existing cherry stall access, Main Roads understands that Lot 873 currently has a sealed crossover on its eastern boundary that provides access to the highway. From a road safety and network control perspective, Main Roads does not support the retention of multiple crossovers to South Western Highway. Furthermore, it is Main Roads' standard practice that lots with local road frontage obtain access from the local road. In this case, Lot 1 has an existing gated crossover on Bendall Road (see screenshot below).



Accordingly, Main Roads requires the removal of the existing unsealed Cherry Stall crossover, including the removal of the associated gates within the road

reserve, and the reinstatement of the roadside drain. All works are to be to Main Roads standards, specifications, and satisfaction. Works to be undertaken within the Main Roads road reserve will require prior authorisation and the submission of an application form to complete roadworks within the road reserve.

Network Operations South West has no objection in principle to the proposed signage as detailed within the submitted DA subject to the following conditions:

- Static signage displaying only the name, phone number or logo, of the on-premises businesses.
- The type of signs, size, content and location must comply with all relevant by-laws and planning schemes made by Council.
- The signs and sign structures are to be placed on private property and shall not overhang or encroach upon the road reserve.
- A display area no greater than as described in the Application.
- Static content related to on-premises business.
- The signs shall not be in digital format.
- The device shall not contain fluorescent, reflective or retro reflective colours or materials.
- For the signs that are illuminated, it must **not** flash, pulsate or chase during all hours.
- Luminance level is less than

Environmental zone*	Description	Day cd/m ²	Dawn/ Dusk cd/m ²	Night cd/m ²
A4	Town and city centres and other commercial areas with generally high off-street ambient lighting e.g., major shopping/commercial centres	6000	600	350
A3	Suburban areas in towns and cities with generally medium off-street ambient lighting e.g., shopping/café strips	6000	600	250

- No other unauthorized signing is to be displayed.
- Vegetation within the road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising devices.
- Main Roads agreement is to be obtained prior to any future modifications.
- Shall be designed and constructed in such a manner that the composite construction of the sign panel, supports and fixings will not cause injury or major damage if struck by a vehicle, cyclist or pedestrian, or becomes dislodged for any reason.

Please Note: If in the future there is any changes to Main Roads' road network/infrastructure then a reassessment would be required.

If you have any queries, please contact Kerry Jones on 9724 5661

Regards,

South West Region Planning Services

Tel: +97245600



P&D (LPS) REGULATIONS 2015 MATTERS FOR CONSIDERATION - (Schedule 2, Part 9, Clause 67)
Development Application P25029 – Cherry Stall relocation and new coffee/food van and pylon sign
Lot 1 (18190) South Western Highway, Donnybrook

(2) In considering a DA application the below must be considered if applicable.

<p>(a) the aims and provisions of the Scheme/any other local planning scheme operating within the Scheme area</p>	<p><u>Local Planning Scheme No. 7 (LPS7)</u></p> <p>Under Local Planning Scheme No. 7 (LPS7), Clause 3.6.1 outlines the purpose of the Priority Agriculture zone as follows:</p> <p>"To provide for the sustainable use of high-quality agricultural land, particularly where water resources exist, preserving existing agricultural production and allowing for new agricultural production by securing suitable land and water resources. To provide for intensive agricultural and horticultural production; including orchards, market gardens and vineyard enterprises. To also allow, where appropriate, limited forms of non-agricultural development that support, are compatible with and complement agricultural production."</p> <p>The proposal for the relocated cherry stall, new coffee/food van, and signage on this Priority Agriculture-zoned lot continues the long-established activity of selling fruit, particularly cherries, directly from the premises. As such, it aligns with and supports the purpose of the zone by maintaining an existing agricultural-based activity and facilitating opportunities for value-adding.</p> <p>Clause 3.6.2 of LPS7 sets out the following relevant Objectives for the Priority Agriculture zone:</p> <ul style="list-style-type: none"> • (i) To require the protection of the rural infrastructure and agricultural land resources; • (ii) To require planning to avoid the introduction of land uses and subdivision not related to agriculture, including rural residential proposals; • (x) To encourage other similar or complementary activities. <p>The proposal is considered consistent with these objectives on the following basis:</p> <ul style="list-style-type: none"> • The relocated cherry stall and new coffee/food van stall (including signage) are compatible with surrounding orchard uses and are located on land actively used for horticultural production. • A wayside stall is a <i>discretionary ('D') use</i> in the Priority Agriculture zone under LPS7, and in this case, is clearly complementary to the primary rural land use (orchards). 				
<p>(b) requirements of orderly and proper planning taking into account any proposed changes to the scheme.</p>	<p>Under Clause 4.55 of Local Planning Scheme No. 7 (LPS7), development in the Priority Agriculture zone must be assessed against the applicable development standards and the broader objectives for orderly and proper planning.</p> <p>Development Standards - Priority Agriculture Zone:</p> <table border="1" data-bbox="694 2105 1516 2148"> <thead> <tr> <th>LPS7 Standard</th><th>Proposal</th></tr> </thead> <tbody> <tr> <td> </td><td> </td></tr> </tbody> </table>	LPS7 Standard	Proposal		
LPS7 Standard	Proposal				

	Front Setback - 30m	Not achieved - The proposed cherry stall and coffee/food van will be set back approximately 25m from the front boundary (Bendall Road). For assessment purposes, Bendall Road is treated as the front boundary as it provides the site access. The variation is considered minor and will assist in reducing the number of avocado trees that need to be cleared for site preparation.
	Side Setback - 20m	Achieved - Setback approximately 22m from the southern boundary (South Western Highway), and over 140m from the northern boundary (Preston River reserve).
	Rear Setback – 20m	Achieved - Setback over 200m from the eastern rear boundary to Lot 873, which is under the same ownership and used for orchard purposes.
	Where the land adjoins State Forest, National Park, Conservation Reserve or other timbered Crown or local government controlled land, in the opinion of the local government the setback from the common boundary shall be 100 metres.	Achieved - The proposed development is over 140m from the boundary with the Preston River reserve.
<p>Clause 4.55 allows for setback reductions where the local government is satisfied that factors such as lot shape, topography, soil conditions, or other site constraints make full compliance impractical. In this case, the proposed reduced front setback is supported. It is noted that no objections were received during the neighbour consultation period in regard to the proposed setback variations.</p> <p>The minimum 100m setback from existing intensive agricultural uses on adjacent lots is not applicable in this instance.</p> <p>Under Clause 4.17 of Local Planning Scheme No. 7 (LPS7), development must be assessed with regard to the general appearance of buildings and the preservation of amenity.</p>		

The application describes the existing wayside stall as follows:
“... an incidental road side stall where they predominantly sell seasonal produce grown in their family farming business. The Licciardello family have farmed this land for several generations. The existing Cherry Stall is well known and has been operating for 12 years. The existing arrangement is a small shipping container with shade sail, and when open, a cool room, generator and staff toilet on moveable trailers. There is a gravel forecourt used informally for parking, and access is via a crossover direct to the Highway.”

The applicant has provided the following image of the existing wayside stall which is to be relocated to the new site.



EXISTING CHERRY STALL

Proposed Relocation

The proposal involves relocating the existing stall to a new site at the corner of South Western Highway and Bendall Road. The relocated setup will include:

- The use of a sea container for display and sales
- A shade sail for customer protection
- When open, the addition of a cool room, generator, and staff toilet, all on moveable trailers

The setback from the highway will increase to 25 metres, a significant improvement on the existing 10–12 metre setback. The Development Application plan also shows proposed landscaping, which will contribute positively to the appearance of the site.

Site Context and Visual Impact

- The existing stall area is approximately 1,000m², located along a straight stretch of the South Western Highway, and is surrounded by orchard land.
- The new site will require clearing part of an existing avocado orchard and will accommodate:
 - The relocated cherry stall
 - A new coffee/food van

	<ul style="list-style-type: none"> o Associated vehicle access and parking <p>In total, the new developed area will be approximately 4,400m². While this represents an expansion, the layout is more orderly and functional and allows for improved customer access and safety. The location on the corner of two roads means the new development will be visually prominent, but it is well-integrated with the surrounding rural land use and maintains a low built form.</p>
(c) any approved State planning policy:	<p><u>SPP2.5 Rural Planning</u></p> <p>The proposal affects a Priority Agriculture zoned rural lot. The relocated cherry stall and new incidental coffee/food van is considered consistent with the intent of the Policy to protect rural land from inappropriate uses and development.</p> <p><u>SPP3.7 Planning in Bushfire Prone Areas</u></p> <p>The property is identified as bushfire prone by DFES mapping. A BAL assessment of BAL-LOW was received on 4 September 2025, confirming a low risk.</p>
(d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d)	Not applicable.
(e) any policy of the Commission;	Not applicable.
(f) any policy of the State	<p><u>Government Sewerage Policy 2019</u></p> <p>The Government Sewerage Policy 2019 is applicable to the proposed development in relation to the provision and management of effluent disposal.</p> <p>The Shire's Health Services have reviewed the proposal and provided the following advice:</p> <ul style="list-style-type: none"> • The development must comply with the effluent disposal requirements of the Government Sewerage Policy 2019. • Effluent disposal will be addressed via a separate approval process, and appropriate conditions should be included on the development approval to ensure compliance. • If development approval is granted, the landowner will be required to submit a Management Plan for the use of temporary toilets, to the satisfaction of the Shire. • The use of temporary toilets will be permitted for a maximum of two years from the date of completion of the development. • Following this period, the landowner must lodge an application to install an onsite effluent disposal system, including a site and soil evaluation, in accordance with the Government Sewerage Policy and to the satisfaction of the Shire. <p>To ensure compliance with the Government Sewerage Policy 2019, Shire officers are recommending a condition be imposed on the development approval requiring the submission and approval of a Waste Management Plan, including details of</p>

	temporary toilet facilities and timelines for transition to a permanent onsite effluent disposal system.
(fa) any local planning strategy for this Scheme endorsed by the Commission	<p><u>Approved 2014 Local Planning Strategy</u></p> <p>Under the Shire of Donnybrook-Balingup Local Planning Strategy (2014), the subject property is identified as Priority Agriculture. The South Western Highway is identified as a Major Road, and the Preston River as a Major River.</p> <p>The proposal is considered consistent with the Strategy's objectives for rural areas, which seek to promote and support existing orchard industries and encourage value-adding activities, such as the development of roadside stalls.</p> <p><u>Draft Local Planning Strategy</u></p> <p>Under the Draft Shire of Donnybrook-Balingup Local Planning Strategy, the property is identified as High Priority Agricultural Land. The South Western Highway is classified as a Primary Distributor Road, Bendall Road is identified as a Tourist Trail, and the Preston River continues to be recognised as a Major River.</p> <p>The proposal aligns with the draft Strategy's vision for rural areas, which encourages the development of complementary land uses that support and enhance agricultural productivity, while also contributing to tourism and local economic development. The proposal's location at the intersection of a primary road and a tourist trail further enhances its compatibility with these strategic directions.</p>
(g) any local planning policy for the Scheme area	<p>The proposal includes the erection of a new pylon sign, approximately 3.0 metres wide at its broadest point and 3.5 metres high, to be located in front of the proposed cherry stall at the intersection of South Western Highway and Bendall Road, as shown in the submitted plans.</p> <p>The sign is required to be assessed in accordance with the provisions of Local Planning Policy 9.6 – Signage/Advertisement (LPP9.6) and Clauses 4.45 and 4.46 of Local Planning Scheme No. 7 (LPS7), which relate to the control and consideration of advertisements.</p> <p><u>Local Planning Policy 9.6 Signage/Advertisement</u></p> <p>The policy objectives are as follows:</p> <p>9.6.1 To provide a consistent approach to signage within the Shire of Donnybrook-Balingup.</p> <p>9.6.2 To provide guidelines which will assist in the regulation and control of signage within the Shire.</p> <p>9.6.3 To encourage advertising which complements the natural and urban landscapes and minimises any negative impacts.</p> <p>9.6.4 To ensure that existing and future signage is maintained at a level which produces a positive image of the Shire of Donnybrook- Balingup.</p> <p>9.6.5 To provide clear advice to those wishing to erect signage as to assist in meeting their needs and those of the Shire and general community.</p>

9.6.6 *To ensure that any signs erected or displayed on buildings are compatible with the architectural style and appearance of the building within the Shire.*

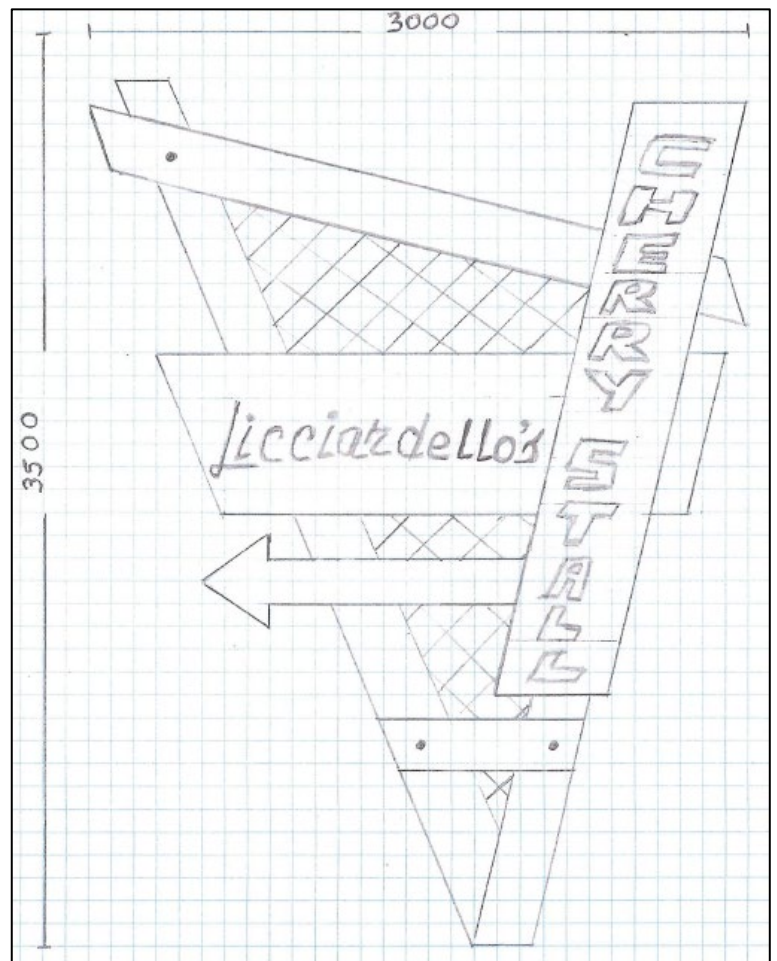
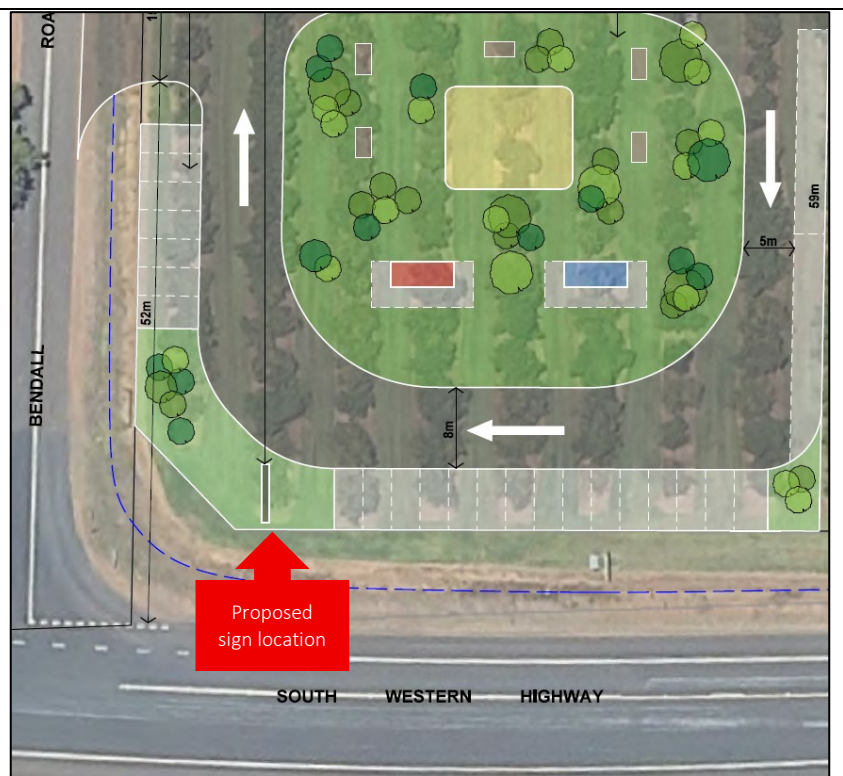
Assessment of Policy Provisions

- Under clause 9.6.7, the proposed pylon sign constitutes development and requires planning consent under LPS7.
- The proposal does not meet the exemption criteria under Schedule 9 of LPS7, and therefore is subject to assessment.
- In accordance with clause 9.6.9, the sign relates directly to a commodity (fruit) that is produced and sold on the subject lot, satisfying this key policy requirement.
- The sign is not illuminated, does not feature flashing lights, and is of an appropriate size, scale, and location. It is not expected to detract from the aesthetic quality of the area or the highway streetscape, in accordance with clause 9.6.10 and 9.6.26.
- In line with clause 9.6.16, the Shire recognises the historic nature of roadside fruit sales, and supports associated signage for bona fide orchardists. This sign serves a seasonal, on-site sales function, directly tied to the orchard use of the property.

The proposed pylon sign is consistent with the intent and requirements of Local Planning Policy 9.6. It will clearly direct customers to the relocated stall site off Bendall Road, supports the continued on-farm sale of produce, and is not expected to have a negative impact on the visual amenity or streetscape of the South Western Highway. Accordingly, the sign is considered acceptable, subject to standard conditions relating to its design, location, and ongoing maintenance.

Local Planning Scheme No. 7 (LPS7)

Clause 4.45 and 4.46 – Advertisements



In accordance with Clauses 4.45 and 4.46 of Local Planning Scheme No. 7 (LPS7), the following matters are to be considered in the assessment of an application for advertising signage:

LPS7 Standard	Proposal
The objectives of the Scheme	The proposal is consistent with the following aims of

		<p>LPS7:</p> <ul style="list-style-type: none"> • To promote orderly and quality development while protecting the safety, economic wellbeing, and amenity of the community. • To manage land use and development to ensure compatibility between uses and protect rural amenity. • To preserve valuable agricultural areas and their rural character, while allowing for complementary rural-based activities. <p>Although the proposed sign is relatively large compared to other local signage, it is directly associated with the long-standing on-site agricultural use and will assist in supporting the continued sale of orchard produce (particularly cherries). The sign is not expected to adversely impact any surrounding rural land uses and will assist in improving the safety and functionality of the new stall by directing traffic appropriately.</p>
	The character and amenity of the locality within which it is to be displayed, including its historic or landscape significance	The sign supports a well-established and seasonal on-farm use and is compatible with the surrounding rural character. It is not expected to detract from the visual or landscape values along South Western Highway.
	Traffic safety	The proposed sign will enhance wayfinding and assist in directing customers to the new site via Bendall Road, thereby removing access from the South Western Highway. This represents a safety

	improvement. Importantly, Main Roads WA supports the use of Bendall Road as the primary access point.
The amenity of adjacent areas which may be affected	The sign is associated with the continuation of a small-scale commercial rural activity and is not expected to have any adverse visual or amenity impacts on adjacent properties or the locality more broadly.



Clause 5.8 – Special Control Area 7 (Road Protection Area)

The subject site is located within Special Control Area 7 – Road Protection Area, which applies specific land use and development controls to protect the function, amenity, and visual character of key travel routes, including South Western Highway.

LPS7 (Cl.5.8.2) applies the following conditions on development in addition to any other relevant provisions of this Scheme that are assessed below:

LPS7 Standard	Proposal
(i) No public sign, advertisement, hoarding or notice shall be erected unless written approval is	Achieved - The application seeks approval for a new sign, and it may not be erected without Shire approval.

	granted by the local government.	
	(ii) The local government shall not approve the erection of any advertisement for a service or commodity, which is not produced, offered or sold on the lot on which the advertisement is erected.	Achieved – The sign will advertise the orchard name (<i>Licciardello's</i>) and the main produce sold (<i>cherries</i>), which are grown and sold on-site.
	(iii) The local government will not approve the erection of an advertisement for the sale of land other than on the lot which is offered for sale.	Not applicable.
	(iv) The local government may remove any public sign, advertisement, hoarding or notice which has been erected contrary to the Scheme.	Not applicable.
	(v) Access points to these roads are limited to those approved by local government and the MRWA.	Achieved - The new access off Bendall Road has been supported by both the Shire and Main Roads WA, removing the need for direct access from the highway.
	(vi) A building setback of 30 metres from the edge of the road reserve shall apply unless approval is granted by local government to vary the setback. Service roads may be constructed within this setback.	Not applicable to signage; however, building setback for the stall has been separately addressed.
	(vii) notwithstanding the provisions of sub-clause (vi) all other setbacks shall be in accordance with any endorsed building envelope or setback provisions prescribed for the particular zone.	As discussed earlier, the recommendation is for the cherry stall to be relocated rearwards to achieve the required 30m front setback to Bendall Road. The signage location remains acceptable.
	The proposed pylon sign has been assessed in accordance with Clauses 4.45, 4.46, and 5.8 of LPS7 and is considered	

	<p>appropriate and consistent with the objectives of the Scheme and relevant local planning policies.</p> <ul style="list-style-type: none"> • The sign will improve wayfinding, support a long-standing local business, and assist in improving traffic safety by directing customers to the newly proposed access point on Bendall Road. • It is non-illuminated, appropriately scaled, and directly associated with the on-site agricultural use. • The signage location within the Road Protection Area is considered acceptable given its scale, rural context, and relevance to the property's land use. <p>Approval is recommended, subject to conditions to ensure compliance with signage policy and protection of local amenity.</p>
(h) any structure plan or local development plan that relates to the development	Not applicable.
(i) any report of the review of the local planning scheme that has been published	Not applicable.
(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	Not applicable.
(k) the built heritage conservation of any place that is of cultural significance;	Not applicable.
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	<p><u><i>Cultural heritage consideration</i></u></p> <p>The subject property adjoins the Preston River, which is identified as having Aboriginal cultural heritage significance due to a known creation/dreaming narrative (Aboriginal Cultural Heritage Register Place ID: 19795).</p> <p>The application was referred to the Department of Planning, Lands and Heritage (DPLH) for comment. In response, DPLH advised:</p> <p>"The proposal is to relocate an existing cherry stall to provide access from Bendall Road. The proposal also includes the installation of advertising signage to support the visibility and operation of the relocated stall.</p> <p>A review of the Register of Places and Objects, as well as the DPLH Aboriginal Heritage Database, concludes that the subject area, as depicted in the supporting documentation, does not intersect any known Aboriginal sites or heritage places. Therefore, based on the current information held by DPLH, no approvals under the <i>Aboriginal Heritage Act 1972</i> (AHA) are required in this instance.</p> <p>Note: Limited Aboriginal heritage surveys have been conducted over the area. As such, the landowner must be aware of his obligations under the AHA."</p> <p>Based on advice from DPLH, the proposal is not expected to have any direct impact on known Aboriginal cultural heritage values.</p>

	<p>However, the landowner must remain aware of ongoing obligations under the <i>Aboriginal Heritage Act 1972</i>, particularly given the proximity of the Preston River and the possibility of unidentified sites.</p> <p>It is recommended that an advice note be included on the development approval to remind the landowner of his responsibilities under the AHA.</p>
(m) the compatibility of the development with its setting, including:	
<p>(i) the compatibility of the development with the desired future character of its setting</p> <p>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development</p>	<p>The proposal to relocate the existing cherry stall and associated pylon sign to a more visible and accessible location at the corner of South Western Highway and Bendall Road is considered compatible with the existing and desired future rural character of the area.</p> <p>The development:</p> <ul style="list-style-type: none"> Aligns with surrounding orchard land uses, which dominate the landscape in this part of Donnybrook. Supports the continuation of small-scale, on-farm retail activity, consistent with the locality's Priority Agriculture zoning and the broader strategic intent to promote orchard-based rural enterprise and agritourism opportunities. Is located at a key entry point to Donnybrook, and provides an opportunity for an improved site layout, increased visibility, and safer access via Bendall Road (supported by Main Roads WA). Is consistent with the Shire's Local Planning Strategy, which identifies the area for ongoing agricultural production with complementary rural-based development. <p>In relation to the design and visual impact:</p> <ul style="list-style-type: none"> The relocated stall will retain the modest built form of the existing cherry stall (a sea container with shade sail), along with portable structures such as a cool room and staff toilet, minimising any increase in height, bulk or scale. The associated pylon sign is of a height and scale considered appropriate for a rural commercial use and is not illuminated, thus avoiding visual conflict with the surrounding rural landscape. Landscaping is proposed around the site to soften the visual impact and enhance integration into the rural setting. <p>In accordance with Clause 4.17 of LPS7 – General Appearance of Buildings and Preservation of Amenity, the proposal is not expected to adversely impact the visual amenity or character of the area. Rather, it offers an improvement over the existing roadside stall by providing a more functional, safer, and visually appropriate layout, while maintaining the rural aesthetic of the locality.</p>

(n) the amenity of the locality including	
(i) environmental impacts of the development	The proposal is not expected to generate any environmental impacts.
(ii) the character of the locality	The proposal to relocate the existing cherry stall and new coffee/food van and sign is not expected to adversely affect the character of the rural orchard area.
(iii) social impacts of the development	Not applicable.
(o) likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate their impact	The property adjoins the Preston River, and the proposal may impact the river through inadequate stormwater control/disposal or through potential flooding from the river. DWER have commented the application plans lack details on stormwater management from the development and consideration needs to be given to the capture and drainage of surface water on-site and it is recommended the Shire engineers determine the most appropriate drainage features to be required and application of a minimum floor height for the stall be imposed to ensure adequate flood protection from the Preston River.
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	The existing avocado orchard area for the new site is to be cleared, and some landscaping of the development site is proposed as shown on the development application plan.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	<p><u>Bushfire prone area mapping</u></p> <p>The property is identified as bushfire prone by DFES mapping. A BAL assessment of BAL-LOW was received on 4 September 2025, confirming a low risk.</p> <p><u>Risk from flooding</u></p> <p>Regarding risk from flooding DWER advised:</p> <ul style="list-style-type: none"> • DWER provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage. • Available floodplain mapping for the Preston River through Donnybrook stops around 1.5 kilometre upstream of the Lot. • Based on the 1 in 100 AEP flood level of 54.57m AHD it is estimated the 1 in 100 AEP flood level applicable to the Lot is ~ 54.0m AHD. • Based on the floodplain management strategy for the area, proposed development (i.e., filling, building, etc) on the lot is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 54.5m AHD is recommended to ensure adequate flood protection. • Please note that non-habitable developments (e.g. garages, sheds, workshops, etc) may not require such a high level of flood protection. However, should development occur below the recommended level, all electrical installations should be located above the recommended minimum habitable floor levels and suitably insulated to increase

	<p>resilience to major flooding. The Department has no formal floodplain mapping for this reach of the Preston River.</p> <p>The stall building is not for habitable purposes and the new coffee/food van (to operate on a self-contained basis) is expected to be a van or caravan style towed vehicle that can be removed from the site prior to any potential flood event as with the proposed portable toilet.</p> <p>It is recommended that the DWER advice be included on the development approval as advice notes to alert the landowners to the potential flooding risk during major rainfall events from the Preston River and the recommended minimum floor level for any future habitable dwelling on the property.</p>
(r) the suitability of the land for the development taking into account the possible risk to human health or safety.	No risks have been identified beyond those already addressed.
(s) the adequacy of:	
(i) the proposed means of access to and egress from the site	<p>Under Clause 4.32 of LPS7, consideration must be given to vehicle crossovers and entrances.</p> <p>The proposal includes the construction of a new 15-metre-wide crossover onto Bendall Road, to be approved and built in accordance with Shire standards. This new access point is under the control of the Shire.</p> <p>As noted, Shire Works and Services staff have supported the proposal, subject to the crossover being constructed in bitumen and the internal hardstand area being constructed in gravel. Additionally, sight line improvement works on Bendall Road will be required, to be undertaken by the landowner at their own cost, to the satisfaction of the Shire.</p> <p>Access via Bendall Road rather than the South Western Highway is in accordance with Clause 4.32.2 of LPS7, which states:</p> <p>“Access to a lot for vehicles shall not be permitted directly to or from major roads where suitable access is available from side or rear streets, unless the landowner suitably demonstrates traffic safety and need.”</p> <p>The existing access from the South Western Highway to the original stall area is proposed to be retained, but will be used solely for farming purposes.</p> <p>Main Roads Western Australia (MRWA) has no objection to the proposed new crossover onto Bendall Road. However, they have recommended that the existing crossover onto the South Western Highway be removed, as they do not support multiple crossovers onto major roads.</p> <p>With respect to the existing crossover onto the South Western Highway, it is noted that the applicant has clarified in their submission that this access point, located on Lot 873, is not part of the current application and will be retained for limited farm-related purposes only. Specifically, the crossover is required for:</p> <ul style="list-style-type: none"> • Farm vehicle movements associated with the orchards on the northern portion of Lot 873;

	<ul style="list-style-type: none"> • Occasional deliveries (e.g., lime soil trucks); and • Access across the Highway to the balance of the farm located opposite. <p>The application seeks approval solely for development on Lot 1, including a new crossover to Bendall Road for the cherry stall. As such, it is not within the scope of this application to impose conditions relating to Lot 873, including the removal or modification of the existing crossover on that lot.</p>
<p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles</p>	<p>In accordance with Clause 4.27 of LPS7, consideration must be given to the adequacy of car parking provision and vehicle access. The proposed development includes a one-way internal circulation layout, with:</p> <ul style="list-style-type: none"> • 22 car parking bays, and • 4 caravan parking bays, • Constructed with compacted gravel to an all-weather standard. <p>This layout is intended to ensure safe and efficient access for both passenger vehicles and vehicles towing caravans, which are commonly associated with tourism and seasonal produce stalls. While LPS7 does not specify minimum car parking requirements for a 'Market' or 'Wayside Stall' land use, the number of bays provided has been assessed with reference to the anticipated demand generated by:</p> <ul style="list-style-type: none"> • The larger stall structure (expected to be approximately double the size of the previous sea container), • An increase in visitors, including those towing caravans, • Up to two additional staff members associated with a coffee/food van on site, • A substantially larger parking area compared to the former stall site. <p>Based on this information, the proposed parking provision is considered adequate and appropriate to accommodate expected demand.</p> <p>Additionally, the internal vehicle circulation layout allows for safe and efficient manoeuvring of vehicles, including caravans, without reversing onto Bendall Road, which is consistent with good design practice and the Shire's Works and Services staff recommendations.</p> <p>Under Clause 4.29 of LPS7, the application must also demonstrate sufficient provision for loading and unloading. There is ample space on the site to accommodate loading and unloading activities entirely within the lot boundaries, without impacting public roadways or adjacent properties. This is supported by the open layout and the size of the subject site.</p> <p>Other matters to note:</p> <ul style="list-style-type: none"> • Landscaping is required within parking areas where the area exceeds 20m in width or length. A condition of approval will be recommended to address this.

(t) amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	The proposal will generate additional traffic using the new site off Bendall Road. The Shire's Works and Services staff have recommended the existing Bendall Road requires some upgrading (sight line improvement works) to be adequate for the expected traffic to ensure that the proposal will not affect the traffic flow or safety in the area. A condition is recommended.
(u) the availability and adequacy for the development of the following:	
(i) public transport services	Not applicable.
(ii) public utility services	<p>Under clause 4.37 of LPS7 consideration is also to services for all development.</p> <p>The property has existing access and connection to the electricity and telecommunications servicing infrastructure. The proposal includes portable toilets for staff/customers that has been supported by Health Services staff for a limited period.</p>
(iii) storage, management and collection of waste;	<p>The Shire's Health Services advised that, if approval is granted, the landowner would be required to submit a management plan for the use of temporary toilets, to the satisfaction of the Shire. This must include servicing and cleaning arrangements and demonstrate compliance with the Guideline for the management of public health risks associated with temporary toilets in Western Australia. The temporary toilet must be an accessible toilet. Use of temporary toilets for the combined use of patrons and staff will not be supported on a permanent basis. Use of temporary toilets will be permitted for up to 2 years from the date of completion. After this date, an application to install an onsite effluent disposal system must be lodged with the Shire for approval. A site and soil evaluation must accompany any future onsite effluent disposal application. Officers are recommending a condition for a waste management plan to be submitted to the Shire for approval prior to the use of temporary toilets.</p>
(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)	Not applicable.
(v) access by older people and people with disability;	The proposal includes the creation of a hardstand area to facilitate easier and safer access for older people and individuals with disability, enabling them to visit the site more comfortably.
(v) potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	<p>The proposal to relocate the existing cherry stall is expected to benefit the community while maintaining the long-standing tradition of on-farm fruit sales within the orchard areas approaching Donnybrook. In recent years, Main Roads has engaged in ongoing discussions with both the Shire and the landowner, raising safety concerns associated with the current location of the stall. Specifically, instances have been reported where drivers abruptly slowed or stopped to access the site, resulting in several near misses. The proposed relocation provides a safer alternative with improved access via Bendall</p>

	Road, enhancing safety for both local residents and passing travellers while continuing to support a valued local enterprise.
(w) history of the site where the development is to be located	The site is currently used as an established avocado orchard. To accommodate the proposed development, a portion of the orchard will need to be removed.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	The proposal to relocate the existing cherry stall is expected to benefit the community by preserving the long-standing tradition of on-farm fruit sales within the orchard areas approaching Donnybrook. The proposed relocation to Bendall Road offers a safer access point, improving road safety for local residents and passing travellers.
(y) any submissions received on the application;	Refer "Public Submissions" section of Agenda Item.
(za) the comments or submissions received from any authority consulted	Refer "Consultation with Government/Service Agencies" section of Agenda Item.
(zb) any other planning consideration the local government considers appropriate	Not applicable.



mainroads
WESTERN AUSTRALIA

Memorandum of Understanding The Regional Road Safety Program

Commissioner of Main Roads
and

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THIS Memorandum is made between:

Commissioner of Main Roads (ABN 50 860 676 021), Don Aitken Centre, Waterloo Crescent, East Perth WA 6892 (**Main Roads**)

and

(ABN)

of Address

DATE:

RECITALS

- A. The Regional Road Safety Program (RRSP) is a jointly funded initiative of the Australian and Western Australian Governments aimed at reducing fatal and serious injury crashes on regional roads through the delivery of low-cost, high-benefit safety treatments. The program focusses on high-speed sealed roads under the care and control of Local Governments. Building on the success of RRSP State tranches, this program targets Local Government roads with a history of serious crashes and substandard cross sections.
- B. In early 2025, Main Roads with Western Australian Local Government Association (WALGA) and The Royal Automobile Club of Western Australia (Incorporated) (RAC) identified high-priority road sections on regional local government roads using desktop data from WALGA and Main Roads systems, including crash history, seal width, and traffic volumes. A Benefit-Cost Ratio (BCR) approach was used to prioritise segments most suited to low-cost safety treatments. Local Governments were invited to review pre-filled Nomination Forms to confirm the suitability, scope, and deliverability of the proposed works.
- C. The program is being delivered in multiple tranches, over two-year periods commencing from the 2025/2026 financial year, with the final tranche delivered in 12 months. Projects involving shoulder sealing and audible line marking must be completed within 24 months, while line-marking-only works must be completed within 12 months of tranche commencement. Final project selection will consider alignment with program guidelines, cost-effectiveness, and deliverability. Funding will be made available under each tranche and is jointly supported by the Commonwealth and Western Australian Governments.
- D. Assessment and final selection of projects for Tranche 1 will be based on:
 - i) Confirmation that the scope of the nominated project aligns with program guidelines;
 - ii) Suitability of the proposed treatment as a low-cost safety improvement; and
 - iii) Demonstrated ability to deliver the works within the funding timeframe and budget envelope.

This Memorandum governs the high-level principles upon which the funding and delivery of the RRSP are outlined. The Parties intend to work cooperatively and in good faith to achieve the objectives set out in this Memorandum.

OPERATIVE PART

THE PARTIES AGREE as follows:

1. Definitions and Interpretation

1.1 In this Memorandum, unless the context indicates otherwise, the following definitions apply:

Term	Meaning
Authorised Officer	Means in respect of each Party, the person from time to time nominated as the senior manager or executive officer of that Party who has authority to negotiate and settle any issue on behalf of that Party.
Business Day	Means a day other than a Saturday, Sunday or public holiday in Western Australia.
CEO	Means the Chief Executive Officer of the Organisation.
Certificate of Completion	Means a certificate provided to the Program Manager signed by the CEO of the Organisation.
Claim	Means any claim, proceeding, cause of action, action, demand or suit (including by way of a claim for contribution or an indemnity).
Commonwealth	Means the Crown in right of the Commonwealth of Australia.
Confidential Information	Includes, but is not limited to, any information relating to business affairs and processes of the Parties, obtained by virtue of this Memorandum, which would not otherwise be available to the general public and all information marked as confidential as well as information which by its nature is confidential, is known to be confidential or which Party receiving the information from the other Party ought to have known was confidential and includes all such information that may be in the possession of the Party's employees, agents and contractors.
Contact Officer	Means the person nominated by each Party in accordance with Schedule 1.
Event of Default	Means any event mentioned in Clause 18

Fit for Purpose	Means satisfies each of the purposes, objectives, functions, uses and requirements for which the Project Works are required by Main Roads as contained in this Memorandum or reasonably inferred from this Memorandum.
Funding	Means the funding paid by Main Roads to the Organisation in accordance with this Memorandum and equal to the amount reflected in Item 11 (Target Project cost) of Annexure 1 which is exclusive of GST.
Information	Includes data, records and documentation.
Insolvency Event	<p>Means any of the following events:</p> <ul style="list-style-type: none"> (a) an order is made, or an application is made to a court for an order, that a body corporate be wound up; or (b) except to reconstruct or amalgamate while solvent, a body corporate: <ul style="list-style-type: none"> (i) is wound up or dissolved; or (ii) resolves to wind itself up or otherwise dissolve itself, or gives notice of intention to do so; or (iii) enters into, or resolves to enter into, any form of formal or informal arrangement for the benefit of all or any class of its creditors, including a scheme of arrangement, Memorandum of company arrangement, compromise or composition with, or assignment for the benefit of, all or any class of its creditors; or (c) a special administrator (or equivalent) is appointed under any Law; or (d) a liquidator or provisional liquidator is appointed (whether or not under an order), or an application is made to a court for an order, or a meeting is convened or a resolution is passed, to make such an appointment, in respect of a body corporate; or (e) a receiver, manager, receiver and manager, trustee, administrator, controller (as defined in section 9 of the <i>Corporations Act 2001</i>) or similar officer is appointed, or an application is made to a court for an order, or a meeting is convened or a resolution is passed, to make such an appointment, in respect of a body corporate; or (f) the Organisation resolves to wind itself up, or otherwise dissolve itself, or gives notice of intention to do so or is otherwise wound up or dissolved; (g) the Organisation is or states that it is unable to pay its debts when they fall due or is otherwise insolvent or

	<p>deemed to be insolvent under the <i>Corporations Act 2001</i>;</p> <p>(h) the Organisation takes any steps to obtain protection or is granted protection from its creditors under any applicable legislation;</p> <p>(i) the Organisation fails to comply with a statutory demand for payment of any debt within the time specified in any statute;</p> <p>(j) the Organisation becomes an insolvent as defined in the <i>Corporations Act 2001</i> or action is taken which could result in that event;</p> <p>(k) if the Organisation is a regional local government for the purposes of Part 3 Division 4 of the <i>Local Government Act 1995</i>, the dissolution or partial dissolution of the Organisation at the direction of the Minister (for the time being having responsibility for the <i>Local Government Act 1995</i>) or in accordance with the establishment agreement under that Act;</p> <p>or</p> <p>(l) anything analogous or having a substantially similar effect to any of the events specified above happens to the Organisation under the law of any Australian jurisdiction.</p>
Law	Means any rule or requirement of a statute, subordinate legislation, the common law or equity.
Maintain	Means to repair, alter and replace.
Maintenance	Means the act of maintaining or the work of keeping something in proper condition by repairing, altering and replacing.
Memorandum	Means this memorandum of understanding
Notice	Means request, direction, consent, notification or other communication given under or in connection with this Memorandum.
Organisation	Means for the time being having responsibility for the care, control and management of the Project and includes its officers, employees, agents, volunteers, subcontractors, and successors.
Party	Means the Organisation or Main Roads as the context requires.
Parties	Means both the Organisation and Main Roads.
Practical Completion	<p>Means when the Project Works have been designed and constructed in accordance with this Memorandum except for minor Defects that:</p> <p>I. do not prevent the Project Works from being Fit for Purpose; and</p> <p>II. can be corrected without affecting the continuous unrestricted use of the Project Works.</p>
Program Manger	Means the Main Roads representative identified from time to time as holding the position of RRSP Program Manager and responsible for the management of the RRSP.
Progress Payment Certificate	Means a progress payment certificate signed by the CEO, certifying that expenditure on the Project has exceeded 40% of the approved Project budget

Project	Means the project nominated by Organisation and approved by Main Roads as outlined in Item 5 of Annexure 1.
Project Budget Estimate	Means the budget, prepared by the Organisation which itemises the costs of undertaking the Project.
Project Management Plan	means a plan in relation to the management of the Project in the form and containing the information required by the Program Manager. The Parties note that this is not a construction project management plan.
Project Works	Means the physical works, services and materials that the Organisation must construct in accordance with this Memorandum.
Road Project Grants	Means a road project grant under the State Roads Funds to Local Governments.
RRSP	Means the Regional Road Safety Program.
Scope of Works	means the drawings and written description contained in the Nomination Form in relation to the Project provided by the Organisation and accepted by the Program Manager
Site	Means the premises where the Project works are to be undertaken in accordance with this Memorandum.
State	Means the Crown in right of the State of Western Australia.
Term	Means the duration of this Memorandum as set out in Clause 3.
Tranche	Means defined delivery period under the Regional Road Safety Program – Local Government Roads. Each Tranche typically spans two years, except Tranche 5, which is 12 months. Refer to Attachment 1 for Tranche information and the agreed delivery period. Proposed periods (subject to funding): Tranche 1: 1 July 2025 – 30 June 2027 Tranche 2: 1 July 2026 – 30 June 2028 Tranche 3: 1 July 2027 – 30 June 2029 Tranche 4: 1 July 2028 – 30 June 2030 Tranche 5: 1 July 2029 – 30 June 2030

1.1 In this Memorandum, unless inconsistent with the context or subject matter:

- (a) headings and the table of contents are used for convenience only and do not affect the interpretation of this Memorandum;
- (b) references to this Memorandum or any other instrument include this Memorandum or other instrument as varied or replaced, notwithstanding any change in the identity of the Parties;
- (c) headings are inserted for ease of reference only and are to be ignored in construing this Memorandum;
- (d) words indicating the singular include the plural and vice versa; and
- (e) the words 'including', 'includes' and 'include' have the meaning as if followed by the word 'but not limited to' or 'without limitation';

2. Purpose and Administration of this Memorandum

- 2.1 The provisions of this Memorandum are intended to describe the manner and extent to which the Parties will facilitate the actions referred to in the recitals by providing for:

- (a) accountability between the Parties;
 - (b) roles and responsibilities of the Parties;
 - (c) a mechanism of funding for the Project; and
 - (d) agreement on the Scope of Works, Schedule and costs of the Project.
- 2.2 This Memorandum records the current understanding between the Parties and is a record of the Parties' intentions in respect of the issues described in this Memorandum.
- 2.3 The Parties agree that this Memorandum is not contractually binding, and that this Memorandum does not impose any legal liability or obligation on any State or Territory of Australia, any Minister of the Government of any State or Territory of Australia, the Parties or their respective employees and advisers.
- 2.4 The Parties agree that this Memorandum does not constitute any offer or invitation which is capable of acceptance.

3. Term

- 3.1 The Parties agree that this Memorandum commences on the date the last party executes this Memorandum.
- 3.2 This Memorandum will remain in force until the project is completed or it is terminated by either Party giving 6 months prior written Notice of termination
- 3.3 All legal rights and obligations of the Parties will continue after the expiration or earlier termination of this Memorandum.

4. Party Responsibilities

- 4.1 The Organisation has the following responsibilities;
 - (a) Develop a Project Management Plan that outlines how the Organisation plans to manage the Project including, but not limited to:
 - i. comply with this Memorandum
 - ii. procurement plan (i.e. contract or in-house resources);
 - iii. risk management;
 - iv. quality management;
 - v. traffic management;
 - vi. safety management;
 - vii. environmental management;
 - viii. time management;
 - ix. cost management; and
 - x. scope management.
 - (b) The Project Management Plan to be submitted to the Program Manager prior to final acceptance of the Project.
 - (c) As a part of the Project Management Plan, establish a baseline Schedule for the Project in the form advised by the Program Manager that identifies key milestones and tasks including the following:
 - i. design development;

- ii. tender issue, close and award;
 - iii. possession of site;
 - iv. commencement of construction activities on site;
 - v. tasks and milestones for work elements; and
 - vi. Practical Completion.
- (d) Maintain the Schedule to update milestones and tasks to reflect actual and forecast activities and provide to the Program Manager monthly with Progress Report.
 - (e) As a part of the Project Management Plan, establish and maintain a Project cost report that identifies actual and forecast costs from Project commencement to completion in the form and containing any other information as advised by the Program Manager.
 - (f) Develop the design and works methodology of the Project, ensuring the application of good engineering practice so that the road is Fit for Purpose and outcomes achieve the aims of the RRSP.
 - (g) The design and methodology shall be provided to the Program Manager prior to commencement of works on site.
 - (h) Participate and provide assistance as necessary to the safety performance of the Project.
 - (i) Participate and fully comply with State and Commonwealth audits, as applicable.
 - (j) Fully deliver the Project within the nominated Tranche.
 - (k) Assign a project manager and provide contact details, including replacement or alternatives during periods of absence of the project manager.
 - (l) Immediately advise the Program Manager of any events that may give rise to a delay in completion of works beyond the appropriate Tranche, including planned actions to return the Project to the approved Schedule.
 - (m) Within four weeks of achieving Practical Completion of the Project, verify all costs on the Project by provision of a duly certified project ledger and provide the certified project ledger to the Program Manager.
 - (n) The Organisation is responsible for the Project, including that the Project is undertaken in compliance with all authorisations, which includes a consent, permit, licence, approval, agreement, certificate, authority, or exemption from, by or with a State or Commonwealth jurisdiction or required under any law or statute and all conditions attached to an authorisation and includes Australian Standards applicable to the Project.

4.2 Main Roads has the following responsibilities;

- (o) manage the overall RSP
- (p) provide funding for the Project
- (q) Undertake all communication between the State and Federal Government pertaining to the Project and RRSP, excluding communications required by LGA to manage delivery of the Project.
- (r) Provide a template for the Project Management Plan; and Progress Report.
- (s) Undertake an independent evaluation to identify the safety performance of

the Project and RRSP in line with State and Commonwealth post completion monitoring requirements as applicable.

- (t) Undertake RRSP audits as necessary. These audits may also include Commonwealth Government audits that may be undertaken simultaneously or separately.

5. Variations

- 5.1 The Organisation must not make any changes to the Project or the Project Budget Estimate without prior written consent of Main Roads, which consent may be withheld in Main Roads' absolute discretion.
- 5.2 Any variation of this Memorandum must be made in writing duly executed by both Parties.
- 5.3 For the purposes of this clause, 'in writing' includes email correspondence, provided that the email clearly identified the variation and includes express confirmation of acceptance by both parties. Each party agrees that an exchange of emails indicating mutual consent shall constitute a binding variation to this Memorandum.

6. Relationship between Parties

- 6.1 The Parties agree that nothing in this Memorandum is intended or should be construed as creating a contract of employment, an agency, a partnership, a joint venture, or a fiduciary relationship between the Parties.
- 6.2 Nothing in this Memorandum shall restrict or otherwise fetter the discretion of either Party in the lawful exercise of any of its functions and powers.
- 6.3 Nothing in this Memorandum affects the Parties' obligations to comply with any obligations imposed by law or any contract.

7. Contact Officer

- 7.1 Each Party must appoint a staff member to be a contact officer in relation to the Project and this Memorandum (this staff member and any replacement staff member performing the same role are referred to in this Memorandum as the Contact Officer). The Contact Officer for each Party is authorised to act for that Party in relation to this Memorandum and is the first point of contact for the other Party in relation to any disputes arising under this Memorandum.
- 7.2 The details of each Party's Contact Officer as at the Execution Date are set out in Schedule 1.
- 7.3 If a Party changes its Contact Officer that Party must notify the other Party in writing of the details (being the same categories of information set out in Schedule 1 for each Contact Officer) of the new Contact Officer within five (5) Business Days after the change.

8. Restrictions

- 8.1 Works are to be restricted to the locations described as the Project and referred to in Annexure 1.

- 8.2 The Organisation acknowledges that regardless of whether Main Roads accepts or approves the scope, methodologies materials and all other things incorporated in the Project, responsibility for the Project, and outcomes and post completion activities, remain the responsibility of the Organisation.

9. Payment of Funding

- 9.1 Main Roads may provide funding up to the maximum amount identified in the Project (see Annexure 1).
- 9.2 Payments determined to be made will be provided through the Project Manager on the same basis as Road Project Grants and in line with the following:
- i. 40% of Project budget on the date the last party executes this Memorandum;
 - ii. 40% of Project budget on receipt of a Progress Payment Certificate; and
 - iii. 20% of Project budget on the submission of a Certificate of Completion.
- 9.3 Payment of the first milestone is subject to Main Roads' formal acceptance that the Organisation has fulfilled its obligations as set out in clauses 4.1(a), 4.1(b), and 4.1(c)
- i. Payments may be made by Main Roads when the Program Manager is satisfied that the Project Management Plan and baseline Schedule have been submitted and meet the required standard.
 - ii. Where Main Roads has made a determination to pay, it will pay within 20 working days of receipt of the Progress Payment Certificates.

10 Acceptable RRSP Treatment

- 10.1 Acceptable treatments under the Regional Road Safety Program – Local Roads shall be as agreed with the Program Manager and documented in the Nomination Form attached as Annexure 1. These typically include sealing of unsealed shoulders on the existing pavement formation and the installation of Audio Tactile Line Marking (**ATLM**), in accordance with Attachment 8 of the Guidelines.

11 RRSP Safety Standards

- 11.1 The Organisation shall include and demonstrate to Main Roads the following road safety measures are incorporated in the Project to AS1742.2-2009: Manual of Uniform Traffic Control Devices, Part 2: Traffic Control Devices for General Use, if applicable:
- (i) Curve warning signs;
 - (ii) Replacement or new guideposts;
 - (iii) Chevron Alignment Markers, if required; and/or
 - (iv) Other traffic control devices.

12 Resolution of Issues

- 12.1 Consideration by the Parties Contact Officers.

12.2 If at any time any disagreement or dispute or issue under or in connection with this Memorandum (**Issue**) arises:

- I. The Parties will ensure that the Issue is first promptly referred in writing to the Parties Contact Officers for resolution (to the extent the Parties Contact Officers have not already considered the Issue); and
- II. The Parties' Contact Officers will consider the Issue referred to them and give due consideration to submissions by any Party in connection with the Issue

13 Notices

13.1 Any Notice that may or must be given under this Agreement to be valid and effective, must be:

- i. In writing;
- ii. given by a Contact Officer of the Party giving notice; and
- iii. hand delivered.

14 Confidentiality

14.1 The Organisation must make no written or oral announcements or representations to anyone including the media regarding the amount of the Funding provided by Main Roads without the written authorisation of Main Roads, except to the extent that such information is in the public domain before execution of this Memorandum and otherwise complies with Clause 14.

14.2 The Parties must treat as confidential any Confidential Information or other information that comes into their possession in relation to each other as a result of this Memorandum and will not disclose this information to any person other than those of its employees, officers, agents and legal and financial advisers who legitimately and reasonably require such Confidential Information in order to properly discharge the duties:

- (a) which they were employed or engaged to discharge; and
- (b) which they would ordinarily and reasonably be expected to discharge on account of such employment or engagement; unless:
 - (i) required to do so under or pursuant to a provision of a Law in operation in Australia from time to time; or
 - (ii) required or requested to do so by virtue of an order, direction or request given to it by or on the part of the Parliament of the State, Minister of the State or Commonwealth or by any Court or Tribunal of the relevant jurisdiction.

14.3 The Parties agree that they will use their best endeavours to ensure that their officers, employees, agents, contractors and legal and financial advisers comply with the obligations of confidentiality specified in Clause 14.2.

15 Limitation of Liability

15.1 Neither Main Roads nor any department, agency, instrumentality or emanation of

the State (and any Minister, officer, or employee of any of them) shall be:

- (a) liable, in negligence or otherwise, for the success or otherwise of the Project;
- (b) responsible for any losses or financial shortfalls encountered by the Organisation in connection with, or by undertaking, the Project and for clarity, if the Funding is insufficient for the Organisation to properly fulfil all of its obligations then the Organisation must still fulfil its obligations as its own cost and any Commonwealth funding will not exceed the Funding provided for in this Memorandum.
- (c) liable for any losses or financial shortfalls sustained by the Organisation in the event that termination of this Memorandum results in or triggers the termination of other Agreements or agreements the Organisation has with third parties; or

15.2 Neither Main Roads, nor the Main Roads authorised delegates, will be liable to pay compensation when this Memorandum has been ended, in total or in part.

16 Insurance and Indemnity

- 16.1 It is the onus and responsibility of the Organisation to ensure that during the continuance of this Memorandum and at all times thereafter it will maintain and keep current, public liability insurance for no less than \$20 million. The Organisation is to ensure that such insurances will cover all claims and losses howsoever arising or caused, including but not limited to those in respect of any injury of, or illness (including mental illness) to, or death of, any person, any loss, damage or destruction to any property, claims risks and events covered under the indemnities provided by the Organisation to Main Roads under this clause.
- 16.2 The Organisation must not, and is not to permit any person to, do anything which adversely affects the continuation, validity, extent of cover or ability to make a claim under the insurance policies.
- 16.3 The Organisation must give Main Roads prior notice of cancellation, non-renewal or material alteration to the abovementioned policy or policies held.
- 16.4 The Organisation must give Main Roads a copy of any notice of cancellation, non-renewal or material alteration given by the insurer to the Organisation within 5 days of its receipt.
- 16.5 The Organisation will notify Main Roads immediately if an event occurs which does give rise or might give rise to a claim under the insurance policies or which could prejudice the rights of insurers or Main Roads.
- 16.6 The Organisation must pay or procure the payment of all premiums and all deductibles on the policies of insurances requested in this Memorandum when due.
- 16.7 The Organisation are responsible for promptly renewing all insurance policies requested in this Memorandum to ensure continuation of the relevant policies when due.
- 16.8 If requested by Main Roads, the Organisation will provide evidence of requested insurances by way of certificate of currency and or receipts for premiums paid in connection with all insurance cover referred to above.

16.9 The Organisation must cause its insurers to waive all rights of subrogation against Main Roads in respect of a claim arising under the insurance policy.

16.10 The Organisation will indemnify and keep indemnified Main Roads from and against all actions, claims, causes of action, costs, proceedings, suits and demands whatsoever which may at any time be brought, maintained, asserted, or made against Main Roads in respect of any loss whatsoever, injury or damage of, or to, any kind of property or thing and any death of, or injury or illness sustained by, any person arising out of, or in connection with, whether directly or indirectly, this Memorandum, the Funding, the Project or any act, neglect, omission or default by the Organisation or any employee, agent or contractor of the Organisation

16.11 The provisions of Clause 16 survive termination of this Memorandum.

17 Intervention and Default

17.1 Main Roads has the right to intervene at any time in the practical operation of the Project to ensure that the objectives and expected outcomes of the Project are achieved.

17.2 An Event of Default occurs if:

- (a) Main Roads is of the reasonably held view that all or any part of the Funding is not being used, or has not been, applied with competence, efficiency and diligence;
- (b) Main Roads is of the reasonably held view that the Organisation has spent or committed, or will spend or commit, all or part of the Funding:
 - (i) for a purpose or purposes inconsistent with or contrary to the Approved Project Plan or the Project;
 - (ii) imprudently or in an unreasonable fashion having regard to the purpose of this Memorandum; or
 - (iii) on goods, services or goods and services for which the Organisation has paid or will pay a price which is unreasonably high;
- (c) for any reason whatsoever the Organisation is unable or unwilling to commence, continue or complete work on the Project;
- (d) the Organisation is the subject of an Insolvency Event;
- (e) a commissioner is appointed in respect of the Organisation under the *Local Government Act 1995*, or the Local Government Council of the Organisation is suspended under section 8.15(2)(c) or dismissed under section 8.24 of the *Local Government Act 1995*;
- (f) the Organisation breaches this Memorandum and does not fully and properly rectify the breach within 28 Business Days or a period otherwise agreed from receipt of a written notice from or on behalf of Main Roads specifying the breach and calling upon the breach to be rectified;
- (g) the Organisation breaches or is likely to breach an agreement it has with a third party which will or is likely to result in the Project being jeopardised or adversely affected;

- (h) the Organisation does not promptly inform Main Roads of any occurrence which may adversely affect the Project in a material way or the ability of the Organisation to deliver the Project;
- (i) the Organisation does not act with integrity, good faith and probity in accordance with good corporate governance practices;
- (j) the Organisation attempts to sell, transfer, assign, mortgage, charge or otherwise dispose of or deal with any of its rights, entitlements and powers under this Memorandum;
- (k) the Organisation does not comply with all State or Commonwealth Laws;
- (l) the Organisation does not reasonably co-operate with Main Roads in the administration of this Memorandum;
- (m) the Organisation refuses upon reasonable notice to provide Main Roads with access at any reasonable time and from time to time to the Organisation's premises, financial records, other documents, equipment and other property for the purpose of audit and inspection by Main Roads in order to verify compliance by the Organisation with the Project and this Memorandum;
- (n) the LGA does not achieve the Milestone/s by the times and in accordance with any other stipulations set out in this Memorandum;
- (o) any portion of the Project has not been completed pursuant to the terms of this Memorandum;
- (p) the Project is not completed by the relevant Tranche period; or
- (q) the Organisation fails to advise Main Roads if the Organisation has received, or is expected to receive any private, or any other State or Commonwealth government funding for the Project.

18 Consequences of Event of Default

- 18.1 If an Event of Default occurs, or it is considered by the Organisation as likely to occur or would be considered by a reasonable person as likely to occur, then the Organisation must immediately notify Main Roads of the occurrence or likely occurrence and must thereafter consult with Main Roads with respect to this Memorandum and its possible termination.
- 18.2 If an Event of Default occurs, Main Roads may, in its absolute discretion, suspend payment of the Funding or, with the approval of the Commonwealth, terminate this Memorandum. Main Roads may continue to suspend payment of the Funding until such time as Main Roads is satisfied, in its absolute discretion, that the Organisation has rectified the Event of Default.
- 18.3 If an Event of Default occurs or Main Roads is otherwise entitled to terminate this Memorandum, then.
- (a) Main Roads has no further obligation to pay the Organisation any part of the Funding which has not yet been paid to the Organisation; and
 - (b) the Organisation must immediately take all action necessary to cease further expenditure of the Funding; and

- (c) upon demand by Main Roads, the Organisation must immediately repay to Main Roads the Funding less costs in respect of the Approved Project Plan:
 - (i) already properly incurred by the Organisation; and
 - (ii) not yet paid by the Organisation but which are due and payable, provided that in respect of such costs, the Organisation has provided to Main Roads within 10 Business Days after Main Roads' demand:
 - (A) documentary evidence that such costs were properly incurred in accordance with this Memorandum; and
 - (B) in respect of costs referred to in Clause 18.3(c)(i) documentary evidence that the Organisation has paid such costs.

18.4 If an Event of Default involves expenditure of the Funding contrary to this Memorandum, then upon demand by Main Roads, the Organisation must immediately repay to Main Roads all amounts of the Funding improperly spent or committed.

18.5 If this Memorandum is terminated under any provision of this Memorandum Main Roads will cease to have any obligation to the Organisation.

19 Force Majeure

19.1 A Party is not liable for its inability to perform, or for any delay in performing, any of its obligations under this Memorandum to the extent that and during the time that, the inability or delay is caused by an Event of Force Majeure.

19.2 If a Party is prevented from performing its obligations by an Event of Force Majeure, then that Party:

- (i) Must notify the other Party as soon as possible of the Event of Force Majeure, giving details as to the nature of the Event of Force Majeure and the effect the Event of Force Majeure will have on the performance of its obligations; and
- (ii) Must use its reasonable endeavors to minimise the effect of the Event of Force Majeure on the performance of its obligations.

19.3 The time for performance of the Party's obligation will be extended by a period equal to the period of any Event of Force Majeure which causes the inability to perform, or delay in performing, the obligations.

20 Waiver

20.1 No right under this Memorandum will be deemed to be waived except by notice in writing signed by each Party.

20.2 A waiver by either Party pursuant to clause 20.1 will not prejudice that Party's rights in respect of any subsequent breach of this Memorandum by the other Party.

20.3 Subject to clause 20.2 any failure by either Party to enforce any clause of this Memorandum, or any forbearance, delay or indulgence granted by one Party to the

other Party will not be construed as a waiver of rights under this Memorandum.

21 Governing Law

- 21.1 This Memorandum is governed by and construed in accordance with the laws for the time being of Western Australia and the Parties hereby submit to the jurisdiction of the courts of Western Australia and all courts having jurisdiction to hear and determine appeals therefrom.

EXECUTION OF THIS MEMORANDUM

Executed as an Memorandum of Understanding

SIGNED for and on behalf of the

Signature of witness

Signature of authorised officer

Name of witness

Name of authorised officer

Date
—

Date

SIGNED for and on behalf of the
COMISSIONER OF MAIN ROADS:

Signature of witness

Name of witness

Date

Signature of authorised officer

Name of authorised officer

Date

Schedule 1 Contact Officers

1 Contact Officers

1.1 Main Roads

Name: [Suvrat Patel](#)

Job Title [Project Programming Manager](#)

Phone [9881 0516 / 0417 910 661](#)

Email Suvrat.patel@mainroads.wa.gov.au

Postal Address: PO Box 6202 East Perth WA 6892

Street Address: Don Aitken Centre, Waterloo Crescent, East
Perth WA 6004

Supervisor: [Maurice Cammack](#)

1.2 Organisation

Name:

Job Title


Phone

Email

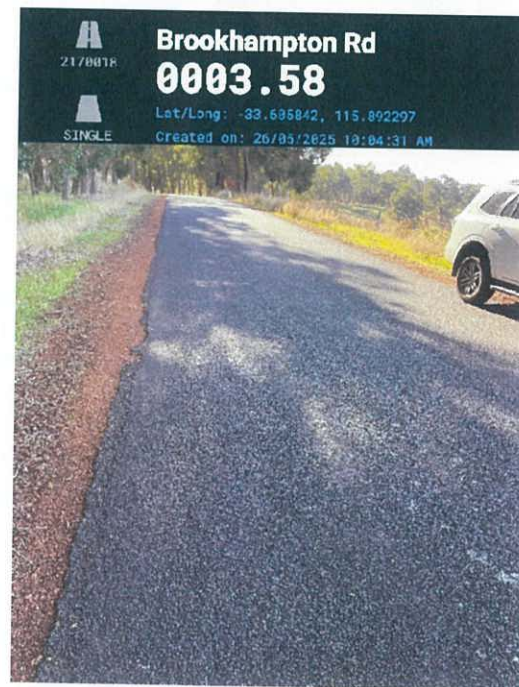
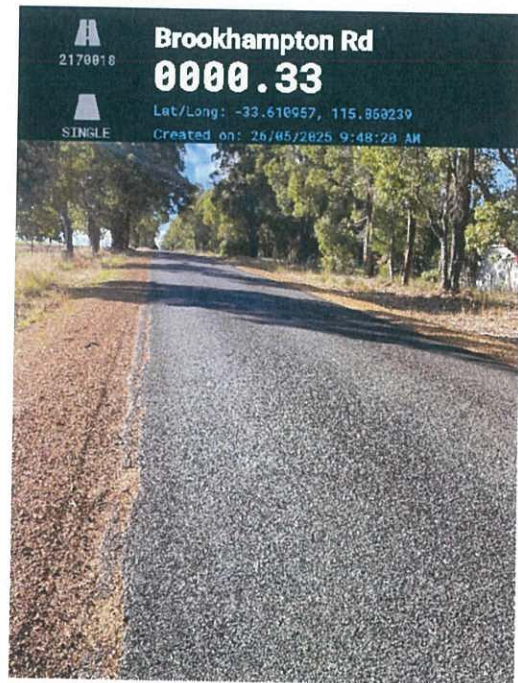
Annexure 1 – NOMINATION FORM

ATTACHMENT 1 – NOMINATION FORM

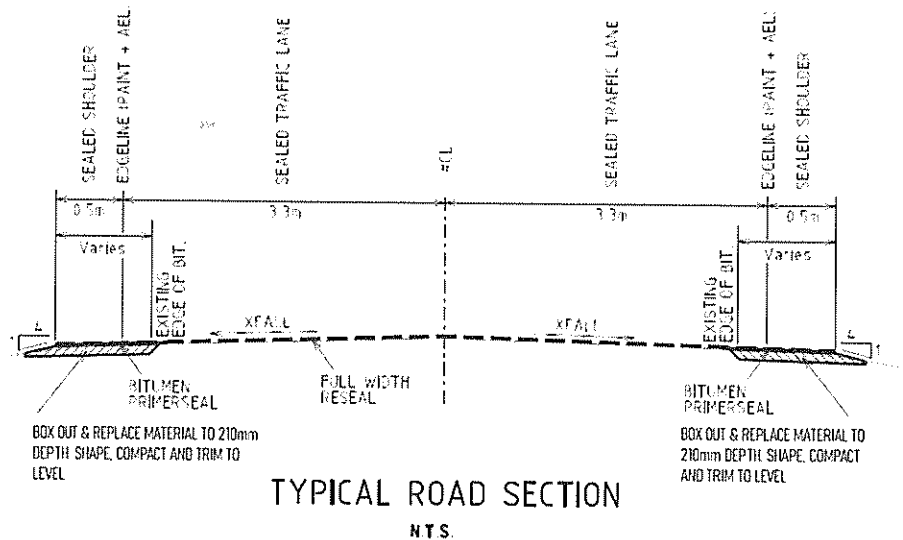
NOMINATION FORM REGIONAL ROAD SAFETY PROGRAM LOCAL GOVERNMENT ROADS

1. Nomination Year	2025 - 27
2. Local Government	Donnybrook Balingup
3. Road Name and Number	Brookhampton Road – 2170018
4. Project SLKs	0 to 3.94
5. Project Description of works and treatments to be applied	<p>Average Typical Existing seal width – 5.6 m Average Typical Existing pavement width – 7.6 m</p> <p>Target seal width – 7.6 m with targeted shoulder target (per side) – 0.3 m</p> <p>Proposed treatment – Seal shoulder 1.00m. Install CL and AEL.</p> <p>Existing cross section:</p>  <p>The diagram illustrates a cross-section of a road. It features a central dashed line labeled 'CL' (Center Line). On either side of the CL, there are two main sections: 'SEALED TRAFFIC LANE' and 'UNSEALED SHOULDER'. The 'SEALED TRAFFIC LANE' sections are each 2.80m wide. The 'UNSEALED SHOULDER' sections are each 1.00m wide. The total width of the sealed traffic lanes is 5.6m, and the total width of the unsealed shoulders is 2.00m. The diagram is labeled 'TYPICAL EXISTING ROAD SECTION N.T.S.' (Not To Scale). The road surface is shown as a blue line that slopes downwards from the center towards the edges, with the word 'VARIES' at both ends.</p>

Photographs of existing road showing typical condition:



Proposed cross section:



Brookhampton Road between 0.00 and 3.94 SLK has an average seal width of 5.60 metres with ~ 1.00 metre unsealed gravel shoulders. The seal and shoulder width is therefore an average of 7.60 metres which lends itself well to a relatively simple works project to accept a total seal width of 7.60 metres as shown in the proposed cross section above by constructing and sealing a new shoulder of approximately 1.00 metre on each side.

The existing seal is in good condition and pavement structure appears in similarly sound condition evidenced by a lack of failures or subsidence.


Since the proposed new road section will essentially overlay the existing pavement width there very few, if any, enabling works required. While there are eight culverts in the subject section, all are of sufficient width that no additional pipes will be required however a number of headwalls will need to be installed.

The proposed widening will be constructed by the box out and shoulder sealing method outlined in clause 7.3 of the Guidelines. This method has been chosen as it removes any doubts as to the effectiveness and suitability of the existing shoulder material and due to concerns as to the thickness of the existing gravel shoulder pavement. A hot bitumen primerseal will then be applied followed by a full width reseal (Reseal to be concurrent works as per section 12).

The subject section of Brookhampton Road is an important east-west route that forms the most direct route between the South West Highway and districts to the south-east of the Donnybrook town site as well as several properties along the subject section itself. As these areas continue to be developed the section in its present state is not up to the required standard in terms of seal width. The proposed works will create a safer environment while retaining the current geometry which is generally compliant.

6. Enabling Works & Approvals

Essentially no enabling works are required. As the proposed works will overlay the existing pavement width, there will be no works outside the

	<p>existing road footprint required. Therefore there is no need for a clearing permit or other third party approvals for the construction itself.</p> <p>The centrelines and edgelines are new installations and will require MRWA approval.</p>
7. Project Location (map)	
8. Proposed start date	Procurement and preliminaries proposed to commence February 2026.
9. Proposed completion date	Construction proposed to commence November 2026
10. Target cost per km	\$233,225 (ex GST)
11. Target Project cost	\$932,900 (ex GST)
12. Concurrent works funded by Local Government (e.g. reseals etc)	\$104,000 second coat seal to full width of new seal.
13. Delivery mechanism:	LG managed Contract
14. Number of jobs created (estimated):	25
15. Evidence/capability to complete within the proposed time period:	<p><i>Is there capacity to complete the proposed works in the Tranche?</i> Yes – the Shire has completed very similar projects in previous years including 2024/25. The interest and competition for such works has proven to be healthy therefore contractor capacity is not seen as a risk.</p> <p><i>Have internal workforce/Contractors been notified of potential works?</i> Not at this time, however should this application be successful the procurement process will take place in 2025/26.</p> <p><i>Has an initial quote been sought?</i> No, however costs for this project have been extrapolated from the tender pricing of contractors who won very similar projects with the Shire in 2024/25.</p> <p><i>When can the estimated tender process start/finish, and commence works?</i> Tender process will be completed in 2025/26, likely commencing in February 2026 and awarded in May 2026.</p> <p>Construction most likely will begin in spring 2026 with completion by March 2027.</p>

16. Additional Comments:	<p><i>Are there any planned upgrades, major maintenance works and potential speed limit change on the nominated roads or SLK sections?</i></p> <p>No upgrades or major maintenance planned. Following the installation of centrelines and edgelines the section may be eligible to be speed limited upon the advice of Main Roads WA.</p> <p>Traffic data: Unfortunately the Shire currently holds no recent data for the subject section, however as confirmed via email on 27/05/25 we will install two classifiers ASAP and forward traffic data later in June 2025.</p> <p>Estimated AADT is 300-400.</p>
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The following attachments are required:

- Typical Cross sections showing proposed and existing features including formation width, seal width, lane widths and shoulder widths.
- Photos of existing road cross section at typical locations
- Recent traffic counts

LGA Contact Details:

1. Prepared by (point of contact for us to engage on specific technical matters);

Name	Damien Morgan
Position	Manager Works and Services
Contact email	damien.morgan@donnybrook.wa.gov.au
Address	1 Bentley Street, Donnybrook WA 6239
Phone	(08) 9780 4200

2. Submitted by (This must be an Local Government official who will act as point of contact for formal engagement on the status of the submission)

Name	Damien Morgan
Position	Manager Works and Services
Contact email	damien.morgan@donnybrook.wa.gov.au
Address	1 Bentley Street, Donnybrook WA 6239
Phone	(08) 9780 4200

*When submitting your application, please ensure all points are addressed. Include: Locality map showing start and finish SLKs, typical cross sections, photos showing existing formation components, cost estimate

PLEASE FORWARD NOMINATION TO TRANSPORT INVESTMANT STRATEGY OFFICE BRANCH

CEO Name: Nick O'Connor

CEO Signoff:



Date:

29/5/25

ATTACHMENTS

1. Cost Estimate

Shire of Donnybrook Balingup

Regional Road Safety Program - Brookhampton Road 0.00 - 3.94 SLK

Cost Estimate

1	Site Establishment/Mob & Demob/Clean up/Testing	\$30,000
2	Traffic Management	\$105,000
3	Survey	\$8,500
4	Project Management	\$18,000
5	Box Out and Dispose Spoil	\$98,400
6	Supply Shape and Compact Shoulder	\$266,800
7	Trim Shoulder	\$90,400
8	Headwall Supply and Install	\$22,000
9	Primer & 2nd coat seal of widening	\$106,800
10	Painted Edgelines	\$28,000
11	Audible Edgelines	\$62,000
12	Painted Centreline	\$22,000
14	Consumables	\$25,000
15	Contingency	\$50,000

TOTAL (Ex GST)	\$932,900
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2. Culvert Details

Shire of Donnybrook Balingup

Regional Road Safety Program - Brookhampton Road 0.00 - 3.94 SLK

Existing Culvert Details

SLK	Pipe Size	LHS offset	RHS offset
(metres from C/L)			
0.14	1,000	5.80	6.10
0.93	375	4.20	4.90
1.28	450	5.20	5.40
1.67	450	4.60	5.50
2.06	1,000	5.40	5.00
2.32	300	5.90	4.60
2.83	1,000 x 2	6.00	5.30
3.50	375	6.50	10.00

Ref: OCOR67307
 Enq: Damien Morgan



12 September 2025

Bruce Walker
 Acting Director South West Region
 PO Box 5010
 Bunbury WA 6231

Dear Bruce

RE: BRIDGES ON ROADS OF REGIONAL SIGNIFICANCE

In response to the following resolution of the South West Regional Road Group Elected Members' meeting:

Motion: That Member Councils each compile a report on major bridges on Roads of Regional Significance as outlined in ROADS 2040, within their LGA. This list is to be presented to the SWRRG Technical Committee at their November 2025 meeting for collation and decision for the ownership / responsibility / maintenance of these bridges to be passed to MRWA. This collated list will be presented to Elected Members at the November meeting, then a letter to the Minister for Transport will be prepared highlighting the current and expected level of bridge maintenance within the South West Region.

The Shire of Donnybrook Balingup's outlines that the following bridges are on our roads of Regional Significance:

- Bridge 0873 Balingup Nannup Road
- Bridge 0872A Balingup Nannup Road
- Bridge 0876 Balingup Nannup Road
- Bridge 0875 Balingup Nannup Road
- Bridge 3632A Brookhampton Road
- Bridge 3633A Brookhampton Road
- Bridge 3621A Brookhampton Road
- Bridge 3622A Brookhampton Road
- Bridge 3291B Southampton Road
- Bridge 3275 Upper Capel Road
- Bridge 4474 Upper Capel Road
- Bridge 3634 Sandhills Road
- Bridge 4841 Ferguson Road



Our Shire is of the opinion that the proposed transfer of ownership or responsibility for these bridges to Main Roads WA is not a realistic scenario, given that the bridges exist on Local Government controlled roads.

We therefore recommend to the SWRRG that the request to MRWA, The State Advisory Committee and the Minister should be based on the following:

- That for all Local Government owned bridges on an approved “Road of Regional Significance” that the Local Government can make application for funding from the Regional Road Group for works on the bridge, including, preventive, specific, replacement and emergency works. This will be permissible whenever there is a requirement for the Shire to fund part or all of the works. The funding will be on the same 2/3 (MRWA) 1/3 (LG) model, as is currently in place for road projects.
- Further if the works are deemed “Emergency Work”, the Local Government has the ability to seek 2/3 of their own cost towards these works from the road project pool if there are surplus funds available, or reallocate funds from current approved own road projects, with approval of the SWRRG. For clarity, this funding is also eligible to be used for the purchase of propping, to ensure that these significant bridge assets can remain fit for purpose, until the emergency works are completed.

If supported, the above will allow Local Governments to plan or react quickly for all works to these bridges which are recognised as being of regional significance. As MRWA has outlined to the group previously, they have faced many challenges in their delivery of specific or replacement bridge works, which has resulted in a lengthy backlog of these types of work across the State.

This has financially impacted Local Governments, as typically the delays result in emergency works being identified by MRWA, which then needs to be funded on a 2/3, 1/3 basis, rather than the Local Government having no own source costs, if the works had been undertaken through an appropriately timed and planned specific or replacement works program.

In addition to the above, our Shire also seeks the following to be put to the elected members for endorsement:

- That The State Advisory Committee and MRWA provide annually a minimum 3-year committed, approved and funded program of bridge works that are to be delivered by the SWRRG Local Governments. This will then allow for the Local Governments to undertake appropriate project management planning for the approved works within achievable timeframes. The approved funding is to be allocated to each of the Local Governments, consistent with the road projects framework, being:
 - 40% upon the project being approved
 - 40% upon the first 40% allocation being spent, and
 - 20% at the completion of works.

Currently Local Governments remain confused as to how the recent changes to the delivery of bridge works will be implemented throughout the South West. The above provides a process that appropriately considers the challenges that this change will present to Local Governments, plus also

provides Local Governments with the ability to work collaboratively with other Local Governments to package similar works, achieving cost and efficiency benefits.

We would welcome the opportunity to discuss this further with all Local Governments of the SWRRG, prior to the SWRRG elected members meeting in November 2025.

Regards,



Damien Morgan
Acting Director Operations



SHIRE OF DONNYBROOK BALINGUP

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 31 August 2025

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF DONNYBROOK BALINGUP
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2025

	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b) \$	Variance* % ((c) - (b))/(b) %	Var.
Note						
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	8,479,018	8,469,018	8,468,630	(388)	(0.00%)	
Grants, subsidies and contributions	2,068,327	662,052	596,564	(65,488)	(9.89%)	
Fees and charges	2,764,672	1,360,679	1,360,153	(526)	(0.04%)	
Interest revenue	431,500	70,830	49,000	(21,830)	(30.82%)	
Other revenue	500	0	0	0	0.00%	
	13,744,017	10,562,579	10,474,347	(88,232)	(0.84%)	
Expenditure from operating activities						
Employee costs	(6,773,089)	(1,187,329)	(1,198,634)	(11,305)	(0.95%)	
Materials and contracts	(4,370,521)	(956,375)	(1,033,433)	(77,058)	(8.06%)	
Utility charges	(476,948)	(79,426)	(73,181)	6,245	7.86%	
Depreciation	(7,519,180)	(6,198)	0	6,198	100.00%	
Finance costs	(149,948)	(24,550)	36,118	60,668	247.12%	▲
Insurance	(554,641)	(235,080)	(248,177)	(13,097)	(5.57%)	
Other expenditure	(149,065)	(24,752)	(20,565)	4,187	16.92%	
	(19,993,392)	(2,513,710)	(2,537,872)	(24,162)	(0.96%)	
Depreciation excluded from operating activities	7,519,180	6,198	0	(6,198)	(100.00%)	
Amount attributable to operating activities	1,269,805	8,055,067	7,936,475	(118,592)	(1.47%)	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	4,403,009	98,415	108,253	9,838	10.00%	
Proceeds from disposal of assets	274,598	0	0	0	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans	10,477	0	0	0	0.00%	
Proceeds from financial assets at amortised cost - commercial loans	56,000	2,222	2,222	0	0.00%	
Proceeds from financial assets at amortised cost - other	5,200	800	800	0	0.00%	
	4,749,284	101,437	111,275	9,838	9.70%	
Outflows from investing activities						
Acquisition of property, plant and equipment	(3,354,250)	(318,500)	(396,011)	(77,511)	(24.34%)	▼
Acquisition of infrastructure	(4,206,993)	0	(128,889)	(128,889)	(100.00%)	▼
	(7,561,243)	(318,500)	(524,901)	(206,401)	(64.80%)	
Amount attributable to investing activities	(2,811,959)	(217,063)	(413,626)	(196,563)	(90.56%)	
FINANCING ACTIVITIES						
Inflows from financing activities						
Leases liabilities recognised	100,000	0	0	0	0.00%	
Transfer from reserves	2,228,284	318,500	318,500	0	0.00%	
	2,328,284	318,500	318,500	0	0.00%	
Outflows from financing activities						
Payments for principal portion of lease liabilities	(51,538)	(5,899)	(5,899)	0	0.00%	
Repayment of borrowings	(131,459)	0	0	0	0.00%	
Transfer to reserves	(1,921,200)	(47,681)	(47,681)	0	0.00%	
	(2,104,197)	(53,580)	(53,580)	0	0.00%	
Non-cash amounts excluded from financing activities	2(c) (100,000)	0	0	0	0.00%	
Amount attributable to financing activities	124,087	264,920	264,920	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2(a) 1,418,067	1,418,067	2,274,467	856,400	60.39%	▲
Amount attributable to operating activities	1,269,805	8,055,067	7,936,475	(118,592)	(1.47%)	
Amount attributable to investing activities	(2,811,959)	(217,063)	(413,626)	(196,563)	(90.56%)	▼
Amount attributable to financing activities	124,087	264,920	264,920	0	0.00%	
Surplus or deficit after imposition of general rates	0	9,520,991	10,062,236	541,245	5.68%	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF DONNYBROOK BALINGUP
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 AUGUST 2025

	Actual 30 June 2025	Actual as at 31 August 2025
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	9,388,371	8,224,969
Trade and other receivables	541,190	9,506,368
Other financial assets	23,810	21,588
Inventories	239,964	236,978
Contract assets	539,458	539,599
Other assets	642,323	0
TOTAL CURRENT ASSETS	11,375,116	18,529,502
NON-CURRENT ASSETS		
Trade and other receivables	226,467	226,467
Other financial assets	863,224	863,224
Inventories	1,950,644	1,950,644
Property, plant and equipment	57,479,637	57,979,691
Infrastructure	151,500,831	151,525,679
Intangible assets	423,797	423,797
TOTAL NON-CURRENT ASSETS	212,444,600	212,969,502
TOTAL ASSETS	223,819,716	231,499,004
CURRENT LIABILITIES		
Trade and other payables	1,756,526	972,005
Contract liabilities	15,656	0
Capital grant/contributions liabilities	1,231,220	1,636,065
Other liabilities	180,797	215,787
Lease liabilities	20,281	14,382
Borrowings	131,459	131,459
Employee related provisions	755,177	755,177
TOTAL CURRENT LIABILITIES	4,091,116	3,724,875
NON-CURRENT LIABILITIES		
Other liabilities	3,932,500	3,932,500
Lease liabilities	19,872	19,872
Borrowings	2,848,308	2,848,308
Employee related provisions	244,524	244,524
Other provisions	2,149,239	2,149,239
TOTAL NON-CURRENT LIABILITIES	9,194,443	9,194,443
TOTAL LIABILITIES	13,285,559	12,919,318
NET ASSETS	210,534,157	218,579,686
EQUITY		
Retained surplus	32,472,803	40,789,150
Reserve accounts	5,137,463	4,866,644
Revaluation surplus	172,923,891	172,923,892
TOTAL EQUITY	210,534,157	218,579,686

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF DONNYBROOK BALINGUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2025

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 31 August 2025

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

MATERIAL ACCOUNTING POLICIES

Material accounting policies utilised in the preparation of these statements are as described within the 2025-26 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease accounting

SHIRE OF DONNYBROOK BALINGUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2025

2 NET CURRENT ASSETS INFORMATION

(a) Net current assets used in the Statement of Financial Activity

Current assets

Cash and cash equivalents
Trade and other receivables
Other financial assets
Inventories
Contract assets
Other assets

Less: current liabilities

Trade and other payables
Other liabilities
Lease liabilities
Borrowings
Employee related provisions

Net current assets

Less: Total adjustments to net current assets

Closing funding surplus / (deficit)

Note	Adopted Budget Opening 1 July 2025	Actual as at 30 June 2025	Actual as at 31 August 2025
	\$	\$	\$
	4,774,259	9,388,371	8,224,969
	2,424,798	541,190	9,506,368
	10,546	23,810	21,588
	250,000	239,964	236,978
	0	539,458	539,599
	0	642,323	0
	7,459,603	11,375,116	18,529,502
	(2,185,344)	(1,756,526)	(972,005)
	0	(1,427,673)	(1,851,852)
	(30,000)	(20,281)	(14,382)
	(131,419)	(131,459)	(131,459)
	(500,000)	(755,177)	(755,177)
	(2,846,763)	(4,091,116)	(3,724,875)
	4,612,840	7,284,000	14,804,627
2(b)	(4,668,960)	(5,009,533)	(4,742,391)
	(56,120)	2,274,467	10,062,237

(b) Current assets and liabilities excluded from budgeted deficiency

Adjustments to net current assets

Less: Reserve accounts
Less: Financial assets at amortised cost - self supporting loans
Add: Current liabilities not expected to be cleared at the end of the year
- Current portion of lease liabilities
- Current portion of borrowings

Total adjustments to net current assets

	(4,830,379)	(5,137,463)	(4,866,644)
	0	(23,810)	(21,588)
	30,000	20,281	14,382
	131,419	131,459	131,459
2(a)	(4,668,960)	(5,009,533)	(4,742,391)

Adopted Budget Estimates 30 June 2026	YTD Budget Estimates 31 August 2025	YTD Actual 31 August 2025
\$	\$	\$

(c) Non-cash amounts excluded from financing activities

Adjustments to financing activities

Non cash proceeds from new leases

Total non-cash amounts excluded from financing activities

(100,000)	0	0
(100,000)	0	0

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

SHIRE OF DONNYBROOK BALINGUP
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 FOR THE PERIOD ENDED 31 AUGUST 2025

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
 The material variance adopted by Council for the 2025-26 year is \$25,000 and 10.00% whichever is the greater.

Description	Var. \$ \$	Var. % %	
Expenditure from operating activities			
Finance costs	60,668	247.12%	▲
Variance due to reversal of accrued interest expense from 24/25 \$49,167		Timing	
Outflows from investing activities			
Acquisition of property, plant and equipment	(77,511)	(24.34%)	▼
Expenditure in the following areas exceed initial estimates however these are carry forward projects from 2024/25 and carry forward allocations will be updated accordingly.			
Public Ablutions \$6,902		Timing	
Public Halls \$31,173		Timing	
Donnybrook Depot \$2,127		Timing	
Transfer Station - Balingup \$31,840		Timing	
VC Mitchell - Park Pavillion \$4,210		Timing	
Council Chambers \$1,259		Timing	
Acquisition of infrastructure	(128,889)	(100.00%)	▼
Expenditure in the following areas exceed initial estimates however these are carry forward projects from 2024/25 and carry forward allocations will be updated accordingly.			
VC Mitchell - Tennis Lighting, Storage Shed \$104,042		Timing	
Donnybrook Arboretum - \$17,167		Timing	
Roads Infrastructure \$7,680		Timing	

SHIRE OF DONNYBROOK BALINGUP
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 AUGUST 2025

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.42 M	\$1.42 M	\$2.27 M	\$0.86 M
Closing	\$0.00 M	\$9.52 M	\$10.06 M	\$0.54 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$8.22 M	% of total
Unrestricted Cash	\$3.36 M	40.8%
Restricted Cash	\$4.87 M	59.2%

Refer to 3 - Cash and Financial Assets

Payables		
	\$0.97 M	% Outstanding
Trade Payables	\$0.54 M	
0 to 30 Days		98.4%
Over 30 Days		1.6%
Over 90 Days		0.0%

Refer to 9 - Payables

Receivables		
	\$0.23 M	% Collected
Rates Receivable	\$9.28 M	(4.1%)
Trade Receivable	\$0.23 M	% Outstanding
Over 30 Days		79.5%
Over 90 Days		0.3%

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$1.27 M	\$8.06 M	\$7.94 M	(\$0.12 M)

Refer to Statement of Financial Activity

Rates Revenue		
	\$8.47 M	% Variance
YTD Actual	\$8.47 M	
YTD Budget	\$8.47 M	(0.0%)

Grants and Contributions		
	\$0.56 M	% Variance
YTD Actual	\$0.56 M	
YTD Budget	\$0.65 M	(13.3%)

Refer to 13 - Grants and Contributions

Fees and Charges		
	\$1.36 M	% Variance
YTD Actual	\$1.36 M	
YTD Budget	\$1.36 M	(0.0%)

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$2.81 M)	(\$0.22 M)	(\$0.41 M)	(\$0.20 M)

Refer to Statement of Financial Activity

Proceeds on sale		
	\$0.00 M	%
YTD Actual	\$0.00 M	
Adopted Budget	\$0.27 M	(100.0%)

Refer to 6 - Disposal of Assets

Asset Acquisition		
	\$0.13 M	% Spent
YTD Actual	\$0.13 M	
Adopted Budget	\$4.21 M	(96.9%)

Refer to 5 - Capital Acquisitions

Capital Grants		
	\$0.14 M	% Received
YTD Actual	\$0.14 M	
Adopted Budget	\$4.40 M	(96.8%)

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.12 M	\$0.26 M	\$0.26 M	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.00 M
Interest expense	\$0.04 M
Principal due	\$2.98 M

Refer to 10 - Borrowings

Reserves	
Reserves balance	\$4.87 M
Net Movement	(\$0.27 M)

Refer to 4 - Cash Reserves

Lease Liability	
Principal repayments	(\$0.01 M)
Interest expense	(\$0.00 M)
Principal due	\$0.03 M

Refer to Note 11 - Lease Liabilities

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF DONNYBROOK BALINGUP

SUPPLEMENTARY INFORMATION

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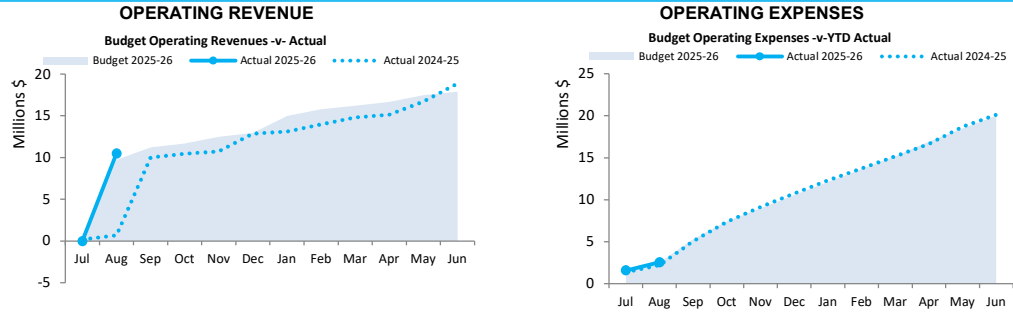
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BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

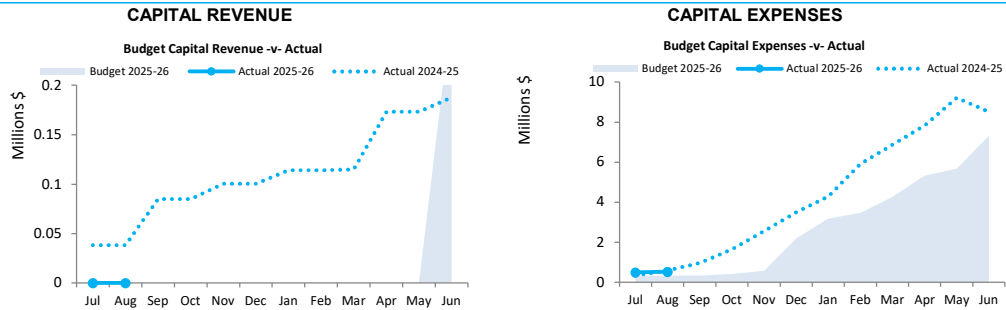
Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

2 KEY INFORMATION - GRAPHICAL

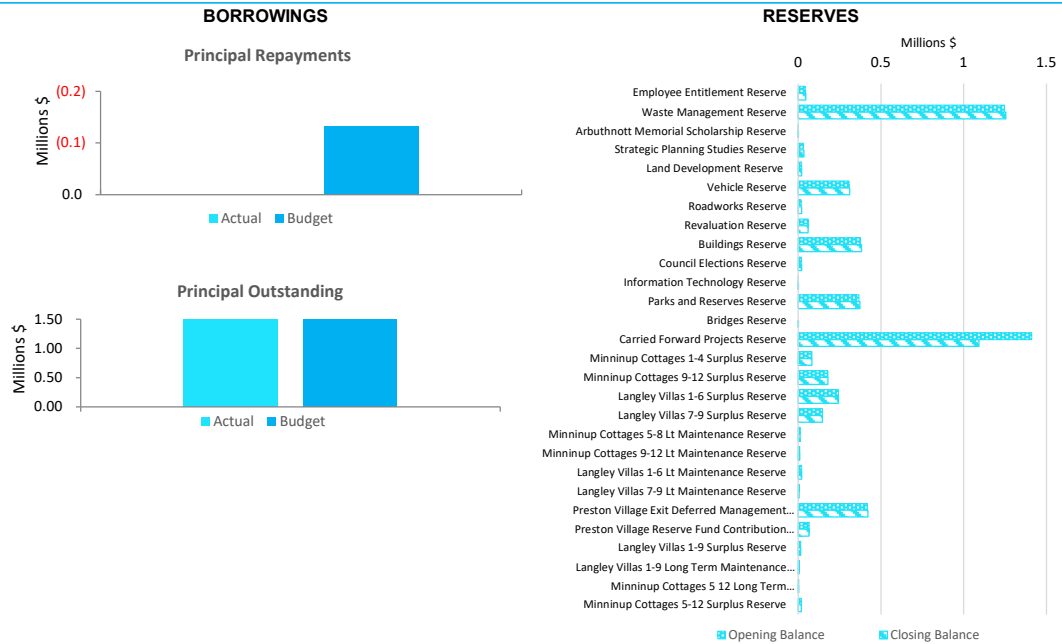
OPERATING ACTIVITIES



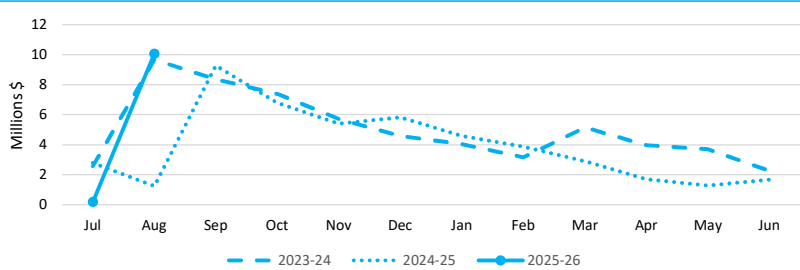
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF DONNYBROOK BALINGUP
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 AUGUST 2025

3 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Floats/Petty Cash on Hand	Cash and cash equivalents	1,010	0	1,010	0		NIL	On hand
Municipal Bank Account	Cash and cash equivalents	540,126	160,000	700,126	0	Bank	Variable	Cheque Acc
WA Treasury	Cash and cash equivalents	2,290,309	0	2,290,309	0	Bank	3.55%	At Call
Bendigo Bank Term Deposit	Cash and cash equivalents	526,880	0	526,880	0	Bank	4.20%	09/2025
Bendigo Bank Account	Cash and cash equivalents	0	641	641	0	Bank	3.10%	09/2025
NAB Term Deposit	Cash and cash equivalents	0	1,225,864	1,225,864	0	Bank	3.10%	09/2025
Bendigo Bank Term Deposit	Cash and cash equivalents	0	3,480,139	3,480,139	0	Bank	3.75%	08/2025
Trust Fund Cash at Bank	Cash and cash equivalents	0	0	0	56,967	Bank	Variable	Cheque Acc
Total		3,358,325	4,866,644	8,224,969	56,967			
Comprising								
Cash and cash equivalents		3,358,325	4,866,644	8,224,969	56,967			
		3,358,325	4,866,644	8,224,969	56,967			

KEY INFORMATION

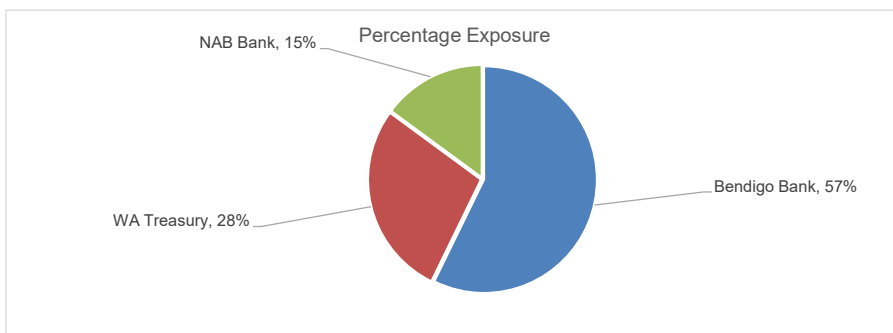
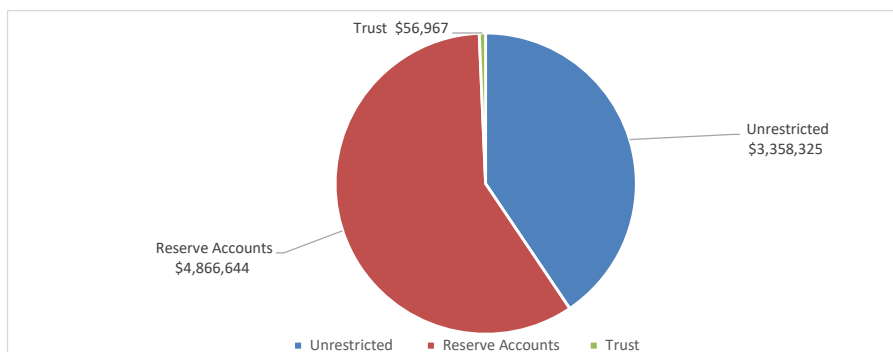
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



SHIRE OF DONNYBROOK BALINGUP
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 AUGUST 2025

4 RESERVE ACCOUNTS

Reserve account name	Budget				Actual			
	Opening	Transfers	Transfers	Closing	Opening	Transfers	Transfers	Closing
	Balance	In (+)	Out (-)	Balance	Balance	In (+)	Out (-)	Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Reserve accounts restricted by Council								
Employee Entitlement Reserve	42,500	92,000	0	134,500	42,500	4,227	0	46,727
Waste Management Reserve	1,248,309	199,300	(241,500)	1,206,109	1,248,309	6,340	0	1,254,649
Arbuthnott Memorial Scholarship Reserve	2,685	0	(300)	2,385	2,685	0	0	2,685
Strategic Planning Studies Reserve	31,012	17,000	0	48,012	31,012	4,226	0	35,238
Land Development Reserve	21,259	0	0	21,259	21,259	0	0	21,259
Vehicle Reserve	307,754	556,000	(755,402)	108,352	307,754	4,226	0	311,980
Roadworks Reserve	16,553	17,000	0	33,553	16,553	4,227	0	20,780
Revaluation Reserve	60,000	40,000	0	100,000	60,000	0	0	60,000
Buildings Reserve	377,082	425,000	(405,047)	397,035	377,082	6,340	0	383,422
Council Elections Reserve	20,000	28,500	(45,000)	3,500	20,000	2,113	0	22,113
Information Technology Reserve	1	28,500	0	28,501	1	2,113	0	2,114
Parks and Reserves Reserve	367,921	300,000	(53,068)	614,853	367,921	6,340	0	374,261
Bridges Reserve	0	208,500	(122,043)	86,457	0	2,113	0	2,113
Carried Forward Projects Reserve	1,411,464	0	(548,015)	863,449	1,411,464	0	(318,500)	1,092,964
Minninup Cottages 1-4 Surplus Reserve	82,722	0	(17,695)	65,027	82,722	0	0	82,722
Minninup Cottages 9-12 Surplus Reserve	179,776	0	(20,265)	159,511	179,776	0	0	179,776
Langley Villas 1-6 Surplus Reserve	243,439	0	(19,949)	223,490	243,439	0	0	243,439
Langley Villas 7-9 Surplus Reserve	146,755	0	0	146,755	146,755	0	0	146,755
Minninup Cottages 5-8 Lt Maintenance Reserve	11,669	0	0	11,669	11,669	0	0	11,669
Minninup Cottages 9-12 Lt Maintenance Reserve	10,628	0	0	10,628	10,628	0	0	10,628
Langley Villas 1-6 Lt Maintenance Reserve	21,023	0	0	21,023	21,023	0	0	21,023
Langley Villas 7-9 Lt Maintenance Reserve	7,200	0	0	7,200	7,200	0	0	7,200
Preston Village Exit Deferred Management Reserve	417,463	0	0	417,463	417,463	4,067	0	421,530
Preston Village Reserve Fund Contribution Reserve	64,921	0	0	64,921	64,921	1,349	0	66,270
Langley Villas 1-9 Surplus Reserve	15,032	0	0	15,032	15,032	0	0	15,032
Langley Villas 1-9 Long Term Maintenance Reserve	6,781	5,400	0	12,181	6,781	0	0	6,781
Minninup Cottages 5 12 Long Term Maintenance Reserve	4,000	0	0	4,000	4,000	0	0	4,000
Minninup Cottages 5-12 Surplus Reserve	19,514	4,000	0	23,514	19,514	0	0	19,514
	5,137,463	1,921,200	(2,228,284)	4,830,379	5,137,463	47,681	(318,500)	4,866,644

5 CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	2,306,550	0	77,511	77,511
Furniture and equipment	6,700	0	0	0
Plant and equipment	1,041,000	318,500	318,500	0
Acquisition of property, plant and equipment	3,354,250	318,500	396,011	77,511
Infrastructure - roads	3,121,609	0	7,680	7,680
Infrastructure - other	88,068	0	121,209	121,209
Infrastructure - footpaths	140,252	0	0	0
Infrastructure - bridges	857,064	0	0	0
Acquisition of infrastructure	4,206,993	0	128,889	128,889
Total capital acquisitions	7,561,243	318,500	524,901	206,401
Capital Acquisitions Funded By:				
Capital grants and contributions	4,403,009	98,415	140,093	41,678
Lease liabilities	100,000	0	0	0
Other (disposals & C/Fwd)	274,598	0	0	0
Reserve accounts				
Waste Management Reserve	241,500	0	0	0
Arbuthnott Memorial Scholarship Reserve	300	0	0	0
Vehicle Reserve	755,402	0	0	0
Buildings Reserve	405,047	0	0	0
Council Elections Reserve	45,000	0	0	0
Parks and Reserves Reserve	53,068	0	0	0
Bridges Reserve	122,043	0	0	0
Carried Forward Projects Reserve	548,015	318,500	318,500	0
Minninup Cottages 1-4 Surplus Reserve	17,695	0	0	0
Minninup Cottages 9-12 Surplus Reserve	20,265	0	0	0
Langley Villas 1-6 Surplus Reserve	19,949	0	0	0
Contribution - operations	555,352	(98,415)	66,308	164,723
Capital funding total	7,561,243	318,500	524,901	206,401

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Local Government (Financial Management) Regulation 17A(5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

Reportable Value

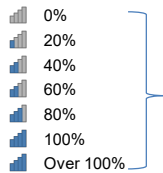
In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

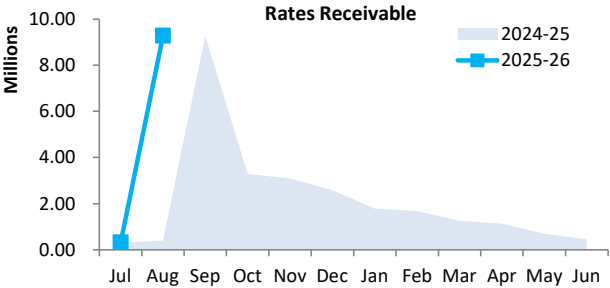
		Adopted		Variance
Account Description		Budget	YTD Budget	(Under)/Over
		\$	\$	\$
Capital Expenditure				
Buildings				
B123	Council Chambers	0	0	1,259
B162	Public Hall - Donnybrook	13,172	0	0
B164	Public Hall - Kirup	86,409	0	0
B165	Public Hall - Newlands	55,639	0	0
B369	Public Hall - Yabberup (and tennis shed)	32,445	0	0
B374	Scout Hall - Donnybrook	35,481	0	0
B376	Mens Shed workshop and ablutions - Egan Park	51,500	0	0
B300	Public Toilets - Ayres Gardens Precinct	25,000	0	0
B106	VBFB Station - Argyle / Irishtown	1,600,000	0	0
B395	Waste Management Facility - Donnybrook	70,503	0	0
B397	Balingup Recreation Centre	109,310	0	0
B078	Donnybrook Recreation Centre	198,766	0	0
B108	Administration Centre - Donnybrook	28,325	0	0
B379	Ablutions - Balingup Transit Park	0	0	6,902
B372	Public Hall - Brookhampton	0	0	23,310
B163	Public Hall - Balingup (and Library)	0	0	7,863
B392	Depot - Donnybrook	0	0	2,127
B396	Transfer Station - Balingup	0	0	31,840
B398	VC Mitchell - Park Pavillion	0	0	4,210
		2,306,550	0	77,511
Plant and Equipment				
2746	Purchase Plant & Equipment - Rec Centre	11,000	0	0
0884	Vehicles - Ranger	69,010	0	0
2274	Vehicles - Town Planner	35,020	0	0
0434	Vehicles - Parks & Reserves	350,200	0	0
3554	Vehicles - Transport	482,040	318,500	318,500
4214	Vehicles - Public Works Overheads	93,730	0	0
		1,041,000	318,500	318,500
Furniture and Equipment				
8904	Dolphin Wave Pool Cleaner	6,700	0	0
		6,700	0	0
Infrastructure - Other				
R144	VC Mitchell	0	0	25,849
R169	VC Mitchell - Tennis Lighting	0	0	68,498
R170	VC Mitchell - Storage Shed / Shelter	0	0	9,695
R194	Donnybrook Arboretum	0	0	17,167
R189	Donnybrook Townsite (General)	10,927	0	0
R199	Ayers Gardens	16,391	0	0
R200	Donnybrook Waste Management Facility	35,000	0	0
R201	Yabberup Townsite	25,750	0	0
		88,068	0	121,209
Infrastructure - Bridges				
B5224	Bridge 5224 - Renewal Works	191,014	0	0
B5185	Bridge 5185 - Merrifield View	417,000	0	0
B3617	Bridge 3617 - Bridge St	110,000	0	0
3625	Bridge 3625 - Charlie Creek Road	10,300	0	0
B0875	Bridge 0875 - Balingup Nannup Road	25,750	0	0
B3639	Bridge 3639- Bendall Road	15,450	0	0
0876	Bridge 0876 - Balingup Nannup Road	36,050	0	0
B9315	Bridge 9315- Donnybrook Pedestrian Suspension Bridge	51,500	0	0
		857,064	0	0
Infrastructure - Footpaths				
C2409	Preston River Path Loop	140,252	0	0
		140,252	0	0
Infrastructure - Roads				
C2404	Forrest Road	0	0	359
C2405	Smith & Timms Rd	0	0	875
C2501	Cundinup-Kirup Road	661,746	0	5,046
C2502	Southampton Road	783,075	0	0
C2503	Jayes Road - Balingup -	350,000	0	0
C2504	Prowse Road - Balingup	120,000	0	0
C2505	Greenbushes Grimwade Rd	60,000	0	0
C2506	Smith Street Donnybrook (Inc rear laneway)	215,000	0	0
C2507	Smith (Nth end up to Timms) & Timms Street Dbk	508,000	0	0
C2508	Ravenscliffe Road - Kirup -	120,065	0	0
C2509	Wellington Road - Balingup	33,723	0	0
C2510	Brockman Road - Balingup	135,000	0	1,400
C2410	Freemasons Drainage Easement Upgrade and Extension - Lots 5	70,000	0	0
C2511	Upper Capel Road Gravel Pit Rehabilitation	35,000	0	0
C2512	Steet Lighting Renewal	30,000	0	0

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book	Proceeds	Profit	(Loss)	Net Book	Proceeds	Profit	(Loss)
		Value				Value			
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Ranger - DB92	23,690	23,690	0	0	0	0	0	0
	Subaru Forrester - DB463	17,510	17,510	0	0	0	0	0	0
	Pig Trailer - DB6248	5,150	5,150	0	0	0	0	0	0
	Tractor - DB4806	46,350	46,350	0	0	0	0	0	0
	Ute - DB102	19,570	19,570	0	0	0	0	0	0
	Ride on Mower 60" - DB606	15,450	15,450	0	0	0	0	0	0
	Ride on Sweeper - DB271	5,768	5,768	0	0	0	0	0	0
	Grader - DB4517	77,250	77,250	0	0	0	0	0	0
	Ute - DB117	19,570	19,570	0	0	0	0	0	0
	Mitsubishi Triton - DB8250	20,600	20,600	0	0	0	0	0	0
	Mitsubishi Triton - DB346	23,690	23,690	0	0	0	0	0	0
		274,598	274,598	0	0	0	0	0	0

7 RECEIVABLES

Rates receivable	30 Jun 2025	31 Aug 2025
	\$	\$
Opening arrears previous year	370,380	440,310
Levied this year	9,258,817	8,468,630
Less - collections to date	(9,188,887)	366,705
Net rates collectable	440,310	9,275,645
% Collected	95.4%	(4.1%)



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(11,273)	56,682	170,257	5,525	672	221,863
Percentage	(5.1%)	25.5%	76.7%	2.5%	0.3%	
Balance per trial balance						
Trade receivables						221,863
Other receivables						4,400
GST receivable						4,460
Total receivables general outstanding						230,723

Amounts shown above include GST (where applicable)

KEY INFORMATION

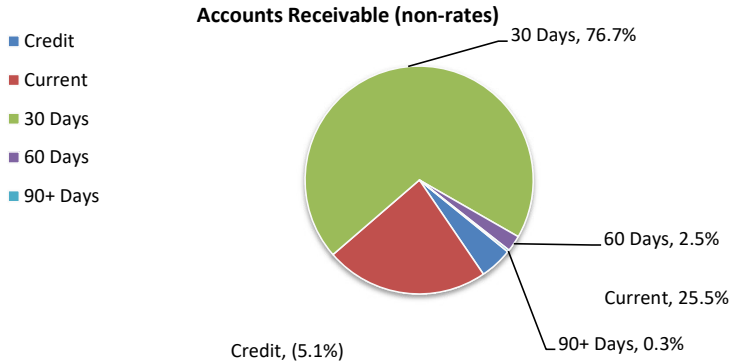
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



8 OTHER CURRENT ASSETS

	Opening Balance 1 July 2025	Asset Increase	Asset Reduction	Closing Balance 31 August 2025
	\$	\$	\$	\$
Other current assets				
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	10,477		0	10,477
Financial assets at amortised cost - commercial loans	13,333		(2,222)	11,111
Inventory				
Fuel and materials	24,615		(2,986)	21,629
Gravel stock	215,349		0	215,349
Other assets				
Prepayments	64,772		(64,772)	0
Accrued income	535,388		(535,388)	0
Contract assets	539,458	141	0	539,599
Accrued interest	42,163		(42,163)	0
Total other current assets	1,445,555	141	(647,531)	798,165

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.

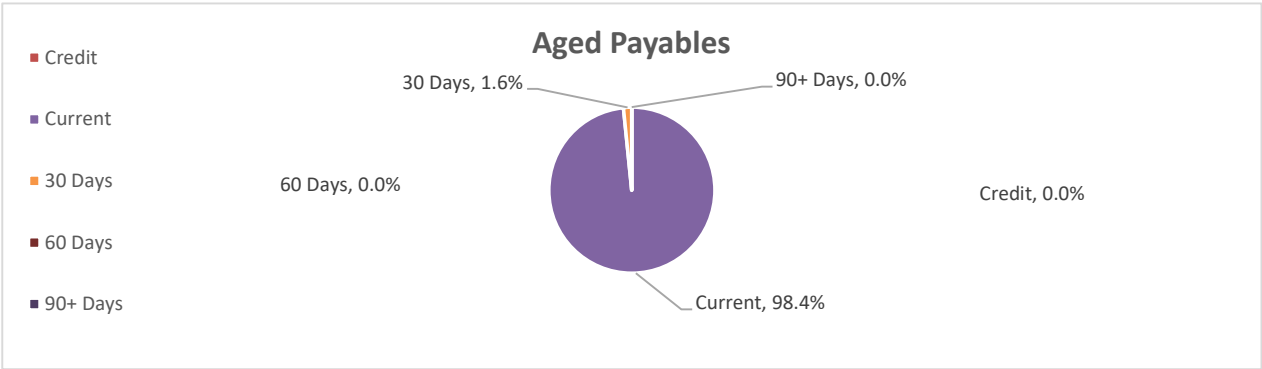
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	532,800	8,478	0	0	541,278
Percentage	0.0%	98.4%	1.6%	0.0%	0.0%	
Balance per trial balance						
Sundry creditors						541,278
ATO liabilities						100
Prepaid rates						47,820
Bonds and deposits held						382,807
Total payables general outstanding						972,005
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



10 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars		Loan No.	New Loans			Principal Repayments		Principal Outstanding		Interest Repayments	
			1 July 2025	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$	\$	\$	\$
Tuia Lodge Fire Supression System	93		151,222	0	0	0	(29,300)	151,222	121,922	444	(2,274)
VC Mitchell Park	94		2,812,722	0	0	0	(91,682)	2,812,722	2,721,040	35,993	(139,055)
			2,963,944	0	0	0	(120,982)	2,963,944	2,842,962	36,437	(141,329)
Self supporting loans											
Donnybrook Country Club	90		15,823	0	0	0	(10,477)	15,823	5,346	81	(362)
			15,823	0	0	0	(10,477)	15,823	5,346	81	(362)
Total			2,979,767	0	0	0	(131,459)	2,979,767	2,848,308	36,518	(141,691)
Current borrowings			131,459					131,459			
Non-current borrowings			2,848,308					2,848,308			
			2,979,767					2,979,767			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

KEY INFORMATION

The Shire has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars		Lease No.	New Leases			Principal Repayments		Principal Outstanding		Interest Repayments	
			1 July 2025	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$	\$	\$	\$
Network Switches		214-0439437001	1,210	0	0	(1,208)	(1,218)	3	(8)	(11)	(8)
Matrix Fitness Equipment		A6ZBG64105	38,943	0	0	(4,691)	(20,320)	34,251	18,623	(389)	(1,249)
IT Equipment - Desktops / Laptops		New	0	0	100,000	0	(30,000)	0	70,000	0	(7,000)
Total			40,153	0	100,000	(5,899)	(51,538)	34,254	88,615	(400)	(8,257)
Current lease liabilities			20,281					14,382			
Non-current lease liabilities			19,872					19,872			
			40,153					34,254			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

12 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2025	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 August 2025
		\$	\$	\$	\$	\$
Other current liabilities						
Other liabilities						
Contract liabilities		15,656	0	0	(15,656)	0
Capital grant/contributions liabilities		1,231,220	0	558,897	(154,052)	1,636,065
Contract liability - contribution to works		180,797	0	34,990	0	215,787
Total other liabilities		1,427,673	0	593,887	(169,708)	1,851,852
Employee Related Provisions						
Provision for annual leave		378,807	0	0	0	378,807
Provision for long service leave		376,370	0	0	0	376,370
Total Provisions		755,177	0	0	0	755,177
Total other current liabilities		2,182,850	0	593,887	(169,708)	2,607,029

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13 and 14

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions		
	Liability	Increase in	Decrease in	Liability	Current	Adopted	YTD	YTD
	1 July 2025	Liability	Liability	31 Aug 2025	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	Revenue		Actual
Grants and subsidies								
Grants - LGGC Financial Assistance Grants	0	0	0	0	0	740,521	185,130	162,510
Grants - LGGC Local Road	0	0	0	0	0	380,763	95,190	109,035
ESL Operating Grant - SES	4,479	4,775	0	9,254	9,254	19,100	3,182	0
ESL Operating Grant - VBFB	0	64,740	0	64,740	64,740	243,980	40,662	0
Attraction & Retention of Child Care Workers Grant	15,084	0	(869)	14,215	14,215	0	0	869
Bushfire Mitigation Grant	0	135,420	0	135,420	135,420	100,000	16,666	0
Kidsport Grant	0	0	0	0	0	500	82	0
Youth Week Grant	0	0	0	0	0	3,000	0	0
Bike Rescue Program	0	0	0	0	0	10,000	0	0
Australia Day	0	0	0	0	0	10,000	0	0
Thank a Volunteer Grant	89	0	0	89	89	0	0	0
Main Roads Direct Grant	0	0	0	0	0	275,000	275,000	239,611
Natural Resource Recovery Program	65,000	0	(12,029)	52,971	52,971	0	0	12,029
Reimbursements & Recoveries	0	0	0	0	0	213,070	35,474	39,609
Donnybrook Library Resources	0	4,962	(1,061)	3,901	3,901	0	0	1,061
Library Community Cohesion Program	0	5,000		5,000	5,000	0	0	0
	84,652	214,897	(13,959)	285,590	285,590	1,995,934	651,386	564,724

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities				Capital grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Adopted Budget	YTD	YTD Revenue
	1 July 2025		(As revenue)	31 Aug 2025	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$
Capital grants and subsidies							
Bridgeworks - Special Projects Grant	17,007	0	0	17,007	0	0	0
Social Housing Economic Recovery Package Grant	228	0	0	228	0	0	0
LRCI Grant Income - Donnybrook Recreation Centre	0	0	0	0	31,000	2,583	0
Commodity Route Funding	55,000	0	0	55,000	0	0	0
LGGC Special Projects Bridges	19,998	0	0	19,998	373,000	0	0
MRWA Special Project Bridges	0	0	0	0	171,007	0	0
Regional Road Group	67,050	344,000	0	411,050	800,000	66,666	0
Roads to Recovery	0	0	0	0	1,253,000	0	0
VC Mitchell - Talison	802,426	0	(39,755)	762,671	175,000	29,166	39,755
Department of Water & Environment - E-Waste storage shed	14,513	0	(31,840)	(17,327)	64,003	10,666	31,840
Department of Transport - Preston Loop Pathway	35,126	0	0	35,126	0	0	0
DFES - Capital Grant	0	0	0	0	1,600,000	0	0
VC Mitchell - lighting grant	126,829	0	(68,498)	58,331	0	0	68,498
NAB Community Grant - Yabberup Hall	8,390	0	0	8,390	8,390	0	0
	1,146,568	344,000	(140,093)	1,350,475	4,475,400	109,081	140,093
Capital contributions							
CTW0001 Contribution to works - Palmer St	1,500	0	0	1,500	0	0	0
CTW0007 Contribution to works - Palmer St	1,500	0	0	1,500	0	0	0
CTW0011 Contribution to works - Palmer St	1,500	0	0	1,500	0	0	0
CTW0025 Contribution to works - Donnybrook CBD Upgrades	13,175	0	0	13,175	0	0	0
CTW0026 Contribution to works - Drainage - Ecclestone St Fairway	37,286	0	0	37,286	0	0	0
CTW0027 Contribution to works - Palmer St (09/10)	3,000	0	0	3,000	0	0	0
CTW0031 Contribution to works - Mitchell & Grimwade Rd	24,444	0	0	24,444	0	0	0
CTW0032 Contribution to works - Palmer/Smith St	3,051	0	0	3,051	0	0	0
CTW0034 Contribution to works - Carey St	3,014	0	0	3,014	0	0	0
CTW0036 Contribution to works - Drainage - Bentley St	49,716	0	0	49,716	0	0	0
CTW0041 Contribution to works - Bridge & Palmer St	3,050	0	0	3,050	0	0	0
CTW0047 Contribution to works - Chapman St	3,477	0	0	3,477	0	0	0
CTW0049 Contribution to works - Mead St	18,084	0	0	18,084	0	0	0
Contribution to works - Montgomery Road	18,000	0	0	18,000	0	0	0
	180,797	0	0	180,797	0	0	0
TOTALS	1,327,365	344,000	(140,093)	1,531,272	4,475,400	109,081	140,093

SHIRE OF DONNYBROOK BALINGUP
 SUPPLEMENTARY INFORMATION
 FOR THE PERIOD ENDED 31 AUGUST 2025

15 TRUST FUND

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2025	Amount Received	Amount Paid	Closing Balance 31 August 2025
	\$	\$	\$	\$
Cash in Lieu of Public Open Space Funds	56,967	0	0	56,967
	56,967	0	0	56,967

SHIRE OF DONNYBROOK BALINGUP
 SUPPLEMENTARY INFORMATION
 FOR THE PERIOD ENDED 31 AUGUST 2025

16 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Budget adoption						0
C2507 Smith St (North End) & Timms St	171/08-25	Capital expenses			(245,000)	(245,000)
C2507 Smith St (North End) & Timms St	171/08-25	Capital revenue		245,000		0
				245,000	(245,000)	0



Council Committee
Working/Reference Group
Membership
2025 - 2027



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Committees of Council

AUDIT AND RISK MANAGEMENT COMMITTEE	
Established by Council pursuant to Division 1A, Section 7.1A of the <i>Local Government Act 1995</i> and <i>Local Government (Audit) Regulations 1996</i> regulation 16.	
Members:	3 Elected Members <ul style="list-style-type: none">••• 2 External Members <ul style="list-style-type: none">• Mr Ian Telfer• Mr Angelo Logiudice
Term:	2 Years
Meeting Frequency:	The Committee shall meet as often as it determines.
Terms of Reference:	Committee Charter (Synergy# NAM7506)

External Committees and Reference Groups

BUSH FIRE ADVISORY COMMITTEE	
Established pursuant to the <i>Bushfires Act 1954</i> to provide advice to Council regarding all matters relating to bushfire control, prevention, and management.	
Members:	1 Elected Member <ul style="list-style-type: none">• 13 Brigade Representatives (FCOs)
Term:	2 Years
Meeting Frequency:	Biannual meetings (April AGM)
Terms of Reference:	Terms of Reference (Synergy# NAM7504)

THE DONNYBROOK SCHOOL COMMUNITY RESOURCE LIBRARY MANAGEMENT COMMITTEE

A committee established via a legal agreement executed between the Shire and the Minister for Education in 2019 for the purpose of facilitating the management and control the Donnybrook Community Library.

Members:	<p>3 Shire members appointed by the Shire (Pursuant to sec 4.1(a) one of whom shall be the Shire CEO)</p> <ul style="list-style-type: none">• Elected Member• Elected Member• CEO <p>3 members appointed by the Minister for Education (pursuant to sec 4.1(b) one of whom shall be the principal)</p> <ul style="list-style-type: none">• Principal James Milne• Manager Corporate Services Sarah Bible• Library Manager Erin Cartledge
Term:	2 Years
Meeting Frequency:	Two meetings per year
Terms of Reference:	Committee Rules (Synergy# OCOR46085)

LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)

Established pursuant to the *Local Emergency Management Act 2005* to assist Council and ensure local emergency management arrangements are established.

Members:	<p>1 Elected member</p> <ul style="list-style-type: none">• <p>Shire Employees</p> <ul style="list-style-type: none">• CEO• Manager Operations• CESM• Senior Ranger• Recovery Coordinator
Term:	2 Years
Meeting Frequency:	Every three (3) month as part of the financial year cycle and as required.
Terms of Reference:	Terms of Reference (Synergy# NAM7505)

SOUTH WEST COUNTRY ZONE

An association of 12 South West local governments that meet to consider WA Local Government Association initiatives.

Members:	1 Elected Members (Usually, President and Deputy President as proxy) <ul style="list-style-type: none">• President• Deputy President * Proxy Shire Employee <ul style="list-style-type: none">• CEO
Term:	2 Years
Meeting Frequency:	Five (5) meetings per year
Terms of Reference:	Constitution (Synergy#NCOR7575)

REGIONAL ROAD GROUP (RRG)

The group prioritizes and resolves projects for the allocation of monies received from State and Federal Government.

Members:	1 Elected Member <ul style="list-style-type: none">•
Term:	2 Years
Meeting Frequency:	See annual meeting timetable on WALGA's website
Terms of Reference:	Terms of Reference (Synergy#)

WARREN BLACKWOOD ALLIANCE OF COUNCILS (WBAC)

A voluntary regional organisation of Councils representing the Shires of Bridgetown-Greenbushes, Boyup Brook, Donnybrook Balingup, Manjimup and Nannup. The WBAC acts as an advocacy group by supporting or undertaking significant projects relating to promoting economic development and diversity and encouraging regional population growth.

Members:	2 Elected Members <ul style="list-style-type: none">••• *Proxy
Term:	2 Years
Meeting Frequency:	Every (2) two months
Constitution:	Constitution (Synergy# NREP7543)

WARREN BLACKWOOD ALLIANCE OF COUNCILS CLIMATE ALLIANCE REFERENCE GROUP (CARG)

To establish the basis of a Warren Blackwood Alliance of Councils (WBAC) sub-regional climate change impact policy that includes recommendations for practical and achievable adaption and mitigation strategies applicable to WBAC and member Local Government Organisations (LGO's).

Members:	2 Elected Members (and a Proxy when a Councillor is unable to attend) <ul style="list-style-type: none">• 1 Shire Employee
Term:	Until advised
Meeting Frequency:	Every second month (additional meetings may be called when required).
Terms of Reference:	Terms of Reference (Synergy#NCOR15014)

DISSABILITY ACCESS AND INCLUSION REFERENCE GROUP (DAIP)

The Access and Inclusion Reference Group (AIRG) is established to promote and ensure the full participation of people with disability in all relevant aspects of The Shire of Donnybrook Balingup's infrastructure, employment, events, programs, and services. It also exists to inform future reviews of the Shire's Disability Access and Inclusion Plan (DAIP). The AIRG is an informal reference group and not a Council Committee bound by the *Local Government Act 1995*.

Members:	Up to 4 people with a disability <ul style="list-style-type: none">•••• Up to two representatives from disability organisations or community groups within the Shire. <ul style="list-style-type: none">•• One other interested community member. <ul style="list-style-type: none">• The Senior Community Development Officer plus the Community Development Officer as proxy if and when required. <ul style="list-style-type: none">•• One Council Member plus one to act as proxy if and when required. <ul style="list-style-type: none">•• (Proxy)
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Term:	Until advised.
Meeting Frequency:	At least twice per year, or as needed.
Constitution:	Constitution (Synergy#)

LESCHENAULT WELLINGTON DISTRICT HEALTH ADVISORY COMMITTEE (DHAC)

The Lechenault Wellington District Health Advisory Committee (DHAC) is established to work in partnership to improve the health and well being outcomes of people in the Leschenault / Wellington District (Collie, Harvey Donnybrook and surrounding areas). It was also established to ensure that community stakeholders have the opportunity to influence health service policy and development at various levels.

Members:	1 Elected Member
Term:	3 years
Meeting Frequency:	Second Wednesday of every second month.
Constitution:	Constitution (Synergy#)

TALISON STAKEHOLDER REFERENCE COMMITTEE

Talison is expanding its Greenbushes Lithium Operation. To enable this Talison needs to maintain respectful, mutually supportive and productive relationships with people living close to and affected by its activities. While much of this happens with individuals and specific organisations on a day-to-day basis, formalised representative advice and feedback is also sought. To this end, Talison has established a Stakeholder Reference Committee (SRC).

Members:	1 Elected Member, and 1 Elected Member as proxy <ul style="list-style-type: none"> • • (Proxy)
Term:	2 years
Meeting Frequency:	1 meeting every 3 months
Constitution:	Constitution (Synergy#)

Ministerial Appointments

DEVELOPMENT ASSESSMENT PANELS (DAP)

Determine development applications that meet a certain threshold value. Each DAP comprises of five members, three specialist members and two local government members. Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* requires Council to nominate, as soon as possible following the elections, four elected Council members to sit as DAP members, two as members and two as alternate members.

Members:	2 Elected Members <ul style="list-style-type: none">••• * Alternate Member• * Alternate Member
Term:	2 Years
Meeting Frequency:	As required
Terms of Reference:	<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>