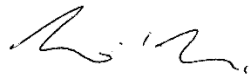




Minutes of Ordinary Council Meeting

Held on 22 October 2025 and to commence after the Special Council Meeting
Held at the Council Chambers in Donnybrook
(1 Bentley Street, Donnybrook)

Authorised:

A handwritten signature in black ink, appearing to read 'Nick O'Connor', is positioned to the right of the 'Authorised:' label.

Nick O'Connor, Chief Executive Officer

Prepared:

24 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 5:26pm and welcomed the public gallery.

The Presiding Member advised that the session 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 John Bailey	Cr Alexis Davy	Cr Lisa Glover
Cr Tyler Hall	Cr Anita Lindemann	Cr Vivienne MacCarthy
Cr Amanda McNab	Cr Grant Patrick	Cr Alex Purich

Staff Present:

Nick O'Connor, Chief Executive Officer	Ross Marshall, Director Operations
Loren Clifford, Acting Director Finance and Corporate	Meta Hazeldine, Manager Financial Services
Michelle Dennis, Manager Development Services	Samantha Farquhar, Administration Officer Corporate Services

Other Members Present:

Public Gallery: 8 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: 188/10-25		
MOVED BY:	Cr Alexis Davy	SECONDED BY: Cr Alex Purich

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

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0

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

Do you know someone who's making a real difference in our community?

The Community Citizen of the Year Awards, run through Auspire – Australia Day Council WA, give local governments across Western Australia the chance to celebrate individuals and groups who go above and beyond to make our communities better.

These awards honour outstanding contributions in areas such as Education, health, arts, environment, social inclusion, sport, business and employment, fundraising, voluntary services, or any other area that helps build a stronger, more vibrant community.

Award Categories:

1. Community Citizen of the Year– for individuals aged 16+
2. Young Community Citizen of the Year– for individuals aged 16–30
3. Senior Community Citizen of the Year - over 65 years

4. Active Citizenship – for groups or events

We strongly encourage individuals to consider submitting a nomination.

Tickets are available now for Taking Liberty which is being held at 6:00pm on Tuesday 16 December 2025, in the Donnybrook Memorial Hall.

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.

Cr Purich declared an impartiality interest regarding item 9.1.3, as he resides on Brookhampton Road, and his family owns property on Brookhampton Road in the affected area.

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

Please note that no new information is to be raised during the deputation.

Kanella Hope in relation to item 9.1.1 (Presented at the Agenda Briefing held 15 October 2025).

6.4. Delegates' Reports

Conference Report: Lean into Legacy – Local Government Insights – Cr MacCarthy and Cr Glover (Attachment 6.4(1)).

Adoption by Exception

COUNCIL RESOLUTION: 189/10-25		
MOVED BY:	Cr Grant Patrick	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 25 September 2025

7.2.1 Special Council Meeting held on 9 October 2025

8.1.1 Bush Fire Advisory Committee Meeting held on 9 October 2025

9.1.2 Temporary Accommodation Request – 9 (Lot 56) Macrozamia Retreat, Donnybrook

9.1.4 SODB Response to SWRRG Elected Members Meeting Motion

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0

7. Confirmation of Minutes

7.1 Ordinary Council Meeting Minutes

7.1.1 Ordinary Council Meeting held on 25 September 2025

Minutes of the Ordinary Council Meeting held 25 September 2025 are attached as [Attachment 7.1.1\(1\)](#).

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 25 September 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	190/10-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Anita Lindemann

That the Minutes from the Ordinary Council Meeting held 25 September 2025 be confirmed as a true and accurate record.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0 by en-bloc resolution 189/10-25

7.2 Special Council Meeting Minutes

7.2.1 Special Council Meeting held on 9 October 2025

Minutes of the Special Council Meeting held 9 October 2025 are attached as [Attachment 7.2.1\(1\)](#).

Executive Recommendation:

That the Minutes from the Special Council Meeting held 9 October 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	191/10-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Anita Lindemann

That the Minutes from the Special Council Meeting held 9 October 2025 be confirmed as a true and accurate record.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0 by en-bloc resolution 189/10-25

8. Reports of Committees

8.1 Committee Meeting Minutes

8.1.1 Bush Fire Advisory Committee Meeting held on 9 October 2025

Minutes of the Bush Fire Advisory Committee Meeting held 9 October 2025 are attached as Attachment 8.1.1(1).

Executive Recommendation:

That the Minutes from the Bush Fire Advisory Committee Meeting held 9 October 2025 be received.

COUNCIL RESOLUTION: 192/10-25	
MOVED BY: Cr Grant Patrick	SECONDED BY: Cr Anita Lindemann

That the Minutes from the Bush Fire Advisory Committee Meeting held 9 October 2025 be received.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0 by en-bloc resolution 189/10-25

9. Reports of Officers

9.1. Director Operations

9.1.1. Development Application P25029 – Cherry Stall relocation, new coffee/food van and pylon sign at Lot 1 (18190) South Western Highway, Donnybrook

Report Details:

Prepared by: Principal Planner

Manager: Manager Development Services

Applicant: Kanella Hope (Planned Focus)

Location: Lot 1 (18190) South Western Highway, Donnybrook

File Reference: A757 (P25029)

Voting Requirement: Simple Majority

Attachment(s):

- 9.1.1 (1) 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

Executive Recommendation

That Council pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P25029 for the relocation of the Cherry Stall (Wayside Stall) and establishment of the new coffee/food van and pylon sign at Lot 1 (18190) South Western Highway, Donnybrook subject to the following conditions and advice:

Conditions:

- 1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plans, including any notations, and must not be altered or modified without the further written consent of the Shire.**

Approved Plans:

- a) Planned Focus - Licciardello Cherry Stall Relocation Plan No: 1160-5-001 (Rev B: dated 21.4.2025); and**
 - b) Advertising Sign.**
- 2. The coffee/food van may only operate when the Cherry Stall (Wayside Stall) is open.**
- 3. Prior to the commencement of the development, an application for a vehicular crossover is to be submitted to, and approved by, the Shire in accordance with the Shire's crossovers standards. Prior to the occupation of the development, the crossover is to be installed in accordance with the crossover approval and continuously maintained thereafter to the satisfaction of the Shire.**
- 4. Prior to the commencement of the use, sight line improvement works will be required on Bendall Road and any alterations, relocation or damage of existing infrastructure within the**

road reserve must be completed and reinstated to the specification and satisfaction of the Shire.

5. All vehicular parking is to be wholly within the site at all times.
6. No vehicle access is permitted to or from South Western Highway.
7. Prior to the commencement of the use, the parking bays demonstrated on the approved site plan shall be constructed and drained and clearly designated. In addition, all internal areas accessing the parking bays are to be constructed to a compacted gravel all weather standard and drained to the satisfaction of the Shire and continuously maintained thereafter. Relocation/removal of any services/infrastructure will be at the cost of the developer.
8. All stormwater from the proposed development including building(s) and hardstand area(s) shall be managed onsite by the landowner in perpetuity, in accordance with the Shire's stormwater management standards and the *Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire.
9. Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding properties, including any infrastructure, to the satisfaction of the Shire.
10. Prior to the commencement of the use, a waste management plan for the use of temporary toilets is to be submitted to, and approved by, the Shire's Environmental Health Services. The waste management plan is to be implemented and continuously maintained thereafter to the satisfaction of the Shire.
11. All landscaping shown on the approved site plan shall be installed within 12 months of the occupation of the development and maintained thereafter to the satisfaction of the Shire.
12. No part of the construction of the approved pylon sign (including any footings etc.) shall encroach over the property boundary.
13. Signage is to be continually maintained by the landowner to the satisfaction of the Shire including;
 - a) The sign is not to be illuminated;
 - b) 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.
 - c) Removal within 24 hours should any sign be damaged;
 - d) Replacement and/or repairs; and
 - e) Removal of any graffiti within 3 working days.

Advice Notes:

- a) The Shire's Planning Services advise:
 - (i) It is the landowner's responsibility to ensure that Main Roads WA approvals are in place prior to the installation of any signage. This may require a separate application for the installation of signage to be submitted to Main Roads WA for approval in accordance with Main Roads' 'Policy and Application Guidelines for Advertising Signs within and beyond State Roads Reserves.'

- (ii) Limited Aboriginal heritage surveys have been conducted in the surrounding area. Therefore, the landowner is advised of ongoing obligations under the *Aboriginal Heritage Act 1972*, including the requirement to cease works and notify authorities should any unregistered sites or artefacts be identified during ground disturbance.
- b) The Shire's Works and Services advise:
 - (i) The new crossover onto Bendall Road will need to be constructed at a sealed standard.
 - (ii) With regards to conditions relating to all internal driveways and accessways, these should be designed to ensure appropriate management of stormwater and to be constructed of suitable surface so as not to cause adverse impacts to adjoining properties or on-site operations.
- c) The Shire's Environmental Health Services advise:
 - (i) The Landowner is required to submit a management plan for the use of temporary toilets, to the satisfaction of the Shire's Environmental Health Services. 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.
 - (ii) The development is defined as a "Food Business" under the *Food Act 2008*. The development must comply with the *Food Act 2008* and *Food Regulations 2009*. Further information can be obtained from the Shire of Donnybrook-Balingup Environmental Health Services on (08) 9780 4205.
- d) Department of Water and Environmental Regulation (DWER) advise:
 - (i) 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.
 - (ii) Based on the 1 in 100 AEP flood level of 54.57m AHD at the limit of mapping, DWER estimate the 1 in 100 AEP flood level applicable to the Lot is ~ 54.0m AHD.
 - (iii) 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.
 - (iv) 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 resilience to major flooding.

- e) If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.
- f) If applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination.

Strategic Alignment

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

Outcome: 9 - A thriving economy.

Objective: 9.2 - Attract and retain a diverse mix of businesses and investment opportunities.

Item: Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for the relocation of the existing cherry stall from Lot 873 to Lot 1 (18190) South Western Highway, Donnybrook, with vehicle access proposed via Bendall Road, rather than directly from the South Western Highway.

According to the application, the relocation is intended to enhance customer safety by avoiding direct access from the highway and reducing potential traffic conflicts. The proposal also includes the installation of advertising signage to support the visibility and operation of the relocated stall and establishment of a coffee/food van.

In accordance with the Shire's Delegation Register, Officers do not have delegation to determine development applications where objections have been received. In this instance, two (2) objections and three (3) submissions in support were received.

Following assessment, Officers consider the proposal to be acceptable, subject to appropriate conditions and advice notes. These address key planning considerations, agency referrals, and public submissions. It is therefore recommended that Council approve the application, subject to the conditions outlined in the Executive Recommendation.

Background

Proposal

The proposal involves relocating the existing cherry stall from its current location on Lot 873 to a new position on Lot 1, with vehicle access via a new crossover from Bendall Road, approximately 52 metres from the South Western Highway intersection. The intention is to improve vehicle safety and provide a more functional and accessible site layout.

Key features of the proposed development include:

- A total cleared area of approximately 4,400m².
- Relocation of the existing stall.
- A one-way internal access route, designed to accommodate passenger vehicles and caravans, constructed in compacted gravel to an all-weather standard.
- A car parking area comprising:
 - 22 standard car parking bays, and
 - 4 caravan parking bays.
- A new 15-metre-wide bitumen crossover onto Bendall Road.
- A central grassed area including:
 - The cherry stall sea container,
 - A pad site for a coffee/food van (to operate on a self-contained basis),
 - A small playground with picnic tables.
- Landscaping around the playground and central stall area, including the planting of shade trees to provide customer amenity.
- A farm-style post and wire fence along all boundaries to delineate the stall area from the highway and adjacent orchard operations.
- A post-and-rail fence to provide visual and physical separation around the central customer area and playground.
- Installation of a non-illuminated advertising sign in the south-western corner of the site, proposed to:
 - Reach a maximum height of 3.5 metres,
 - Be triangular in shape, up to 3 metres wide.
- Opening hours: daylight hours, 7 days a week, year-round, with peak periods expected on weekends, public holidays, and during seasonal events (e.g. cherry season in summer).
- Provision of a self-contained, trailer-mounted unisex toilet, to be serviced regularly by a commercial contractor.
- On-site bins for waste disposal, to be regularly emptied and maintained by the operator.
- The stall will continue to primarily sell produce grown on the property, with some flexibility for complementary, incidental, or value-added products.

Below in Figure 1 is the development application site plan:



Figure 1 – Development Application Plan

Below in Figure 2 is the sign plan:

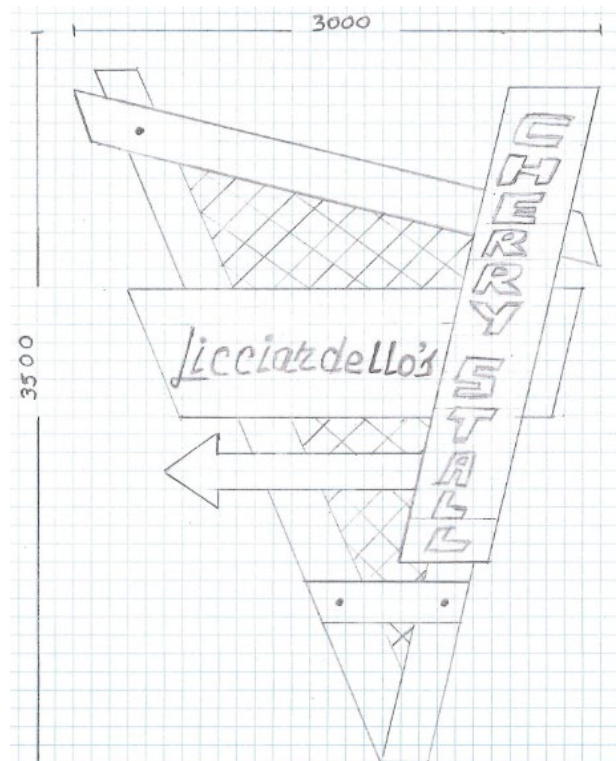


Figure 2 – Sign Plan

Location

The northern part of Lot 1 (18190 South Western Highway, Donnybrook) is approximately 5.2 hectares in area and is located on the northern side of the South Western Highway, within a 110 km/h speed zone, approximately 3 kilometres west of the Donnybrook townsite.

The subject site is located on the corner of Bendall Road and South Western Highway, as illustrated in Figure 4 below. The lot is zoned Priority Agriculture under the Shire of Donnybrook-Balingup Local Planning Scheme No.7 (LPS7), and currently contains an established avocado orchard.

The proposal requires the clearing of approximately 4,400m² of avocado trees within the orchard area. The cleared area will be backfilled and levelled to create a suitable development pad for the relocated cherry stall and associated facilities.

As previously noted, vehicular access to the site is proposed via Bendall Road, which is a local road under the Shire's control, rather than directly from the South Western Highway.



Figure 3 - Lot 1 bordered in red showing surrounding uses.



Figure 4 – Showing location of existing cherry stall and proposed relocation at Lot 1.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Low (3)
Risk Description:	Flooding and bushfire.		
Mitigation:	<p>The site has been assessed for bushfire risk, and a Bushfire Attack Level (BAL) assessment has identified a BAL-Low, confirming that the bushfire risk is minimal.</p> <p>In relation to potential flooding and stormwater impacts, Officers recommend that, if approval is granted, a condition be imposed requiring stormwater to be managed on site. This will ensure that any land use impacts and potential off-site effects are appropriately managed to an acceptable level. DWER has also recommended minimum finished floor levels to minimise flood damage.</p>		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	<p>The proposal includes the use of a self-contained, portable toilet for staff and customer use. This arrangement has been supported by the Shire's Environmental Health Services for a limited period only. Beyond this initial two year period, the landowner will be required to install a permanent effluent disposal system that complies with the Government Sewerage Policy and relevant health regulations.</p>		

Mitigation:	Conditional development approval, including time-limited use of the portable toilet facility. Requirement for the landowner to upgrade to a compliant effluent disposal system within a specified timeframe.
-------------	--

Financial Implications

The landowner has paid all relevant application fees. If Council refuses the application the landowner may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

Policy Compliance

Local Planning Policy 9.6 – Signage/Advertisement (LPP9.6)

The proposal includes the installation of a new pylon sign, approximately 3.0 metres wide (at its broadest point) and 3.5 metres high, to be located at the corner of South Western Highway and Bendall Road, in front of the proposed relocated cherry stall. The sign is intended to improve wayfinding and promote visibility of the stall for passing traffic.

The sign is required to be assessed against:

- Local Planning Policy 9.6 – Signage/Advertisement (LPP9.6),
- Clauses 4.45 and 4.46 of the Shire of Donnybrook-Balingup Local Planning Scheme No.7 (LPS7),
- The subject site is located within Special Control Area 7 – Road Protection Area, which imposes additional controls to maintain the visual character, amenity, and function of major travel routes, including South Western Highway.

A full assessment against Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* is provided in [Attachment 9.1.1\(4\)](#), part (g) relates specifically to the assessment of the sign.

The proposed pylon sign has been assessed and is considered appropriate and consistent with the objectives of LPS7 and LPP9.6, for the following reasons:

- The sign will enhance wayfinding and visibility of the business from the Highway, contributing to traffic safety by clearly directing customers to the new access point on Bendall Road.
- It is non-illuminated, and directly related to the rural/agricultural use on the property.
- Its location within the Road Protection Area is acceptable due to its low visual impact, rural design, and direct relevance to the on-site activity.

Statutory Compliance

A full assessment of the proposal has been undertaken against the provisions of Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Donnybrook-Balingup Local Planning Scheme No.7 (LPS7). This assessment is provided in [Attachment 9.1.1\(4\)](#).

Where elements of the proposal require the exercise of planning discretion, further clarification relating to it and justification are provided within the Officer Comment section of this report.

The proposal is considered to generally comply with the relevant statutory framework, subject to the recommended conditions of approval.

Consultation

Consultation with Government/Service Agencies

The application was referred to the following government departments and service agencies for comment during the period 27 May 2025 to 8 July 2025:

- Department of Primary Industries and Regional Development (DPIRD)
- Department of Planning, Lands and Heritage (DPLH)
- Department of Health
- Main Roads Western Australia (MRWA)
- Department of Water and Environmental Regulation (DWER)

Referral included a written notice and a copy of the submitted plans. Copies of the government agency submissions are provided in [Attachment 9.1.1\(3\)](#).

The key issues raised through the referral process, along with Officer responses, are summarised below:

<p>Submission summary - Department of Planning, Land and Heritage (DPLH)</p> <p>A review of the Register of Places and Objects and the Department of Planning, Lands and Heritage (DPLH) Aboriginal Heritage Database confirms that the subject site does not intersect any known Aboriginal heritage sites or places. As such, no approvals under the <i>Aboriginal Heritage Act 1972</i> (AHA) are required at this time.</p> <p>However, it is noted that limited Aboriginal heritage surveys have been conducted in the surrounding area. Therefore, the landowner will be advised of their ongoing obligations under the AHA, including the requirement to cease works and notify authorities should any unregistered sites or artefacts be identified during ground disturbance.</p>	<p>Officer comment:</p> <p>The comments from DPLH are noted. An advice note will be included on the development approval, reminding the landowner of their responsibilities under the <i>Aboriginal Heritage Act 1972</i> (where applicable).</p>
<p>Submission Summary – Main Roads WA: Main Roads WA (MRWA) provided a submission stating that they have no objection in principle to the proposed relocation of the cherry stall and associated signage on Lot 1, subject to several comments and conditions. A</p>	<p>Officer comment:</p> <p>Officers acknowledge that MRWA does not object to the proposal in principle, including the relocated cherry stall and associated signage on Lot 1. However, the recommendation to remove the existing crossover on Lot 873 cannot be enforced through this application, for the following reasons:</p>

<p>summary of key points raised by MRWA includes:</p> <p>Access and Crossover Concerns:</p> <ul style="list-style-type: none"> • MRWA notes that while the application applies only to Lot 1, it references proposed downgrading of an existing access on Lot 873 (South Western Highway), currently servicing the existing cherry stall. • MRWA's position is that multiple crossovers to South Western Highway are not supported, in line with its access management policy. • MRWA requires removal of the existing unsealed crossover on Lot 873, including associated gates and reinstatement of the roadside drain. • Any works in the MRWA road reserve require prior approval and an application to undertake roadworks. <p>Signage Conditions:</p> <p>MRWA has no objection to the proposed signage, subject to conditions including:</p> <ul style="list-style-type: none"> • Static, non-illuminated signage only. • No overhanging or encroachment into the road reserve. • Maximum display area not to exceed what is proposed. • No digital or reflective content. • No vegetation trimming within the road reserve for visibility. • Sign construction must meet safety standards. • Future modifications require MRWA agreement. <p>General Advice:</p> <p>MRWA reserves the right to reassess the signage if changes occur to the road network or infrastructure in future.</p>	<ul style="list-style-type: none"> • The current application applies only to Lot 1, and does not include Lot 873 within the development footprint or legal boundaries of the proposal. • While the existing crossover on Lot 873 is referenced in the application, it is outside the scope of this development approval and therefore cannot be conditioned under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. <p>The landowner has advised that the existing crossover on Lot 873 will be:</p> <p>"... downgraded and used only for farm-related purposes, such as occasional lime deliveries and access to orchard areas on the opposite side of the highway. There is no alternative access point to this part of the farm."</p> <p>To ensure transparency MRWA's recommendations was provided to the landowner and MRWA was advised to consult directly with the landowner of Lot 873 regarding any ongoing access concerns.</p> <p>Regarding the proposed signage, Officers confirm that it:</p> <ul style="list-style-type: none"> • Meets the requirements of LPS7 and Local Planning Policy 9.6 (LPP9.6); • Is static, non-illuminated, and appropriately scaled; • Is entirely within private property boundaries, with no encroachment into the MRWA road reserve. <p>The following advice will also be included in the approval notification to the landowner:</p> <p><i>"It is the landowner's responsibility to obtain all necessary approvals from Main Roads WA prior to installation of any signage. This may include a separate application under Main Roads' 'Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves.'"</i></p>
<p>Submission summary - Department of Primary Industries and Regional Development (DPIRD):</p> <p>DPIRD has no objection to the proposed relocation of the existing cherry stall to Lot 1,</p>	<p>Officer comment:</p> <p>The comments from DPIRD are noted. The proposed access arrangement via Bendall Road is consistent with the objectives of the Local Planning</p>

<p>with access proposed from Bendall Road rather than directly from the South Western Highway, which aligns with Main Roads WA's preference for access via local roads.</p>	<p>Scheme No. 7 (Clause 4.32.2), which discourages direct access to major roads where suitable access is available from side streets.</p>
<p>Submission summary - Department of Water and Environmental Regulation (DWER): DWER does not object to the proposal however we have identified it has the potential for impact on environmental management. Key issues and recommendations are provided below, and these matters should be addressed:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Officer comment: The comments and recommendations from DWER are noted. The suggested conditions and advice notes will be incorporated into the development approval, consistent with the advice from the Shire's Internal Departments.</p>

Public Submissions

As part of the public consultation process, letters were sent to adjoining and nearby landowners within a 500m radius of the subject property, inviting comment on the proposal. The consultation period ran from 29 May 2025 to 12 June 2025.

At the close of the formal advertising period, the Shire had received three submissions in support of the application and was preparing to grant development approval under Delegation 9.2.1.

While delegated officers were finalising assessment of the application in consultation with the applicant and landowner, two additional submissions were received. These submissions raised concerns relating to:

- the extent of commercial and retail use of the property; and
- potential traffic congestion and safety impacts.

Although these submissions were not made within the specified advertising period, they were received prior to a final determination being made. For these reasons and to allow procedural fairness:

- the submissions are required to be treated as objections for the purposes of Delegation 9.2.1;
- the grounds raised (retail/commercial use and traffic safety) constitute valid planning considerations, irrespective of whether Council agrees with them; and
- the nature of the submissions is such that the issues raised cannot be addressed by minor variations or conditions of approval, as they relate to fundamental aspects of the proposed development.

Accordingly, while the application could have been determined under delegation prior to the late submissions being brought forward, it is no longer capable of being determined under Delegation 9.2.1. The matter is therefore required to be referred to Council for determination.

Copies of the public submissions are provided in [Attachment 9.1.1\(2\)](#).

The key issues raised during the consultation process are summarised below, along with Officer responses:

Key issue	Officer response
<ul style="list-style-type: none"> • Impact on Donnybrook's rural character and tourism identity: The objector emphasises the importance of maintaining the South Western Highway approach into Donnybrook as a scenic route known for traditional roadside fruit stalls, suggesting the proposal detracts from this image. • Comparison to Crooked Carrot-style development: 	<p>This objection raises a combination of strategic, procedural, and amenity concerns. Issues relating to land use definition, traffic safety, and planning compliance have been addressed through the planning assessment. Conditions and advice notes are recommended to ensure the development remains consistent with rural planning objectives, including controls on signage, parking, access, and operational scale.</p>

Key issue	Officer response
<p>The proposal is likened to a larger commercial operation (e.g., Crooked Carrot), which the objector notes is located further from town centres. They express concern that this proposal, being only 3km from Donnybrook, will negatively affect local businesses and traffic.</p> <ul style="list-style-type: none"> • Accuracy of proposal claims: <ul style="list-style-type: none"> ○ Disputes the claim that the cherry stall has operated for 12 years (claims only 7 years). ○ Questions whether Main Roads WA actually requested the relocation. ○ Suggests the landowner has operated multiple roadside stalls on the property without proper approval. ○ Notes the existing packing shed site should be used instead. • Nature of the use (retail vs wayside stall): The objector argues that the operation functions more like a retail shop, not a wayside stall, referencing the admission in the proposal that the use doesn't fully align with the wayside stall definition. • Concerns about produce sourcing: Notes that the landowner only grows three types of produce (avocados, cherries, pears) and alleges that other produce is sourced from Canning Vale Markets, questioning compliance with planning intent for wayside stalls. • Consultation scope: Queries how many landowners were notified and whether Donnybrook town centre businesses were consulted, given the potential commercial impact of a coffee/food van and a playground so close to town. • Traffic and road safety concerns: Raises safety concerns with increased traffic, including buses and caravans, on Bendall Road, particularly during holiday periods. Believes the relocation will 	<p>The application has been assessed as a “wayside stall”, not a retail shop, and appropriate conditions will limit its use accordingly.</p> <p>As the definition of “wayside stall” does not expressly exclude produce not produced on-site the sale of produce not grown on the property can be considered reasonably incidental to the predominant sale of produce from the property. To prohibit the sale of other produce is considered an unduly narrow interpretation of the Scheme definition.</p>

Key issue	Officer response
<p>create new safety issues, rather than solve existing ones.</p> <ul style="list-style-type: none"> Questioning the proposal's intent and planning alignment: The objector questions the long-term expectation for the site, implying that the scale and cost of the proposal indicate intentions beyond a seasonal stall, potentially conflicting with rural zoning objectives. Planning Strategy Reference: Refers to Clause 5.4 of the Shire's Local Planning Strategy, arguing the proposal may conflict with the objectives for Priority Agriculture zoning by: <ul style="list-style-type: none"> Removing productive orchard land; Introducing a non-rural use that could affect amenity and land use compatibility; Not demonstrating that alternative, more appropriate sites are unavailable. 	

Officer Comment

The proposal seeks approval to relocate the existing cherry stall from South Western Highway to Bendall Road, establish a new coffee/food van, and install associated signage on Lot 1 (South Western Highway/Bendall Road, Donnybrook). The application has been assessed against the objectives of the Priority Agriculture zone, the provisions of Local Planning Scheme No. 7 (LPS7), the endorsed and draft Local Planning Strategies, relevant State Planning Policies, and Schedule 2, Part 9, Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. A full assessment is provided in [\(Attachment 9.1.1\(4\)\)](#).

The development supports the continuation and diversification of a long-standing agricultural activity by improving safety and functionality, offering value-adding opportunities, and enhancing tourism potential. These outcomes are consistent with the zone objectives and the strategic direction for the locality.

1. Zoning and Land Use Class Permissibility

During assessment, draft conditions were provided to the landowner and applicant for comment. The applicant's primary concern related to the proposed "Market" use class.

Officers consider the proposal should be confined to approval for a "Wayside Stall" i.e: *means a building situated on private land which offers for sale to the general public produce or any commodity*

which is produced on the land upon which the buildings are located, with the coffee/food van approved only as incidental and complementary to the stall. This classification better reflects the primary activity i.e. continued on-farm sale of cherries with some expansion into other products, and is consistent with the Priority Agriculture zone objectives, which include:

- Encouraging value-adding opportunities to agricultural products at source;
- Promoting existing intensive agricultural land uses; and
- Supporting complementary activities that enhance rural productivity and diversity.

Under LPS7, a “Wayside Stall” is a ‘D’ use in the Priority Agriculture zone, meaning it is not permitted unless the local government has exercised its discretion and granted development approval. The application does not provide sufficient information to justify a classification as a “Market” which is an ‘A’ use in the Priority Agriculture zone meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice. A “Market” is defined as the display and sale of goods from stalls by independent vendors. No evidence has been provided that independent vendors would operate from the site.

While a future market-style operation may be a logical progression, it cannot be supported at this stage without further detail on layout, buildings, or additional producers. Should future expansion occur (e.g. larger buildings or sea containers with multiple producers selling goods), a separate application for a Market land use may be required.

With respect to the coffee/food van:

- On its own, the van is not directly related to the orchard or agricultural activities on the property, and would not ordinarily be supported under the Priority Agriculture zoning.
- However, when considered incidental i.e. clearly secondary to the wayside stall operations, supporting visitors and promoting the farm’s produce, the van may be considered acceptable in the current context.

2. Front Setback Non-Compliance

- The proposed stalls are located approximately 25m from Bendall Road, below the 30m minimum setback required under Clause 4.55 of LPS7.
- The variation is supported on the basis that it reduces the number of avocado trees that will be removed to clear the site for development.

3. Effluent and Wastewater Management

- Public toilets are not a requirement for this development. Notwithstanding, the application proposes temporary portable toilets, which are only permitted short-term under the *Government Sewerage Policy 2019*.
- A permanent solution is required to ensure long-term compliance.
- Condition recommended: Submission of a Waste Management Plan addressing toilet facilities, waste servicing, and transition to a permanent effluent disposal system within two years.

4. Stormwater and Flood Risk

- DWER has requested stormwater management measures to prevent off-site impacts, noting the site's proximity to the Preston River and potential flood risk.
- Condition recommended: Stormwater to be managed on site.
- Advice note: Landowner advised of DWER's recommended minimum floor level of 54.5m AHD for any future habitable structures, though not strictly applicable to this development.

5. Traffic and Access Arrangements

- Relocation to Bendall Road significantly improves safety compared with the current South Western Highway access.
- Main Roads WA and Shire Works and Services staff raise no objection subject to conditions.
- Condition recommended: Construction of a sealed crossover to Shire standards, internal circulation as shown, and developer responsibility for any required sight line improvements on Bendall Road.

6. Signage Compliance

- The proposed pylon sign complies with LPS7 and Local Planning Policy 9.6 in terms of scale, location, and design.
- It is non-illuminated and directly related to on-site produce sales.
- Condition recommended: Signage to be maintained in good order, located wholly within the lot, and erected only once Main Roads WA approval is obtained.

7. Cultural Heritage

- DPLH has confirmed no formal approval is required under the *Aboriginal Heritage Act 1972*.
- However, given the site's proximity to the Preston River, a place of cultural significance, caution is warranted.
- Advice note: Landowner reminded of obligations under the *Aboriginal Heritage Act 1972* should any unidentified cultural material be discovered.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

The local government may determine an application for development approval by -

- (a) Granting development approval without conditions; or*
- (b) Granting development approval with conditions; or*
- (c) Refusing to grant development approval.*

Staff have assessed the application, including the advice from relevant Government agencies and other Shire service divisions. Objections have been reviewed and addressed. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The proposal has been assessed in accordance with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook–Balingup Local Planning Scheme No. 7.

The development is consistent with the objectives of the Priority Agriculture zone, aligns with the principles of orderly and proper planning, and is supported by relevant State and local planning frameworks. Subject to conditions/advice addressing effluent management, stormwater control, traffic safety, and signage, the proposal will provide improved safety, functionality, and amenity compared with the existing cherry stall location.

Matters raised through submissions have been appropriately considered and can be satisfactorily addressed through conditions of approval. On this basis, the application is considered to comply with the requirements of orderly and proper planning, and conditional approval is recommended.

MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Alex Purich
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That Council pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P25029 for the relocation of the Cherry Stall (Wayside Stall) and establishment of the new coffee/food van and pylon sign at Lot 1 (18190) South Western Highway, Donnybrook subject to the following conditions and advice:

Conditions:

1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plans, including any notations, and must not be altered or modified without the further written consent of the Shire.

Approved Plans:

- a) Planned Focus - Licciardello Cherry Stall Relocation Plan No: 1160-5-001 (Rev B: dated 21.4.2025); and
 - b) Advertising Sign.
2. The coffee/food van may only operate when the Cherry Stall (Wayside Stall) is open.
 3. Prior to the commencement of the development, an application for a vehicular crossover is to be submitted to, and approved by, the Shire in accordance with the Shire's crossovers standards. Prior to the occupation of the development, the crossover is to be installed in accordance with the crossover approval and continuously maintained thereafter to the satisfaction of the Shire.
 4. Prior to the commencement of the use, sight line improvement works will be required on Bendall Road and any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Shire.
 5. All vehicular parking is to be wholly within the site at all times.
 6. No vehicle access is permitted to or from South Western Highway.

7. Prior to the commencement of the use, the parking bays demonstrated on the approved site plan shall be constructed and drained and clearly designated. In addition, all internal areas accessing the parking bays are to be constructed to a compacted gravel all weather standard and drained to the satisfaction of the Shire and continuously maintained thereafter. Relocation/removal of any services/infrastructure will be at the cost of the developer.
8. All stormwater from the proposed development including building(s) and hardstand area(s) shall be managed onsite by the landowner in perpetuity, in accordance with the Shire's stormwater management standards and the *Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire.
9. Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding properties, including any infrastructure, to the satisfaction of the Shire.
10. Prior to the commencement of the use, a waste management plan for the use of temporary toilets is to be submitted to, and approved by, the Shire's Environmental Health Services. The waste management plan is to be implemented and continuously maintained thereafter to the satisfaction of the Shire.
11. All landscaping shown on the approved site plan shall be installed within 12 months of the occupation of the development and maintained thereafter to the satisfaction of the Shire.
12. No part of the construction of the approved pylon sign (including any footings etc.) shall encroach over the property boundary.
13. Signage is to be continually maintained by the landowner to the satisfaction of the Shire including;
 - a) The sign is not to be illuminated;
 - b) 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.
 - c) Removal within 24 hours should any sign be damaged;
 - d) Replacement and/or repairs; and
 - e) Removal of any graffiti within 3 working days.

Advice Notes:

- a) The Shire's Planning Services advise:
 - (i) It is the landowner's responsibility to ensure that Main Roads WA approvals are in place prior to the installation of any signage. This may require a separate application for the installation of signage to be submitted to Main Roads WA for approval in accordance with Main Roads' 'Policy and Application Guidelines for Advertising Signs within and beyond State Roads Reserves.'
 - (ii) Limited Aboriginal heritage surveys have been conducted in the surrounding area. Therefore, the landowner is advised of ongoing obligations under the *Aboriginal Heritage Act 1972*, including the requirement to cease works and notify authorities should any unregistered sites or artefacts be identified during ground disturbance.
- b) The Shire's Works and Services advise:

- (i) The new crossover onto Bendall Road will need to be constructed at a sealed standard.
 - (ii) With regards to conditions relating to all internal driveways and accessways, these should be designed to ensure appropriate management of stormwater and to be constructed of suitable surface so as not to cause adverse impacts to adjoining properties or on-site operations.
- c) The Shire's Environmental Health Services advise:
 - (i) The Landowner is required to submit a management plan for the use of temporary toilets, to the satisfaction of the Shire's Environmental Health Services. 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.
 - (ii) The development is defined as a "Food Business" under the *Food Act 2008*. The development must comply with the *Food Act 2008* and *Food Regulations 2009*. Further information can be obtained from the Shire of Donnybrook-Balingup Environmental Health Services on (08) 9780 4205.
- d) Department of Water and Environmental Regulation (DWER) advise:
 - (i) 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.
 - (ii) Based on the 1 in 100 AEP flood level of 54.57m AHD at the limit of mapping, DWER estimate the 1 in 100 AEP flood level applicable to the Lot is ~ 54.0m AHD.
 - (iii) 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.
 - (iv) 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 resilience to major flooding.
- e) If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

- f) If applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination.

Cr Davy moved an amendment:

MOVED BY:	Cr Alexis Davy	SECONDED BY:	Cr Lisa Glover
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Amend the motion to include item B as outlined below:

B: That Council requests the Chief Executive Officer to request Main Roads WA to consider reducing the speed limit to 80km/h along South Western Highway Argyle from the southern entrance to the parking/rest area located west of Bendall Road Donnybrook and to widen Bendall Road at the intersection with the highway to accommodate existing traffic volume and load.

For: Cr Bailey, Cr Davy, Cr Glover
Against: Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Lost: 3/6

Substantive motion

COUNCIL RESOLUTION:		193/10-25	
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Alex Purich

That Council pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P25029 for the relocation of the Cherry Stall (Wayside Stall) and establishment of the new coffee/food van and pylon sign at Lot 1 (18190) South Western Highway, Donnybrook subject to the following conditions and advice:
Conditions:

1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plans, including any notations, and must not be altered or modified without the further written consent of the Shire.

Approved Plans:

- a) Planned Focus - Licciardello Cherry Stall Relocation Plan No: 1160-5-001 (Rev B: dated 21.4.2025); and
 - b) Advertising Sign.
2. The coffee/food van may only operate when the Cherry Stall (Wayside Stall) is open.
 3. Prior to the commencement of the development, an application for a vehicular crossover is to be submitted to, and approved by, the Shire in accordance with the Shire's crossovers

standards. Prior to the occupation of the development, the crossover is to be installed in accordance with the crossover approval and continuously maintained thereafter to the satisfaction of the Shire.

4. Prior to the commencement of the use, sight line improvement works will be required on Bendall Road and any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Shire.
5. All vehicular parking is to be wholly within the site at all times.
6. No vehicle access is permitted to or from South Western Highway.
7. Prior to the commencement of the use, the parking bays demonstrated on the approved site plan shall be constructed and drained and clearly designated. In addition, all internal areas accessing the parking bays are to be constructed to a compacted gravel all weather standard and drained to the satisfaction of the Shire and continuously maintained thereafter. Relocation/removal of any services/infrastructure will be at the cost of the developer.
8. All stormwater from the proposed development including building(s) and hardstand area(s) shall be managed onsite by the landowner in perpetuity, in accordance with the Shire's stormwater management standards and the *Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire.
9. Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding properties, including any infrastructure, to the satisfaction of the Shire.
10. Prior to the commencement of the use, a waste management plan for the use of temporary toilets is to be submitted to, and approved by, the Shire's Environmental Health Services. The waste management plan is to be implemented and continuously maintained thereafter to the satisfaction of the Shire.
11. All landscaping shown on the approved site plan shall be installed within 12 months of the occupation of the development and maintained thereafter to the satisfaction of the Shire.
12. No part of the construction of the approved pylon sign (including any footings etc.) shall encroach over the property boundary.
13. Signage is to be continually maintained by the landowner to the satisfaction of the Shire including;
 - a) The sign is not to be illuminated;
 - b) 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.
 - c) Removal within 24 hours should any sign be damaged;
 - d) Replacement and/or repairs; and
 - e) Removal of any graffiti within 3 working days.

Advice Notes:

- a) The Shire's Planning Services advise:

- (i) It is the landowner's responsibility to ensure that Main Roads WA approvals are in place prior to the installation of any signage. This may require a separate application for the installation of signage to be submitted to Main Roads WA for approval in accordance with Main Roads' 'Policy and Application Guidelines for Advertising Signs within and beyond State Roads Reserves.'
 - (ii) Limited Aboriginal heritage surveys have been conducted in the surrounding area. Therefore, the landowner is advised of ongoing obligations under the *Aboriginal Heritage Act 1972*, including the requirement to cease works and notify authorities should any unregistered sites or artefacts be identified during ground disturbance.
- b) The Shire's Works and Services advise:
 - (i) The new crossover onto Bendall Road will need to be constructed at a sealed standard.
 - (ii) With regards to conditions relating to all internal driveways and accessways, these should be designed to ensure appropriate management of stormwater and to be constructed of suitable surface so as not to cause adverse impacts to adjoining properties or on-site operations.
- c) The Shire's Environmental Health Services advise:
 - (i) The Landowner is required to submit a management plan for the use of temporary toilets, to the satisfaction of the Shire's Environmental Health Services. 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.
 - (ii) The development is defined as a "Food Business" under the *Food Act 2008*. The development must comply with the *Food Act 2008* and *Food Regulations 2009*. Further information can be obtained from the Shire of Donnybrook-Balingup Environmental Health Services on (08) 9780 4205.
- d) Department of Water and Environmental Regulation (DWER) advise:
 - (i) 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.
 - (ii) Based on the 1 in 100 AEP flood level of 54.57m AHD at the limit of mapping, DWER estimate the 1 in 100 AEP flood level applicable to the Lot is ~ 54.0m AHD.
 - (iii) 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.
 - (iv) 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 resilience to major flooding.

- e) If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.
- f) If applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination.

For: Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Cr Bailey, Cr Davy, Cr Glover
Carried: 6/3

9.1.2 Temporary Accommodation Request – 9 (Lot 56) Macrozamia Retreat, Donnybrook

Report Details:

Prepared by: Manager Development Services
Manager: Ross Marshall, Director Operations
Applicant: Landowner
Location: 199 (Lot 100) Irishtown Road, Donnybrook
File Reference: A5453 **Voting Requirement:** Simple Majority
Attachment(s):
Nil.

Executive Recommendation

That Council:

1. Considers the use of the transportable structure, sea container and roof cover at 9 (Lot 56) Macrozamia Retreat, 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 9 (Lot 56) Macrozamia Retreat Donnybrook in the transportable structure for a maximum of twelve (12) months by the applicant and their immediate family (maximum occupants 4) subject to the following conditions:
 - (a) 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;
 - (b) The sleeping compartment of the transportable structure is to be fitted with a suitable smoke detector and carbon monoxide detector;
 - (c) The power connection to the transportable unit is to be protected by a suitable residual current device (RCD);
 - (d) Within one month of this decision, the application is to prepare and provide evidence of a bushfire management plan consistent with DFES's My Bushfire Plan WA; and;
 - (e) 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, 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.

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 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 in a transportable structure. The owner recently installed a roof cover over this unit to provide weather protection to the structure. There is also a sea container on site being used for secure storage.

The land is zoned 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 1,003m² 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 are able to 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.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health & Safety	Unlikely	Catastrophic	High (10)
Risk Description:	Impacts from unsafe structures and facilities.		
Mitigation:	Conditions requiring appropriate approvals.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Community	Likely	Moderate	High (12)
Risk Description:	Development not in keeping with the locality.		
Mitigation:	Time limited conditions.		

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. LGIS have not been able to provide an indication of when they might be able to provide their considered response.

The proposal meets the draft policy standards with respect to setback distances, access to water and power with parking available onsite and pets capable of being contained. While on Figure 1 the sea container appears to be across the property boundary, it has recently been relocated to within the property boundary (as confirmed by a site visit and visual inspection of new survey pegs).

The proposal does not meet the draft policy standards with respect to lot size, 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.

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.

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 regarding the use of the property. The Executive Recommendation provides an approval pathway for the temporary structures associated with the applicant's request to reside on the property while they work towards building their permanent dwelling.

Officer Comment

In consideration of the suitability of the site for camping in relation to safety, health and access to services, the applicant has confirmed that the transportable structure provides for their immediate needs as is fitted with a kitchenette, separate bathroom and sleeping quarters.

A DryFlush portable toilet is currently in use with greywater currently discharging to the garden. To minimise potential offsite impacts as well as to safeguard occupant safety a condition regarding wastewater disposal is recommended.

Scheme water and mains power are each connected to the structure. Rubbish is regularly conveyed to the Donnybrook Landfill site via a contractor.

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

While the landowner has yet to formally engage a builder, they have commenced the process of determining their final house plan.

The current development, while not in keeping with the standard of homes built in the locality, is located within a cul-de-sac i.e. not prominent in the subdivision, setback within the property and presents neatly to the street as illustrated in Figure 2. Works are considered temporary and the landowner is working towards engaging a builder to construct their permanent dwelling.



Figure 2 – Street elevation

Conditional approval is therefore recommended.

COUNCIL RESOLUTION:	194/10-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Anita Lindemann

That Council:

1. Considers the use of the transportable structure, sea container and roof cover at 9 (Lot 56) Macrozamia Retreat, 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 9 (Lot 56) Macrozamia Retreat Donnybrook in the transportable structure for a maximum of twelve (12) months by the applicant and their immediate family (maximum occupants 4) subject to the following conditions:
 - (a) 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;
 - (b) The sleeping compartment of the transportable structure is to be fitted with a suitable smoke detector and carbon monoxide detector;

- (c) The power connection to the transportable unit is to be protected by a suitable residual current device (RCD);
 - (d) Within one month of this decision, the application is to prepare and provide evidence of a bushfire management plan consistent with DFES's My Bushfire Plan WA; and;
 - (e) 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, 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.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0 by en-bloc resolution 189/10-25

9.1.3. Brookhampton Road Regional Road Safety Program Funding

Report Details:

Prepared by:	Manager Works and Services	
Manager:	Ross Marshall, Director Operations	
Location:	Brookhampton Road, SLK 0.0 – 4.0	
File Reference:		Voting Requirement: Absolute Majority
Attachment(s):		
9.1.4(1)	Memorandum of Understanding – The Regional Road Safety Program	

Executive Recommendation

That Council:

1. **Endorses the Chief Executive Officer to sign the Memorandum of Understanding and accept the total funding of \$932,900 from the Regional Road Safety Program for the upgrading of Brookhampton Road between straight line kilometre 0.0 and 4.0;**
2. **Amends the 2025/26 Budget to include the payment of \$373,160, being the first 40% of the total funding, claimable on execution of the Memorandum of Understanding**
3. **Amends the 2025/26 Capital Works Budget to include the expenditure of \$40,000 for the survey, design and other preliminary works required to deliver the project; *and***
4. **Amends the Shire of Donnybrook Balingup Six Year Forward Roadworks Program to reflect the inclusion of the project in the 2026/27 financial year.**

Strategic Alignment

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

Outcome:	8 - Safe and convenient movement of people into and around the district.
Objective:	8.1 - Improve road safety, connectivity and traffic flow for all users.
Item:	8.1.1 - Advocate via the Regional Roads Group for the State Government to upgrade and improve key regional transport infrastructure.

Executive Summary

In May of 2025 Shire Officers submitted an application for funding under Main Roads WA's (MRWA) Regional Road Safety Program (RRSP) for the upgrading of a section of Brookhampton Road between the South West Highway and the intersection with Sandhills Road. Officers were subsequently informed of the success of this application on 14 August 2025.

Under this funding the Shire will receive \$932,900, to be recouped in three claims of 40%, 40% and 20%. The first 40% (\$373,160) is payable upon execution of the Memorandum of Understanding (MoU) with MRWA, which will occur in the 2025/26 financial year, therefore the 2025/26 budget requires amendment to accept this income.

While physical works will commence in the 2026/27, preliminary works such as survey and design will be undertaken in 2025/26, therefore an allocation of \$40,000 to the current 2025/26 Annual budget will be required, which will be funded by the first 40% payment to be received by the Shire.

Finally, the Shire's Six Year Capital Roadworks Program requires amendment to include the capital works project in 2026/27. This will be undertaken at its next review and presented to Council for endorsement by its March 2026 Ordinary Council Meeting.

The remainder of the funding, as well as \$104,000 of Shire funding required under the funding model will be included in the 2026/27 draft budget.

Background

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 on State controlled roads, this current program targets Local Government roads with a history of serious crashes and substandard cross sections.

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.

The CEO subsequently received a letter from MRWA on 6 May 2025 explaining the background of the RRSP and that similar projects on some 9,000 kilometres of State controlled roads resulted in lowering the number of fatal crashes by a mean reduction of 52%. The program focusses on a reduction in run-off-road and head-on crashes which are the most common crash type that result in fatalities and serious injuries. Accompanying the letter were guidelines that guided Officers through the planning, implementation and management of the projects under the RRSP and which outline the criteria for selected priority roads, the types of treatments to be applied, and target cross sections. The priority road identified for the Shire of Donnybrook Balingup was the full length of Brookhampton Road from the South West Highway in the north to Kirup in the south.

While the decision was taken by Officers to focus the subject application on the 4 kilometres between the South West Highway and the intersection of Sandhills road, this does not preclude future applications as the current funding is only Tranche 1 of multiple tranches to be rolled out in the next five years. The decision to apply for the subject section was made after considering the Shire's capacity to deliver as well as the fact that the cost of the final reseal where it overlays the pre-existing seal must be met by the Shire.

The attached MoU includes the original application submitted by the Shire which details the works and outcomes planned. Essentially the seal will be widened to the width of the existing formation, i.e. to the current extents between unsealed shoulders, therefore the new road surface will occupy the same footprint as the current seal and unsealed shoulders. This means there will be no need to clear native vegetation or carry out significant verge works, resulting in a less complex and less expensive project, which is the crux of this funding program.

The project is very similar in nature to works recently carried out on Cundinup-Kirup and Balingup-Nannup Roads and will be delivered by an outside Contractor as per the projects on those roads.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Likely	Major	High (16)
Risk Description:	Budget over expenditure due to unforeseen works required to deliver the project		
Mitigation:	Undertaking of a detail design and specification so that the works can be outsourced for a fixed price contract.		

Financial Implications

The 2025/26 budget will require amendment to accept the first 40% claim of \$373,160 and expenditure of \$40,000 to cover the cost of survey, design and other preliminary activities. The balance of the first 40% will be carried forward and the remainder of the funding, as well as Council's contribution of \$104,000 will be included in the draft 2026/27 budget.

Policy Compliance

Nil.

COUNCIL RESOLUTION:	195/10-25		
MOVED BY:	Cr Tyler Hall	SECONDED BY:	Cr Amanda McNab

That Council:

1. Endorses the Chief Executive Officer to sign the Memorandum of Understanding and accept the total funding of \$932,900 from the Regional Road Safety Program for the upgrading of Brookhampton Road between straight line kilometre 0.0 and 4.0;
2. Amends the 2025/26 Budget to include the payment of \$373,160, being the first 40% of the total funding, claimable on execution of the Memorandum of Understanding
3. Amends the 2025/26 Capital Works Budget to include the expenditure of \$40,000 for the survey, design and other preliminary works required to deliver the project; *and*
4. Amends the Shire of Donnybrook Balingup Six Year Forward Roadworks Program to reflect the inclusion of the project in the 2026/27 financial year.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich

Against: Nil.

Carried: 9/0 by absolute majority vote

9.1.4 SODB Response to SWRRG Elected Members Meeting Motion

Report Details:

Prepared by: Manager Works and Services

Manager: Ross Marshall, Director Operations

Applicant: Shire of Donnybrook Balingup

Location: Shire of Donnybrook Balingup.

File Reference: WRK 04/2

Voting Requirement: Simple Majority

Attachment(s):

9.1.4(1) Letter – SWRRG Elected Members – Shire of Donnybrook Balingup Response to Bridge Works.

Executive Recommendation

That Council:

1. Notes the Shire of Donnybrook Balingup response to the Southwest Regional Group (SWRRG) Elected Members Meeting resolution regarding bridges located on Roads of Regional Significance under Local Government management.
2. Requests the Chief Executive Officer to advocate for the following through the SWRRG:
 - 2.1. 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, preventative, specific, replacement and emergency works. This will be permissible whenever there is a requirement for the Local Government 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.
 - 2.2. 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.
 - 2.3. 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:
 - 2.3.1. 40% upon the project being approved
 - 2.3.2. 40% upon the first 40% allocation being spent, and
 - 2.3.3. 20% at the completion of works.

Strategic Alignment

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

- Outcome:** 8 - Safe and convenient movement of people into and around the district.
- Objective:** 8.1 - Improve road safety, connectivity and traffic flow for all users.
- Item:** 8.1.1 - Advocate via the Regional Roads Group for the State Government to upgrade and improve key regional transport infrastructure.

Executive Summary

The motion below was put forward by the South West Regional Road Group (SWRRG) Elected Member's at its meeting in July 2025:

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.

This motion would impact thirteen bridges within the Shire of Donnybrook Balingup. Shire officers are 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.

A response outlining an alternative recommendation was drafted by Shire staff to SWRRG for consideration at the November 2025 meeting. A copy of the letter is presented as [Attachment 12.1.3\(1\)](#) for Council Members' information.

Background

At its Ordinary Council meeting held 28 May 2025 Council resolved the following:

That Council:

"COUNCIL RESOLUTION 80/05-25

1. *Receive the Minutes from the South West Regional Road Group Committee Meeting held on 31 March 2025; and*
2. *Instructs the Chief Executive Officer to formally write to WALGA to address the following issues with the State Road Funds to Local Government Advisory Committee (SAC);*
 - 2.1 *Timing of funding for Councils to undertake bridgeworks, with the preferred model to replicate the Regional Road Group road project funding 40% up front for planning and approvals, 40% and 20% construction progress), and*
 - 2.2 *Clarification in detail for costs that will be applicable for reimbursement under the funding including outsourcing of project management throughout all phases of the project, and*

- 2.3 Confirmation that funding will be preserved for multiple year projects; and*
- 3. Instructs the Chief Executive Officer to formally write to the Member for Collie Preston, Jodie Hanns MLA, to request assistance with the issues included in Item 2.*

The above matters have been actioned by the Chief Executive Office with the Shire still to receive a response to 2.1, 2.3 and 3.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Likely	Major	High (16)
Risk Description:	Shire timber bridges are assets which require regular routine and preventative work by the Shire to maximize their useful life. With delays in the delivery of identified specific, upgrade and replacement work by MRWA, this has resulted in additional costs being borne by Local Government to undertake emergency bridge works, whilst we await the identified works to be completed.		
Mitigation:	Advocate for improved funding structures with the State to alleviate the financial impact currently being experienced by Local Governments for unexpected and costly delivery of emergency bridge works, and the delivery of specific, upgrade and/or replacement bridge works		

Financial Implications

Main Roads WA has outlined previously, that they have faced many challenges in the delivery of specific or replacement bridge works, which has resulted in a lengthy backlog for these types of works across Western Australia.

As a result, this has had a flow on financial impact on Local Governments, as these delays can result in emergency works being identified by Main Roads WA, particularly during Level 2 Inspections. Emergency work is funded on a 2/3 Main Roads and 1/3 Local Government 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.

This can have an unexpected and significant financial impact on Local Governments should the work required be extensive or if emergency repairs are required across multiple bridges in the same financial year.

The letter recommends to the SWRRG that the request to The Minister, The State Advisory Committee and MRWA 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, preventative, specific, replacement and emergency works. This will be permissible whenever there is a requirement for the Local Government 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.

In addition to the above, the letter also sought 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.

Policy Compliance

Council Policy ASS/CP-2- Asset Management

Council Policy ASS/CP-2 objective it to ensure that the Shire has information, knowledge and understanding about the long-term and the cumulative consequences of being the custodian of public assets and their appropriate management. Asset management is considered a financial and administrative requirement of Local Governments as reflected within the *Local Government Act 1995*.

Statutory Compliance

Local Government Act 1995

Consultation

Ongoing discussions between the Shire, Main Roads and other members of the SWRRG have been held over the several months to try and reach a position that will suit all parties involved in the maintenance and renewal of timber bridges going forward.

The Shire is encouraging continued discussions with other Local Governments of the SWRRG prior to the next SWRRG elected members meeting in November 2025.

Officer Comment

Our Shire currently has 32 traffic bridges plus 1 pedestrian bridge within the Shire (with 1 disputed ownership bridge asset). These bridges play an important role in our Shire for the movement of vehicles and pedestrians throughout the Shire and make up a significant portion of our total asset valuation.

The recent MRWA changes in the delivery of specific and renewal bridge works in the South West has created confusion amongst the member Local Governments of the SWRRG, with concerns costs usually covered by the State are being shifted to the Local Governments.

The recommendation of the letter provides a process that appropriately considers the challengers that the change in delivery of bridge works will present to Local Governments and provides Local Governments with the ability to work collaboratively with other Local Governments to package similar works resulting in cost and efficiency benefits for all.

COUNCIL RESOLUTION: 196/10-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY: Cr Anita Lindemann

That Council:

1. **Notes the Shire of Donnybrook Balingup response to the Southwest Regional Group (SWRRG) Elected Members Meeting resolution regarding bridges located on Roads of Regional Significance under Local Government management.**
2. **Requests the Chief Executive Officer to advocate for the following through the SWRRG:**
 - 2.1. **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, preventative, specific, replacement and emergency works. This will be permissible whenever there is a requirement for the Local Government 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.**
 - 2.2. **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.**
 - 2.3. **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:**
 - 2.3.1. **40% upon the project being approved**
 - 2.3.2. **40% upon the first 40% allocation being spent, and**
 - 2.3.3. **20% at the completion of works.**

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich

Against: Nil.

Carried: 9/0 by en-bloc resolution 189/10-25

9.2. Director Finance and Corporate

9.2.1. Schedule of Accounts Paid as at 30 September 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 30 September 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 30 September 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 \$1,401,531.52.

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 SEPTEMBER TO 30 SEPTEMBER 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
CREDIT CARD				
	01/08/2025	PDQ	REFUND DEPLOY & INVENTORY LICENCE	-2,443.37
	30/08/2025	BENDIGO BANK	CARD FEES	16.00
	01/08/2025	DONNYBROOK IGA	COUNCILLORS - MEETING REFRESHMENTS	65.39
	07/08/2025	SENDGRID	MONTHLY AUTOMATED EMAIL SERVICE, LINKED TO ENVIBE	143.69
	09/08/2025	MICROSOFT	AZURE USAGE CHARGES	277.41
	09/08/2025	CALTEX	STAFF FUEL	120.19
	12/08/2025	LUCID SOFTWARE	ANNUAL SUBSCRIPTION	173.04
	23/08/2025	RED COT	CONTAINERS FOR STORAGE	105.95
	23/08/2025	CALTEX	STAFF FUEL	129.90
	25/08/2025	MAILCHIMP	MONTHLY MARKETING SUBSCRIPION	41.54
DD28674.1	14/09/2025	BENDIGO BANK	TOTAL: CREDIT CARD PAYMENTS	-1,370.26
EFT PAYMENTS				
EFT31580A	04/09/2025	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 03.09.25	170,233.29
EFT31580B	04/09/2025	AUSTRALIAN TAX OFFICE	PAYG PE: 03.09.25	50,488.00
EFT31580C	10/09/2025	AUSTRALIAN TAX OFFICE	PAYG PE: VARIANCE	100.00
EFT31581	11/09/2025	HARMONIC IT	CAMERA, TV MOUNT, PLUS INSTALLATION	2,080.10
EFT31582	11/09/2025	AUSTRALIA POST - ACCOUNTS	SHIRE POSTAGE	5,692.66
EFT31583	11/09/2025	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	79.50
EFT31584	11/09/2025	AMITY SIGNS	STREET SIGNS	69.30
EFT31585	11/09/2025	WINC AUSTRALIA PTY LTD - ACCOUNTS	STATIONERY SUPPLIES	46.19
EFT31586	11/09/2025	ALLENS TRAFFIC MANAGEMENT	TRAFFIC MAMANGEMENT - ROAD WORKS PRIOR TO MEDIEVAL EVENT, ROAD & DRAINAGE WORKS - VARIOUS, EMERGENCY SOUTHAMPTON RD	27,357.00
EFT31587	11/09/2025	ALL WEST BUILDING APPROVALS	VC MITCHELL PARK - ALL ABILITIES ACCESS RAMP - BUILDING CERTIFICATION	605.00
EFT31588	11/09/2025	AGTRAC MACHINERY	MOWER BLADE	165.00
EFT31589	11/09/2025	APG PLUS	SERVICE ZIP HYDROTAP	693.26
EFT31590	11/09/2025	ADAM DAVEY CONSULTING	VC MITCHELL PARK - FERTILSER BLEND	2,192.30
EFT31591	11/09/2025	AQUATECH DRILLING	DBK WMF - BORE CONSTRUCTION	10,840.50
EFT31592	11/09/2025	BUNNINGS GROUP LIMITED	COMMUNITY EVENT - WHEELIE BINS, PRESTON VILLAGE - MISC MATERIALS	1,754.29
EFT31593	11/09/2025	BOC LIMITED	DBK DEPOT - OXYGEN BOTTLE	45.31
EFT31594	11/09/2025	BUILDING AND CONSTRUCTION INDUSTRY TRAINING BOARD	BCTIF LEVY COLLECTIONS	755.59
EFT31595	11/09/2025	BDA TREE LOPPING	TREE PRUNING	30,536.00
EFT31596	11/09/2025	BALINGUP LIQUOR & GENERAL STORE	BFB - DIESEL	374.44

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31597	11/09/2025	BLUE FORCE PTY LTD	PRESTON VILLAGE - MONTHLY EMERGENCY HELP MONITORING	532.95
EFT31598	11/09/2025	BAILEYS FERTILISERS	FERTILISER	2,365.00
EFT31599	11/09/2025	BALINGUP WELDING & CIVIL PTY LTD	PICK UP ABANDONED HORSE FLOAT, REMOVAL OF DUMPED RUBBISH	498.85
EFT31600	11/09/2025	BETTER TELCO SOLUTIONS PTY LTD	MONTHLY SERVICE CHARGES - ACCESS FEE & SIP	931.17
EFT31601	11/09/2025	BRIGHTMARK GROUP PTY LTD	CLEANING - AUG 25	19,525.96
EFT31602	11/09/2025	BEILBY DOWNING TEAL PTY LTD	RECRUITMENT SERVICES	5,738.70
EFT31603	11/09/2025	DUG CROSS ELECTRICS	TEST & TAGGING OF ELECTRICAL EQUIPMENT, REPAIR FAULTY LIGHT	985.00
EFT31604	11/09/2025	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	347.46
EFT31605	11/09/2025	BIDFOOD BUNBURY	DBK REC CTR - KIOSK STOCK	325.58
EFT31606	11/09/2025	COLLIE COUNTRY MUSIC CLUB	HALL BOND REFUND	150.00
EFT31607	11/09/2025	CIVIC LEGAL	MINN COTTS - PROVIDE ADVICE - DECEASED TENANT	2,194.50
EFT31608	11/09/2025	CAFE 48	BFB FUNCTION, COUNCIL WORKSHOP & STAFF MEETING REFRESHMENTS	1,331.00
EFT31609	11/09/2025	DONNYBROOK HARDWARE & GARDEN	HARDWARD SUPPLIES - BUILDERS PLASTIC, BOLTS, WASHERS, SAFETY HASP, SHOVEL HANDLES, SPARY & MARK PAINT	277.20
EFT31610	11/09/2025	DONNYBROOK BUTCHERS	MEETING REFRESHMENTS	150.00
EFT31611	11/09/2025	DONNYBROOK FRUIT BARN PTY LTD	BFB - DIESEL	141.57
EFT31612	11/09/2025	DONNYBROOK FAMILY BAKERY	MEETING/TRAINING - REFRESHMENTS	36.00
EFT31613	11/09/2025	DONNYBROOK BRIDGESTONE TYRE SERVICE	SUPPLY & FIT TYRES	1,000.00
EFT31614	11/09/2025	DONNYBROOK DISTRICT HIGH SCHOOL	DBK LIBRARY - ELECTRICITY, WATER	1,335.59
EFT31615	11/09/2025	DONNYBROOK FARM SERVICE	POOL CHEMICALS, RETIC COMPONENTS	1,077.03
EFT31616	11/09/2025	DONNYBROOK FRESH SUPA IGA	GROCERY SUPPLIES	993.14
EFT31617	11/09/2025	DONNYBROOK COMMUNITY RADIO INC.	DBK REC CTR - 12 MTH RADIO SPONSORSHIP	160.00
EFT31618	11/09/2025	DBCEC (WA) PTY LTD	HIRE SEMI SIDE TIPPER, RUBBER TYRE ROLLER, BLN TRANSFER STATON - EXTENSION OF SITEWORKS	50,639.60
EFT31619	11/09/2025	DONNYBROOK CLASSIC AUTO CLUB (INC)	HALL BOND REFUND	150.00
EFT31620	11/09/2025	J EADES	BALINGUP HALL HIRE - BOND REFUND	1,000.00
EFT31621	11/09/2025	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	ESL 1ST QTR CONTRIBUTION - 25/26	121,202.18
EFT31622	11/09/2025	FAIRTEL PTY LTD	DBK SES - PHONE AND NBN SERVICE	159.97

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31623	11/09/2025	HASTIE WASTE PTY LTD	DBK WMF & BLN TRANSFER STATION - MONTHLY MANAGEMENT, SERVICING OF FRONT LIFT WASTE BINS, DELIVERY PICKUP & EMPTY FRONT LIFT BINS - MEDIEVAL EVENT	40,883.50
EFT31624	11/09/2025	HEATLEYS SAFETY & INDUSTRIAL	W&S - PPE EQUIPMENT GLOVES, EARMUFFS, EARPLUGS	391.09
EFT31625	11/09/2025	INDUSTRIAL AUTOMATION GROUP PTY LTD	STANDPIPE UPGRADE	5,824.50
EFT31626	11/09/2025	INFIELD SERVICES PTY LTD	MUMBALLUP BFB - BUSHFIRE FIGHTING PUMP MAINTENANCE	321.64
EFT31627	11/09/2025	INDUSTRY MAINTENANCE SOLUTIONS	BLN PUBLIC HALL - LIBRARY ENTRY ROOF COVER	8,019.74
EFT31628	11/09/2025	JONNO'S HANDYMAN AND CARPENTRY SERVICES	COMMUNITY HOUSING - GENERAL MAINT & GARDENING, WINDOW BLINDS INSTALL, PICTURE RAIL, DESK SUPPORT & NOTICE BOARD	809.88
EFT31629	11/09/2025	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA	COMMUNITY DEVELOPMENT CONFERENCE	1,480.00
EFT31630	11/09/2025	MALATESTA ROAD PAVING & HOTMIX	EMULSION ROAD PATCHING	720.00
EFT31631	11/09/2025	MICROSOFT REGIONAL SALES CORPORATION	MICROSOFT 365 BUSINESS PREMIUM PLANS & EXCHANGE ONLINE PLANS	2,122.23
EFT31632	11/09/2025	MORLEY CANVAS	DBK REC CTR - REPAIR OF POOL BLANKET	750.00
EFT31633	11/09/2025	MONARCH360 PTY LTD	IMPLEMENTATION SERVICES EDRMS	1,690.92
EFT31634	11/09/2025	NESPRESSO AUSTRALIA	COFFEE	400.00
EFT31635	11/09/2025	OFFICEWORKS	STATIONERY SUPPLIES	422.24
EFT31636	11/09/2025	PRESTON PRESS	ADVERTISING - FIRE PREVENTION ORDER 25/26 , SHIRE CONNECT, COMMUNITY GRANTS PROGRAM	1,395.00
EFT31637	11/09/2025	PARKS & LEISURE AUSTRALIA	CORPORATE MEMBERSHIP PARKS AND LEISURE 25-26	825.00
EFT31638	11/09/2025	PRESTON VALLEY MAINTENANCE	GENERAL MAINTENANCE - SIGNAGE INSTALL, REPAIRS TO FOOTPATHS, REMOVE SHADE SALE, APPLY DECKING OIL, REMOVE GRAFFITI, FIX DOOR HANDLE, REPAIR ROOF LEAK	5,420.00
EFT31639	11/09/2025	ROYAL LIFE SAVING SOCIETY WA INC.	LIFEGUARD LICENCE RENEWALS	1,074.00
EFT31640	11/09/2025	REPCO - DONNYBROOK	VEHICLE SPRAY PAINT	33.25
EFT31641	11/09/2025	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	7,931.88
EFT31642	11/09/2025	SOS OFFICE EQUIPMENT	MONTHLY PRINTER METER READS	913.62
EFT31643	11/09/2025	BUNBURY TRUCKS	CAMERA & CABLES	691.85
EFT31644	11/09/2025	SOUTH WEST SEPTICS	SEPTIC TANK PUMP OUTS	3,091.70
EFT31645	11/09/2025	SURVCON PTY LTD	SURVEYS OF GRAVEL STOCKPILES, FEATURE CONTOUR SURVEY	4,070.00
EFT31646	11/09/2025	SEEK LIMITED	ADVERTISEMENT - STAFF VACANCIES	781.00

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31647	11/09/2025	STATEWIDE BEARINGS	BRONZE BUSH	22.44
EFT31648	11/09/2025	SCOPE BUSINESS IMAGING	DBK SES - PREVENTATIVE SERVICE PLAN FOR PRINTER/COPIER	33.97
EFT31649	11/09/2025	S HANSHAW	REIMBURSEMENT - WORKING WITH CHILDREN CHECK RENEWAL	87.00
EFT31650	11/09/2025	SAPIO PTY LTD	APPLE FUN PARK - REPLACE CCTV CAMERA	1,955.00
EFT31651	11/09/2025	SUPAGAS	GAS FACILITY FEE	149.60
EFT31652	11/09/2025	SOUTHERN STAR BUILDING COMPANY & MAINTENANCE	BROOKHAMPTON HALL - ADDITIONAL REPAIR WORK	7,908.50
EFT31653	11/09/2025	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	1,731.55
EFT31654	11/09/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	180.99
EFT31655	11/09/2025	TANGENT NOMINEES PTY LTD	REFUND OF DEVELOPMENT APPLICATION FEE	1,745.37
EFT31656	11/09/2025	TELAIR PTY LTD	NBN SERVICE CHARGES	678.90
EFT31657	11/09/2025	WATER CORPORATION	WATER & SEWERAGE CHARGES	123.36
EFT31658	11/09/2025	SYNERGY	ELECTRICITY CHARGES	21,924.42
EFT31659	11/09/2025	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	2025 WALGA LOVAL GOVERNMENT CONVENTION	4,332.40
EFT31660	11/09/2025	VEOLIA ENVIRONMENTAL SERVICES	STREET CLEANING	2,697.76
EFT31661	11/09/2025	WESTRAC EQUIPMENT PTY LTD	OIL & WEAR STRIPS, DECAL, ENGINE FILTER, FUEL FILTER, GAS STRUTS	2,221.15
EFT31662	11/09/2025	WORK CLOBBER	PPE	1,185.00
EFT31662A	18/09/2025	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 17.09.25	159,797.71
EFT31662B	18/09/2025	AUSTRALIAN TAX OFFICE	PAYG PE: 17.09.25	42,180.00
EFT31663	25/09/2025	HARMONIC IT	ANNUAL MANAGED SERVICES AGREEMENT 25/26	10,367.50
EFT31664	25/09/2025	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	79.50
EFT31665	25/09/2025	AMITY SIGNS	STREET SIGNS	166.10
EFT31666	25/09/2025	ABCO PRODUCTS PTY LTD	CLEANING CONSUMABLES	3,042.53
EFT31667	25/09/2025	AFGRI EQUIPMENT AUSTRALIA PTY LTD	STRAP	273.47
EFT31668	25/09/2025	BUILDING AND CONSTRUCTION INDUSTRY TRAINING BOARD	BCTIF LEVY COLLECTIONS	1,201.25
EFT31669	25/09/2025	DONNYBROOK CAPEL DISTRICTS COMMUNITY FINANCIAL SERVICES LTD	REFUND - MONTHLY RENTAL PAID TWICE IN ERROR	5,046.98
EFT31670	25/09/2025	BANKS PEST AND WEED CONTROL	WEED CONTROL	1,232.00
EFT31671	25/09/2025	BALINGUP PROGRESS ASSOCIATION - BACH	SERVICE LEVEL AGREEMENT 2025-26	8,800.00
EFT31672	25/09/2025	BEILBY DOWNING TEAL PTY LTD	RECRUITMENT SERVICES PROPOSAL	4,367.00
EFT31673	25/09/2025	GEOGRAPHE FORD	VEHICLE SERVICE	379.00
EFT31674	25/09/2025	CITY & REGIONAL FUELS	PURCHASES ON FUEL CARDS & BULK FUEL - AUG 25	17,258.23

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31675	25/09/2025	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	372.87
EFT31676	25/09/2025	CLEANAWAY OPERATIONS PTY LTD.	BLN TRANSFER STATION - RECYCLING	842.80
EFT31677	25/09/2025	WESTERN AUSTRALIA POLICE	BFB - VOLUNTEER POLICE CHECKS	17.60
EFT31678	25/09/2025	CRS ELECTRICAL	LOWDEN BFB - REPLACE FAULTY FLOOD LIGHTS	933.60
EFT31679	25/09/2025	CLEANAWAY	REFUSE COLLECTION & DISPOSAL - AUG 25	47,338.73
EFT31680	25/09/2025	CONNECT CALL CENTRE SERVICES	AFTERHOURS CALL CENTRE	272.14
EFT31681	25/09/2025	CHG-MERIDIAN AUSTRALIA PTY LTD	DBK REC CTR - MATRIX FITNESS LEASE	5,587.99
EFT31682	25/09/2025	CLEANAWAY PTY LTD	DBK WMF - RECYCLING BIN TRANSFER/PROCESSING - AUG 25	1,367.21
EFT31683	25/09/2025	CLEANAWAY OPERATIONS PTY LTD	BLN TRANSFER STATION - GENERAL WASTE COLLECTION & DISPOSAL - AUG 25	4,849.08
EFT31684	25/09/2025	CHARGEFOX PTY LTD	EV CHARGING STATION - MANAGEMENT FEES	69.96
EFT31685	25/09/2025	DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION	CLEARING PERMIT APPLICATION FEE FOR CLEARING OF NATIVE VEGETATION	400.00
EFT31686	25/09/2025	DONNYBROOK MEDICAL SERVICES	PRE-EMPLOYMENT MEDICALS	820.00
EFT31687	25/09/2025	DONNYBROOK BUTCHERS	MEETING REFRESHMENTS	70.23
EFT31688	25/09/2025	DONNYBROOK BRIDGESTONE TYRE SERVICE	HIRE OF ESCAVATOR, REPLACE TYRE STEMS	649.00
EFT31689	25/09/2025	DEPARTMENT OF ENERGY, MINES, INDUSTRY REGULATION AND SAFETY - BUILDING COMMISSION	BSL COLLECTIONS	2,561.94
EFT31690	25/09/2025	DBCEC (WA) PTY LTD	STORMWATER EXTENSION - DRAINAGE MATERIALS, LOAD & TRANSFER CLEAN SAND, VERGE WORKS - CONSTRUCT SWALES	24,976.88
EFT31691	25/09/2025	DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS	DBK WASTE MANAGEMENT FACILITY - LEASE - WASTE DISPOSAL RENT	220.00
EFT31692	25/09/2025	DONNYBROOK MENS SHED (INC)	VC MITCHELL PARK - MANUFACTURE & SUPPLY DOOR	480.70
EFT31693	25/09/2025	DONNYBROOK MOBILE WELDING	VC MITCHELL - FABRICATE TROLLEY	2,182.40
EFT31694	25/09/2025	HASTIE WASTE PTY LTD	DBK WMF & BLN TRANSFER STATION - PROCESSING OF MATTRESSES FOR RECYCLING	480.00
EFT31695	25/09/2025	HEATLEYS SAFETY & INDUSTRIAL	HESSIAN SAND BAGS FOR DRAINAGE MAINTENANCE	437.80

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31696	25/09/2025	INFIELD SERVICES PTY LTD	BFB VEHICLE SERVICE, DIAGNOSE & REPAIR PUMP FAULT, FAULT LIGHT ON DASH	2,358.35
EFT31697	25/09/2025	SOUTH WEST ISUZU	FAULT LIGHT ON DASH	598.79
EFT31698	25/09/2025	JONNO'S HANDYMAN AND CARPENTRY SERVICES	COMMUNITY HOUSING - GENERAL MAINT & GARDENING, REPAIR SKIRTING, REPAIR WATER DAMAGE ON WALL	1,588.12
EFT31699	25/09/2025	LANDGATE CUSTOMER ACCOUNT	PROPERTY INFORMATION SEARCH - TITLES & EASEMENTS	130.40
EFT31700	25/09/2025	LIVING SPRINGS WATER PTY LTD	BOTTLED SPRING WATER	56.00
EFT31701	25/09/2025	LEISURE INSTITUTE OF WA AQUATIC (INC.)	LIWA - SOUTHWEST REGIONAL SEMINAR	220.00
EFT31702	25/09/2025	LGISWA	WORKERS' COMPENSATION INSURANCE 25/26 - ESTIMATED WAGES TO ACTUAL WAGES ADJUSTMENT	770.17
EFT31703	25/09/2025	LINDSAY TRANSPORT	FREIGHT CHARGES FOR TRANSPORT OF FERTILISER	104.94
EFT31704	25/09/2025	LG SOLUTIONS PTY LTD	LG SOLUTIONS - CLOUD FEES & CHARGES - LICENCE & SUPPORT TO 30 JUNE 2026	9,240.00
EFT31705	25/09/2025	A LINDBERG	REFUND BOND - CAT TRAP	100.00
EFT31706	25/09/2025	MALATESTA ROAD PAVING & HOTMIX	EMULSION - ROAD PATCHING	720.00
EFT31707	25/09/2025	METAL ARTWORK BADGES	NAME BADGE	15.84
EFT31708	25/09/2025	MULLALYUP FOREST FARM NURSERY	PLANTS	269.50
EFT31709	25/09/2025	MAINLINE PLUMBING	VC MITCHELL PARK - ANNUAL BACKFLOW DEVICE TESTING	462.00
EFT31710	25/09/2025	MAINSPRAY	WEED SPRAYING	24,499.20
EFT31711	25/09/2025	MANJIMUP FREIGHT DISTRIBUTORS & BMI LOGISTICS	PARTS FOR LOADER - FREIGHT CHARGES	18.50
EFT31712	25/09/2025	S MARSHALL	REFUND OVERPAYMENT OF RATES	3,833.44
EFT31713	25/09/2025	E MASON	REFUND PORTION DOG REGISTRATION	150.00
EFT31714	25/09/2025	M MARGETIC	REFUND DBK TRANSIT PARK BOOKING	80.00
EFT31715	25/09/2025	A MENARD	REFUND OVERPAYMENT OF BULK SWIM PASSES	18.00
EFT31716	25/09/2025	DAVID NOWLAND HYDRAULICS	PLANT - 3 BORE RAM	737.00
EFT31717	25/09/2025	OFFICEWORKS	STATIONERY SUPPLIES	441.14
EFT31718	25/09/2025	OPTEON PROPERTY GROUP PTY LTD	PROPERTY VALUATION - COMMERCIAL PREMISES	2,750.00
EFT31719	25/09/2025	OMNICOM MEDIA GROUP AUSTRALIA PTY LTD	ADVERTISING - PLANNING	443.97
EFT31720	25/09/2025	PRESTON VALLEY MAINTENANCE	GENERAL MAINTENANCE - ADJUST RETIC, INSTALL MORTAR ROCK PITCHING, RELOCATE STAGE, GUTTER CLEAN, FIXING BLACKBOARD, SECURE NETALL POSTS	4,345.00

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REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31721	25/09/2025	PRESTON POWER EQUIPMENT	SHARPEN BLADES, SPOOL WITH AUTOCUT, EDGER CROSS BLADE	602.50
EFT31722	25/09/2025	PRIME INDUSTRIAL PRODUCTS	BLN TRANSFER STATION - PALLET JACK	630.66
EFT31723	25/09/2025	PROGRAMMED PROPERTY SERVICES	DBK MEMORIAL HALL - MEETING ROOM - PAINT WALLS, SKIRTING, DOORS, FRAMES & FIREPLACE SILL	2,585.00
EFT31724	25/09/2025	HOLCIM (AUSTRALIA) PTY LTD	AGGREGATE FOR ROAD PATCHING	1,072.13
EFT31725	25/09/2025	REPCO - DONNYBROOK	LED SPOT LIGHTS, STARTER KIT, GAS STRUT, LED LIGHTS, BULB, INDICATOR LAMP, FLEX, BULLBAR MOUNT, CABLE STRIPER, NUDGE BAR FITTING KIT	1,969.07
EFT31726	25/09/2025	RANTAM PTY LTD	BLN TRANSFER STATION - CONSTRUCTION OF SHED - PROGRESS PAYMENT	13,500.00
EFT31727	25/09/2025	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	15,287.70
EFT31728	25/09/2025	STEWART & HEATON CLOTHING CO. P/L	BFB - PPE CLOTHING	1,137.75
EFT31729	25/09/2025	SOUTHERN LOCK & SECURITY	ADMIN SUB CENTRE - REPLACEMENT MAIN PANEL & SIREN CABLE	2,850.00
EFT31730	25/09/2025	SEEK LIMITED	ADVERTISEMENT - STAFF VACANCIES	511.50
EFT31731	25/09/2025	SHRED-X PTY LTD & AUSTRALIAN PAPER RECYCLING	SHREDDING BIN PICK UP	174.09
EFT31732	25/09/2025	SMARTSHEET AUSTRALIA PTY LTD	SMARTSHEET CONTRACT RENEWAL	26,980.00
EFT31733	25/09/2025	SYKES ENGINEERING PTY LTD TRADING AS SOUTHWEST ELECTRICAL & COMMUNICATION	VC MITCHELL PARK OVAL LIGHTING	22,917.51
EFT31734	25/09/2025	SOUTH WEST PROPERTY MANAGEMENT	RENTAL SUBSIDY FOR CHILD CARE WORKER	1,738.10
EFT31735	25/09/2025	SOUTHERN STAR BUILDING COMPANY & MAINTENANCE	BROOKHAMPTON HALL - REPLACING FLAT VALLEY GUTTER	2,258.30
EFT31736	25/09/2025	SJ TRAFFIC MANAGEMENT PTY LTD	TRAFFIC MANAGEMENT	3,405.60
EFT31737	25/09/2025	C SHAND	REFUND OVERPAYMENT OF RATES	127.00
EFT31738	25/09/2025	SEAL TV PTY LTD	ADMIN CENTRE - HEAVY DUTY OUTDOOR TV ENCLOSURE	3,728.45
EFT31739	25/09/2025	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	955.53
EFT31740	25/09/2025	TREEHOUSE CHILDCARE CENTRE INC.	REIMBURSEMENTS - CHILDCARE ATTRACTION & RENTION GRANT	3,762.08
EFT31741	25/09/2025	THOMPSON SURVEYING CONSULTANTS	DBK WMF - TOP OF CASING SURVEY OF GROUNDWATER MONITORING BORE	715.00
EFT31742	25/09/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	46.84
EFT31743	25/09/2025	TIMIAMA NOMINEES PTY LTD	GRAVEL MATERIAL	26,598.00
EFT31744	25/09/2025	TPG NETWORK PTY LTD	STANDARD & FAST FIBRE INTERNET	1,304.60
EFT31745	25/09/2025	K THOMAS	REFUND OVERPAYMENT OF RATES	804.00
EFT31746	25/09/2025	SYNERGY	ELECTRICITY CHARGES	2,311.52

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 SEPTEMBER TO 30 SEPTEMBER 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT31747	25/09/2025	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	WALGA SOUTH WEST COUNTRY ZONE ANNUAL SUBSCRIPTION 25/26	660.00
EFT31748	25/09/2025	VEOLIA ENVIRONMENTAL SERVICES	STREET CLEANING	981.11
EFT31749	25/09/2025	WESTRAC EQUIPMENT PTY LTD	FILTERS FOR SERVICE	378.53
EFT31750	25/09/2025	ZIPFORM	RATES NOTICES 25-26 - PRINTING NOTICES, ENVELOPES & BUDGET BROCHURE, INSERT NOTICES, ESL, FIREBREAK ORDER & RATES BROCHURE INTO ENVELOPE SEAL & SORT	5,741.34
EFT31750A	29/09/2025	WA TREASURY CORPORATION	LOAN 94 – VC MITCHELL PARK DEVELOPMENT	115,368.51
			TOTAL: EFT PAYMENTS	1,318,571.61
CHEQUE PAYMENTS				
53841	02/09/2025	SHIRE OF DONNYBROOK BALINGUP	BIN SERVICE RATE CHARGES	11,608.00
53842	12/09/2025	DEPARTMENT OF TRANSPORT	CUSTOMER PURCHASE OF SHIRE LOG PLATE	900.00
			TOTAL: CHEQUE PAYMENTS	12,508.00
BANK FEES				
	30/09/2025	BENDIGO BANK	BANK FEES	446.54
		COMMONWEALTH	BANK FEES	293.20
		TYRO	BANK FEES	946.83
		PAYPAL	TRANSACTION FEES	2.59
		WA TREASURY	BANK FEES	0.00
		EZIDEBIT	TRANSACTION FEES	55.08
		SPACETOCO	TRANSACTION FEES	1,533.02
			TOTAL: BANK FEES	3,277.26
DIRECT DEBITS				
DD28645.1	03/09/2025	SPECTRUM SUPER	EMPLOYEE SUPER DEDUCTIONS	35.71
DD28645.2	03/09/2025	UNISUPER	EMPLOYEE SUPER DEDUCTIONS	642.72
DD28645.3	03/09/2025	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	408.37
DD28645.4	03/09/2025	TATE SUPERANNUATION FUND	EMPLOYEE SUPER DEDUCTIONS	326.70
DD28645.5	03/09/2025	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	356.79
DD28645.6	03/09/2025	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	263.09
DD28645.7	03/09/2025	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	21,580.60
DD28645.8	03/09/2025	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,223.37
DD28645.9	03/09/2025	GESB SUPER SCHEME	EMPLOYEE SUPER DEDUCTIONS	836.34
DD28645.10	03/09/2025	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	5,542.37
DD28645.11	03/09/2025	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	354.17
DD28645.12	03/09/2025	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	356.41
DD28645.13	03/09/2025	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	652.87
DD28645.14	03/09/2025	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	925.00
DD28667.1	17/09/2025	SPECTRUM SUPER	EMPLOYEE SUPER DEDUCTIONS	35.71
DD28667.2	17/09/2025	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	408.30
DD28667.3	17/09/2025	TATE SUPERANNUATION FUND	EMPLOYEE SUPER DEDUCTIONS	345.24

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 SEPTEMBER TO 30 SEPTEMBER 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
DD28667.4	17/09/2025	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	317.32
DD28667.5	17/09/2025	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	332.31
DD28667.6	17/09/2025	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	221.29
DD28667.7	17/09/2025	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	EMPLOYEE SUPER DEDUCTIONS	138.48
DD28667.8	17/09/2025	HSTPLUS	EMPLOYEE SUPER DEDUCTIONS	220.90
DD28667.9	17/09/2025	TELSTRA SUPERANNUATION SCHEME	EMPLOYEE SUPER DEDUCTIONS	110.45
DD28667.10	17/09/2025	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	22,243.63
DD28667.11	17/09/2025	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,223.37
DD28667.12	17/09/2025	GESB SUPER SCHEME	EMPLOYEE SUPER DEDUCTIONS	821.94
DD28667.13	17/09/2025	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	4,842.78
DD28667.14	17/09/2025	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	460.14
DD28667.15	17/09/2025	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	746.81
DD28667.16	17/09/2025	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	910.41
DD28667.17	17/09/2025	UNISUPER	EMPLOYEE SUPER DEDUCTIONS	642.72
DD28670.1	15/09/2025	SG FLEET AUSTRALIA PTY LIMITED	CESM - VEHICLE LEASE PAYMENT	1,018.60
			TOTAL: DIRECT DEBITS	68,544.91
			TOTAL: PAYMENTS FROM MUNICIPAL ACCOUNT	1,401,531.52

CERTIFICATION BY CHIEF EXECUTIVE OFFICER

This Schedule of Accounts Paid is submitted to the Council Meeting on 22 October 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:	197/10-25
MOVED BY:	Cr Grant Patrick
SECONDED BY:	Cr Anita Lindemann

That Council receive the schedule of accounts paid as detailed in the report for the period ending 30 September 2025.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0

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

Executive Recommendation

That Council receive the Statement of Financial Activity report for the period ending 31st of August 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 August 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 August 2025 Financial Statements to Council was postponed to the ordinary meeting in October 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 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.

The issuing of rates for 2025/26 was completed in August 2025. Payment options are as follow:

- First instalment and due date for single full payment is 26th of September 2025
- Second rates instalment due date is 25th of November 2025
- Third rates instalment due date is 30th January 2026
- Fourth and final instalment due date is 31st of March 2025

At the end of August cash funds held in Bendigo is 57% of all Shire funds. As per the investment policy this is 7% above the maximum permitted with Bendigo Bank. Funds have since been transferred into other institutions to ensure investments align as per the policy.

COUNCIL RESOLUTION: 198/10-25	
MOVED BY: Cr Grant Patrick	SECONDED BY: Cr Anita Lindemann

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

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0

Suspend standing orders to allow Elected Members to speak more than once.

COUNCIL RESOLUTION: 199/10-25		
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Alexis Davy

That Council suspend clause 8.10 and part 10 of the Standing Orders

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich		
Against: Nil.		
		Carried: 9/0

COUNCIL RESOLUTION: 200/10-25		
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Tyler Hall

That Council reinstate clause 8.10 and part 10 of the standing orders

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich		
Against: Nil		
		Carried: 9/0

Suspend standing orders to allow Elected Members to speak more than once.

COUNCIL RESOLUTION: 201/10-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY: Cr Alexis Davy

That Council suspend clause 8.10 and part 10 of the Standing Orders

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich		
Against: Nil.		
		Carried: 9/0

Reinstate standing orders.

COUNCIL RESOLUTION: 202/10-25	
MOVED BY: Cr Alexis Davy	SECONDED BY: Cr Grant Patrick

That Council reinstate clause 8.10 and part 10 of the standing orders

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil
Carried: 9/0

9.2.3. Shire Committees and Councillor Group Membership

Report Details:

Prepared by: Administration Officer, Corporate Services
Manager: Manager Corporate Services
Applicant: Shire of Donnybrook Balingup
Location: Shire of Donnybrook Balingup
File Reference: CNL 16 **Voting Requirement:** Absolute Majority
Attachment(s):
9.2.3(1) Committee Book

Executive Recommendation

That Council:

1. **Appoint the following three Elected Members as Audit and Risk Management Committee members:**
 - Cr_____ (Shire President)
 - Cr_____
 - Cr_____
2. **Appoint the following external members to the Audit and Risk Management Committee:**
 - Mr Ian Telfer
 - Mr Angelo Logiudice
3. **Appoint the following four Elected Members as Development Assessment Panels (DAP) members:**
 - Cr_____
 - Cr_____
 - Cr_____ * Alternate Member
 - Cr_____ * Alternate Member
4. **Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:**
 - Shire President
 - Deputy Shire President *Proxy
5. **Appoint the following Elected Member as a Bush Fire Advisory Committee member:**
 - Cr_____
6. **Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:**
 - Cr_____
 - Cr_____

7. **Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:**
 - Cr _____ (Shire President preferred Clause 6.4 of WBAC Constitution)
 - Cr _____
 - Cr _____ *Proxy
8. **Appoint the following two Elected Members as Warren Blackwood Climate Alliance Reference Group (CARG) members:**
 - Cr _____
 - Cr _____
9. **Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:**
 - Cr _____
10. **Appoint the following Elected Member as a Regional Road Group (RRG) member:**
 - Cr _____
11. **Appoint the following Elected Member as a Leschenault Wellington District Health Advisory Committee (DHAC) member:**
 - Cr _____
12. **Appoint the following Elected Member as a Disability Access Inclusion Reference Group (DAIP) member:**
 - Cr _____
 - Cr _____ *Proxy
13. **Appoint the following Elected Member as a Talison Stakeholder Reference Group Committee Member:**
 - Cr _____
 - Cr _____ *Proxy

Strategic Alignment

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

- Outcome:** 4 - Shared responsibility for sustainability.
- Objective:** 4.1 - Encourage the adoption of sustainable practices.
- Outcome:** 11 - Strong, visionary leadership.
- Objective:** 11.1 - Provide strategically focused, open and accountable governance.

Executive Summary

Council is requested to appoint Elected Members as representatives to the following Committee's or Working/Reference Group for the next biennial term of two years. The following are the specific bodies in question:

- Audit and Risk Management Committee; and
- Development Assessment Panels (DAP); and
- South West Country Zone; and
- Bush Fire Advisory Committee (BFAC); and
- The Donnybrook School Community Resource Library Management Committee; and
- Warren Blackwood Alliance of Councils (WBAC); and
- Warren Blackwood Climate Alliance Reference Group; and
- Local Emergency Management Committee (LEMC); and
- Regional Road Group (RRG).
- Leschenault Wellington District Health Advisory Committee (DHAC)
- Talison Stakeholder Reference Committee

Background

The Council's representation on these Committees and Working/Reference Groups has been facilitated by Elected Members and/or Senior Staff members for the past 12 months.

Council resolved the following at the Ordinary Council Meeting held 22 November 2023:

"COUNCIL RESOLUTION 139/23

That Council:

- 1. Appoint the following three Elected Members as Audit and Risk Management Committee members:*
 - *Cr McCarthy*
 - *Cr Davy*
 - *Cr Bailey*
- 2. Appoint previous external member Ian Telfer to the Audit and Risk Management Committee as an external member for the December 2023 meeting.*
- 3. Appoint the following four Elected Members as Development Assessment Panels (DAP) members:*
 - *Cr Lindemann*
 - *Cr Davy*
 - *Cr Glover * Alternate Member*
 - *Cr Shand * Alternate Member*
- 4. Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:*
 - *Shire President Cr MacCarthy*
 - *Deputy Shire President Cr Lisa Glover *Proxy*

5. *Appoint the following Elected Member as a Bush Fire Advisory Committee member:*
 - *Cr Patrick*
6. *Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:*
 - *Deputy Shire President Cr Glover*
 - *Cr MacCarthy*
7. *Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:*
 - *Shire President Cr MacCarthy*
 - *Cr Davy*
 - *Deputy Shire President Cr Glover *Proxy*
8. *Appoint the following two Elected Members as Warren Blackwood Climate Change Impact Reference Group members:*
 - *Cr Lindemann*
 - *Cr Davy*
9. *Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:*
 - *Shire President Cr MacCarthy*
10. *Appoint the following Elected Member as a Regional Road Group (RRG) member:*
 - *Cr Mitchell*

Council resolved the following at the Ordinary Council Meeting held 28 May 2025:

"COUNCIL RESOLUTION 97/05-25

That Council:

1. *Appoint, by absolute majority, President MacCarthy as the Presiding Member of the Audit and Risk Management Committee; and*
2. *Appoint, by absolute majority, Councillor Patrick as the Presiding Member and President MacCarthy as the Deputy Presiding Member, of the Chief Executive Officer Recruitment and Performance Review Committee.*

Committee, Working/Reference Group details vary and have been outlined in [Attachment 9.2.3\(1\)](#).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Unlikely	Insignificant	Low (4)
Risk Description:	No representation on the Committee.		
Mitigation:	Appoint Elected Members to the Committees.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

- *Local Government Act 1995*
- *Bush Fires Act 1954*
- *Emergency Management Act 2005*
- *Planning and Development (Development Assessment Panels) Regulations 2011*

Consultation

Nil.

Officer Comment

The appointments to these Committees and Working/Reference Groups stand as a crucial mechanism for proactive community representation and focused participation in areas of essential local concern.

The fulfillment of these roles will be instrumental in advocating for the interests of the community and the region as a whole. It is the responsibility of the Council to appoint the most qualified individuals to each of these groups, ensuring that our community receives well-rounded and effective support. These individuals will provide advice and feedback to both the group and Council.

In accordance with recent reforms to the *Local Government Act 1995*, the Audit and Risk Management Committee will transition to an Audit, Risk and Improvement Committee (ARIC). This includes the requirement to appoint an independent Presiding Member and Deputy Presiding Member, who must not be a council member or employee of the local government. These changes aim to strengthen governance and impartial oversight. The revised Terms of Reference will also align with the Office of the Auditor General's Better Practice Guide, ensuring consistency and transparency in committee operations. The updated Terms of Reference is expected to be presented to Council following the October 2025 elections.

While recent reforms to the *Local Government Act 1995* will require the establishment of an Audit, Risk and Improvement Committee (ARIC) and the appointment of an independent Presiding Member, these new regulations have not yet come into effect. Therefore, appointments will continue to be made in accordance with the current Terms of Reference for the Audit and Risk Management Committee until such time as the revised Terms of Reference are formally adopted by Council. The updated Terms of Reference are expected to be presented to Council following the October 2025 elections.

COUNCIL RESOLUTION: 203/10-25		
MOVED BY:	Cr Amanda McNab	SECONDED BY: Cr Alex Purich

That Council:

1. **Appoint the following two Elected Members as Audit and Risk Management Committee members:**
 - Cr MacCarthy (Shire President)
 - Cr Hall
2. **Appoint the following external members to the Audit and Risk Management Committee:**
 - Mr Ian Telfer
 - Mr Angelo Logiudice
3. **Appoint the following four Elected Members as Development Assessment Panels (DAP) members:**
 - Cr Davy
 - Cr Lindemann
 - Cr Hall* Alternate Member
 - Cr Patrick* Alternate Member
4. **Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:**
 - Shire President
 - Deputy Shire President *Proxy
5. **Appoint the following Elected Member as a Bush Fire Advisory Committee member:**
 - Cr Purich
6. **Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:**
 - Cr Lindemann
 - Cr McNab
7. **Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:**
 - Cr MacCarthy (Shire President preferred Clause 6.4 of WBAC Constitution)
 - Cr Hall
 - Cr Davy *Proxy
8. **Appoint the following two Elected Members as Warren Blackwood Climate Alliance Reference Group (CARG) members:**
 - Cr Bailey
 - Cr Davy

9. **Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:**
 - **Cr MacCarthy**
10. **Appoint the following Elected Member as a Regional Road Group (RRG) member:**
 - **Cr Purich**
11. **Appoint the following two Elected Members as a Leschenault Wellington District Health Advisory Committee (DHAC) member:**
 - **Cr MacCarthy**
 - **Cr Patrick**
12. **Appoint the following two Elected Members as a Disability Access Inclusion Reference Group (DAIP) member:**
 - **Cr Lindemann**
 - **Cr Bailey *Proxy**
13. **Appoint the following two Elected Members as a Talison Stakeholder Reference Group Committee Member:**
 - **Cr Patrick**
 - **Cr Lindemann *Proxy**

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0 by absolute majority vote

9.3. Chief Executive Officer

Nil.

10 Elected Member Motions

Nil.

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

12.1.1 Bituminous Seal Tender

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

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

That the meeting be closed to the public.

COUNCIL RESOLUTION: 204/10-25	
MOVED BY: Cr Lisa Glover	SECONDED BY: Cr Alexis Davy

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

12.1.1 Bituminous Seal Tender

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0

The meeting was closed to the public at 6:58pm.

That the meeting be re-opened to the public

COUNCIL RESOLUTION: 206/10-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY: Cr Amanda McNab

That Council re-open the meeting to the public.

For: Cr Bailey, Cr Davy, Cr Glover, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 9/0

The meeting re-opened to the public at 7:03pm, and the Presiding Member read the confidential resolutions aloud.

12.2. Public reading of Resolutions that may be made public

That Council:

- 1. Requests the Chief Executive Officer to award the contract for RFQ 351 – Bituminous Products 2025-26 to Malatesta Road Paving & Hot Mix, in accordance with their submitted offer for the specified projects only.**
- 2. Requests the Chief Executive Officer to advise Malatesta Road Paving & Hot Mix that Council has determined not to accept their schedule of rates, for non-specified works, submitted with their offer.**

13. Closure

The Presiding Member advised that the next Agenda Briefing Session will be held on 19 November 2025 at 5:00PM, in the Shire of Donnybrook Balingup Council Chamber.

The Presiding Member declared the meeting closed at 7:04pm.