



Minutes of Ordinary Council Meeting

Held on 25 March 2026 and commenced at 3:00pm

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:

31 March 2026

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 3:00pm and welcomed the public gallery.

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

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

2. Attendance (OCM)

Councillors Present:

Cr John Bailey	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	Colin Young, Director Finance and Community
Michelle Dennis, Manager Development Services	Loren Clifford, Executive Manager Corporate
Samantha Farquhar, Administration Officer Corporate Services	Stuart Eaton, Finance Projects Manager

Other Members Present:

Public Gallery: 7 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 *Meeting Procedures Local Laws 2017*, as having councillors stand when debating interferes with the sound quality for livestream.

COUNCIL RESOLUTION:	27/03-26	
MOVED BY:	Cr Tyler Hall	SECONDED BY: Cr Anita Lindemann

That Council Suspend clause 8.2 (members to rise) of the *Meeting Procedures Local Law 2017*.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0

2.1. Apologies

Ross Marshall, Director Operations

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Presiding Member

Barbara Carroll, 2026 Senior Community Citizen of the Year Award winner was presented her certificate at the Agenda Briefing Session.

The Local Government Extraordinary Election is 26 March 2026. If you haven't yet posted your vote, it is too late and you will need to drop your ballot paper into the Chamber by 6:00pm.

On Monday 13 April, the Shire will be holding a 'Brook Fest' brainstorming session at the Donnybrook Recreation Centre, open to young people from across the Shire. Free pizza will be provided. The full 'Brook Fest' event will then be held later in the year, around September or October.

The Halls Heritage Tour is coming up! This free event will showcase five community halls across the Shire. Registrations can be made via the following link:

<https://events.humanitix.com/taking-liberty-a2zuxwz>

The Blackwood River Arts Trail and the Blackwood Film Festival are being held 28 March to 6 April 2026. The Donnybrook Apple Festival is on 4 April, and the Donnybrook Station Markets are on 18 April.

To celebrate National Volunteers Week, a Community Volunteer Celebration will be held at VC Mitchell on Wednesday 20 May from 6.00pm to 8.00pm. The evening will include a light supper, a keynote speaker, live music, and the presentation of awards.

Breaking the myth that the Shire doesn't tell you anything, you can log onto the Shire website and select upcoming events to see more events like Small Farm Field Day.

I would like to provide an update on the recent decision by the Forrest Products Commission (FPC) to cease payments paying rates to local Shire's. You may recall that the Forrest Products Commission has embarked on a 300 million dollar 10 year program to acquire land within 150km radius of the FPC processing plant in Dardanup for the purpose of boosting WA's softwood timber supplies. The September 2025 decision to cease paying rates on land they have acquired impacted the Shire of Donnybrook Balingup 2025/26 rates revenue by approximately \$9,500. There was a combined impact of \$325,000 felt across seven Shire's who fall within the radius.

The Warren Blackwood Alliance of Councils (WBAC) representing the Shire's of Boyup Brook, Bridgetown Greenbushes, Donnybrook Balingup, Manjimup and Nannup has been coordinating a regional response on behalf of its member Councils together with the Shire's of Cranbrook and West Arthur. On Friday 19 March the Shire's received state government confirmation that the Forrest Products Commission will provide sponsorship funding in lieu of rates through to June 2027. The WBAC welcomes this outcome as an important step in recognising the impact of loss of rate revenue has had on our communities and it provides some certainty for our Councils as we plan and deliver our essential services. Whilst this commitment provides short term relief, it is still important that the Shire's work together with the state government and FPC to lock in a fair and sustainable funding arrangement for the future. Throughout this process I would like to acknowledge the constructive engagement from the state government including ongoing engagement and support from Minister Jarvis.

There is a consultation open on the draft Community Engagement Eramework which will be open for comment until 4:00pm Wednesday 8 April. It's open to all community members, residents, rate payers, local businesses, young people, emergency and health workers, teachers etc. We need to know if the framework is clear, if it meets your needs, and is accessible. Please let us know and have your say by the link on the Shire website.

4. Declarations of Interest

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

Nil.

5. Public Question Time

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

Nil.

5.2. Public Question Time

Question: Garry Hatch

Is Council satisfied that the plantation proponent for the Noggerup plantation has satisfactorily addressed the concerns of local residents, and fire brigade members and been able to mitigate or address their concerns, particularly in relation to mitigating the fire risks to the area.

Response:

The matters around bush fire safety have been addressed in the officer's report and additional information has been provided to Council for their consideration in response to water quantity.

Question: Cherle Rasmussen

In reference to the beginning of Preston River catchment, have other Shires been advised of the potential of the planting as the Preston River affects more Shires to where many of the population relies on the water. This catchment collects from the beginning at the sea.

Response:

We don't inform other Councils as its not required under the planning legislation. In relation to the Preston River being at that point in Noggerup, we did refer some additional questions that came from the deputations from last week to the Department of Water and Environmental Regulation. They have responded with the following"

'The lower reaches of the Preston River is a perennially flowing water system because of Glen Mervyn Dam for the Preston valley irrigation corporative as well as net input of groundwater from the superficial aquifer on the coastal plane. It is not recorded as being groundwater fed in the upper reaches including the headwaters.'

That's the information that was provided in relation to the catchment and where the water comes from for the Preston River.

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 for any matter/s to be determined by Council.

Nicholas Dufty in relation to item 9.1.1 (presented at the Agenda Briefing Session via Teams).

Kanella Hope in relation to items 9.1.1 and 9.1.2 (presented at the Agenda Briefing Session).

Keir Arney in relation to item 9.1.2 (presented at the Agenda Briefing Session).

Kanella Hope in relation to items 9.1.1 and 9.1.2 (presented at the Ordinary Council Meeting).

6.4. Delegates' Reports

Nil.

Adoption by Exception

COUNCIL RESOLUTION:	28/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

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 February 2026

8.1.1 Local Emergency Management Committee Meeting held on 4 February 2026

8.2.1 Warren Blackwood Alliance of Councils Meeting held on 10 February 2026

8.3.1 South West Country Zone Meeting held on 20 February 2026

8.4.1 Audit and Risk Management Committee Meeting held on 15 December 2025

8.4.2 Audit and Risk Management Committee Meeting held on 5 March 2026

9.1.3 Proposed Upper Capel Station

9.1.4 Living Arrangements for Homeless

9.2.2 Monthly Financial Report for the period ending 28th of February 2026

9.3.1 Shire's Response to The Proposed Local Government Electoral Reforms

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0

7. Confirmation of Minutes

7.1 Ordinary Council Meeting Minutes

7.1.1 Ordinary Council Meeting held on 25 February 2026

Minutes of the Ordinary Council Meeting held 25 February 2026 are attached as Attachment 7.1.1(1).

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 25 February 2026 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	29/03-26		
MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr Grant Patrick

That the Minutes from the Ordinary Council Meeting held 25 February 2026 be confirmed as a true and accurate record.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

8. Reports of Committees

8.1.1 Local Emergency Management Committee Meeting

8.1.1 Local Emergency Management Committee Meeting held on 4 February 2026

Minutes of the Local Emergency Management Committee Meeting held 4 February 2026 are attached as Attachment 8.1.1(1).

Executive Recommendation:

That the Minutes from the Local Emergency Management Committee Meeting held 4 February 2026 be received.

COUNCIL RESOLUTION:	30/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

That the Minutes from the Local Emergency Management Committee Meeting held 4 February 2026 be received.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

8.2.1 Warren Blackwood Alliance of Councils

8.2.1 Warren Blackwood Alliance of Councils Meeting held on 10 February 2026

Minutes of the Warren Blackwood Alliance of Councils Meeting held 10 February 2026 are attached as Attachment 8.2.1(1).

Executive Recommendation:

That the Minutes from the Warren Blackwood Alliance of Councils Meeting held 10 February 2026 be received.

COUNCIL RESOLUTION:	31/03-26		
MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr Grant Patrick

That the Minutes from the Warren Blackwood Alliance of Councils Meeting held 10 February 2026 be received.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

8.3.1 South West Country Zone Meeting

8.3.1 South West Country Zone Meeting held on 20 February 2026

Minutes of the South West Country Zone Meeting held 20 February 2026 are attached as Attachment 8.3.1(1).

Executive Recommendation:

That the Minutes from the South West Country Zone Meeting held 20 February 2026 be received.

COUNCIL RESOLUTION:	32/03-26		
MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr Grant Patrick

That the Minutes from the South West Country Zone Meeting held 20 February 2026 be received.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

8.4.1 Audit and Risk Management Committee Meeting

8.4.1 Audit and Risk Management Committee Meeting held on 15 December 2025

Minutes of the Audit and Risk Management Committee Meeting held 15 December 2025 are attached as Attachment 8.4.1(1).

Executive Recommendation:

That the Minutes from the Audit and Risk Management Committee Meeting held 15 December 2025 be received, and note that the recommendations were endorsed at the 5 March 2026 Audit and Risk Management Committee Meeting.

COUNCIL RESOLUTION:	33/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

That the Minutes from the Audit and Risk Management Committee Meeting held 15 December 2025 be received, and note that the recommendations were endorsed at the 5 March 2026 Audit and Risk Management Committee Meeting.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

8.4.2 Audit and Risk Management Committee Meeting held on 5 March 2026

This report provides the Minutes of the Audit and Risk Management Committee Meeting held 5 March 2026 are attached at Attachment 8.4.2(1).

Executive Recommendation:

That Council:

1. Receive the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held on 5 March 2026; and
2. Adopt the recommendations as detailed in the minutes and summarised in items 7.1 – 9.1.1 below.

Item 8.1.1 Local Government Act 1995 Reform – Implementation Action Plan and Audit, Risk and Improvement Committee (ARIC) Transition Arrangements

That the Audit and Risk Management Committee:

1. Notes the legislative reforms arising from the *Local Government Amendment Acts 2023 and 2024*;
2. Endorses the proposed *Local Government Act 1995 Reform Implementation Action Plan*; and
3. Notes the transition arrangements from Audit and Risk Management Committee (ARMC) to Audit, Risk and Improvement Committee (ARIC) as outlined in this report.
4. Recommends to Council that the Action Plan be noted and that progress be monitored through Audit, Risk and Improvement Committee reporting framework.

Item 8.1.2 Strategic Risk Identification and Endorsement and Organisational Risk Framework Implementation

That the Audit and Risk Management Committee:

1. Endorses the strategic risks as outlined in Attachment 8.1.3(1); and
2. Provides any comments or recommended amendments to the identified strategic risks by 30 April 2026, to enable refinement prior to consideration by Council.
3. Notes the actions taken to date to implement the Organisational Risk Management Framework.

Item 8.1.3 Audit Findings Progress

That the Audit and Risk Management Committee notes the update provided on Audit Findings as outlined in Attachments 8.1.3(1) and Attachment 8.1.3(2).

Item 8.1.4 Chief Executive Officer Briefing

That the Audit and Risk Management Committee Meeting note the update provided to the Committee.

Item 9.1.1 Cyber Security Review & Management Action Plan

That the Audit and Risk Management Committee:

1. Notes the findings of the LGIS Cyber Security Review 2025, acknowledging that the assessment reflects data submitted in March 2025;

2. Acknowledges the significant improvements implemented to the Shire's cyber security posture since that time;
3. Supports the continued implementation of the management action plan and integration of cyber security initiatives into the forthcoming ICT strategy; and
4. Requests a regular update on the Cyber Security Action Plan.

COUNCIL RESOLUTION:	34/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

That Council:

1. Receive the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held on 5 March 2026; and
2. Adopt the recommendations as detailed in the minutes and summarised in items 7.1 – 9.1.1 below.

Item 8.1.1 Local Government Act 1995 Reform – Implementation Action Plan and Audit, Risk and Improvement Committee (ARIC) Transition Arrangements

That the Audit and Risk Management Committee:

1. Notes the legislative reforms arising from the *Local Government Amendment Acts 2023 and 2024*;
2. Endorses the proposed *Local Government Act 1995 Reform Implementation Action Plan*; and
3. Notes the transition arrangements from Audit and Risk Management Committee (ARMC) to Audit, Risk and Improvement Committee (ARIC) as outlined in this report.
4. Recommends to Council that the Action Plan be noted and that progress be monitored through Audit, Risk and Improvement Committee reporting framework.

Item 8.1.2 Strategic Risk Identification and Endorsement and Organisational Risk Framework Implementation

That the Audit and Risk Management Committee:

1. Endorses the strategic risks as outlined in Attachment 8.1.3(1); and
2. Provides any comments or recommended amendments to the identified strategic risks by 30 April 2026, to enable refinement prior to consideration by Council.
3. Notes the actions taken to date to implement the Organisational Risk Management Framework.

Item 8.1.3 Audit Findings Progress

That the Audit and Risk Management Committee notes the update provided on Audit Findings as outlined in Attachments 8.1.3(1) and Attachment 8.1.3(2).

Item 8.1.4 Chief Executive Officer Briefing

That the Audit and Risk Management Committee Meeting note the update provided to the Committee.

Item 9.1.1 Cyber Security Review & Management Action Plan

That the Audit and Risk Management Committee:

- 1. Notes the findings of the LGIS Cyber Security Review 2025, acknowledging that the assessment reflects data submitted in March 2025;**
- 2. Acknowledges the significant improvements implemented to the Shire’s cyber security posture since that time;**
- 3. Supports the continued implementation of the management action plan and integration of cyber security initiatives into the forthcoming ICT strategy; and**
- 4. Requests a regular update on the Cyber Security Action Plan.**

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

9. Reports of Officers

9.1. Director Operations

9.1.1 Development Application P25070 – Pine Plantation, Mumballup

Report Details:

Prepared by: Principal Planner

Manager: Manager Development Services

Applicant: Delta Forestry Pty Ltd for Cultura Australia Pty Ltd

Location: Lot 212 Hearle Road, Mumballup

File Reference: A4020 (P25070) **Voting Requirement:** Simple Majority

Attachment(s):

- 9.1.1(1) Application letter
- 9.1.1(2) Forest Management Plan
- 9.1.1(3) Fire Management Plan
- 9.1.1(4) Agency submissions
- 9.1.1(5) Public submissions
- 9.1.1(6) Assessment under Clause 67
- 9.1.1(7) Applicant's reply to submissions

Executive Recommendation

That Council:

A. 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 P25070 for a Tree Plantation (Pine) and two dams on Lot 212 Hearle Road, Mumballup, subject to the following conditions and advice:

- 1. The layout of the lot, firebreaks, exclusion, and planting areas to be in accordance with the Forest Management Plan and Development Application Plan (Attachment 9.1.1(2)) and the conditions of approval and must not be altered or modified without the further written consent of the Shire. Where specific or more detailed requirements are imposed under any other condition of this approval the condition(s) shall prevail.**
- 2. Prior to the commencement of any planting works, the Fire Management Plan prepared by Delta Forestry shall be amended to the satisfaction of the Shire. The amended Fire Management Plan shall include:**
 - a) Inclusion of the relevant local fire agency contact details at the beginning of the Fire Management Plan;**
 - b) A georeferenced map clearly identifying the precise location of the**

property, access points, water supply points, assembly areas and other critical infrastructure; and

- c) Provision of a minimum 50,000 litre firefighting water tank to provide a permanently available water supply for initial use during fire response.

Once approved, the amended Fire Management Plan shall form part of this development approval and must thereafter be implemented and maintained to the satisfaction of the Shire.

- 3. The applicant shall ensure that a single-page plantation map, containing the information required under condition 2. above and including details of fire management, is:

- a) Stored at all property entrances in secure, weatherproof, and clearly labelled containers at all times; and
- b) Provided to the Department of Biodiversity, Conservation and Attractions, the Department of Fire and Emergency Services Regional Office, and the relevant local bushfire control brigades.

The provision, storage, and accessibility of this map must be maintained to the satisfaction of the Shire.

- 4. Prior to the first restricted burning period following planting, access tracks, firebreaks, and turnaround areas for emergency fire vehicles, as depicted in the approved plans, must be adequately installed with a trafficable surface. These areas must include appropriate surface water engineering structures to control and capture surface water, minimizing the risk of soil erosion. The access tracks, firebreaks, and turnaround areas must thereafter be maintained to the satisfaction of the Shire.

- 5. Setbacks:

- i. A minimum 6-metre setback must be maintained on either side of the watercourse and/or any drains, and a minimum 6-meter setback must be provided between all proposed plantation operation areas (this includes planting areas, access tracks and fire breaks) and existing native vegetation areas, with the setback located on the outside of the tree crown drip line if this line is further than 6m. The applicant must ensure that vehicles and planting works remain outside of these areas, to the satisfaction of the Shire

- ii. The plantation shall maintain a minimum setback of 15 metres from all lot boundaries. The applicant/landowner shall undertake regular monitoring and control of pine wildlings within the setback areas inside the lot, at a frequency consistent with weed and pest monitoring activities, to minimise the spread of pine wildlings onto adjoining properties and road reserves.

- 6. Any erosion and/or sedimentation issues that occur due to insufficient drainage

and/or stormwater management from the proposed development, including any firebreak or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any road infrastructure, to the satisfaction of the Shire.

7. At least eighteen (18) months prior to any harvesting activities a Harvesting Plan is to be submitted to the Shire for assessment and approval under a separate development application. The Plan shall be referred to relevant authorities, including Main Roads WA, the Public Transport Authority (PTA), and the Department of Biodiversity, Conservation and Attractions (DBCA) and is to detail the proposed traffic management arrangements. No harvesting activities shall occur until the Timber Harvesting Plan has been approved to the satisfaction of the Shire.
8. Prior to the commencement of any planting works, the applicant shall construct to a gravel standard the:
 - i. new intersection on Hearle Road at the commencement of the unconstructed road; and
 - ii. currently unconstructed road from the new intersection up to and including the crossover to Lot 212.
9. Prior to the commencement of planting works, Hearle Road is to be designed, constructed, sealed, and drained for a distance of 50m from the intersection with Donnybrook-Boyup Brook Road, to the satisfaction of the Shire in consultation with Main Roads Western Australia, the Public Transport Authority and ARC Infrastructure.
10. Within three months of this approval, engineered drawings and certification by a suitably qualified engineer must be submitted to the Shire to confirm structural stability of the dams located within 20m of the setback area of Lot 212 (two in total).

ADVICE NOTES

- a. It is recommended that the applicant undertake consultation with surrounding residences/landowners prior to:
 - Planned/Prescribed burns;
 - Boundary fencing;
 - Use of herbicides/insecticides; and
 - Any other activity that the applicant considers may impact surrounding residences.
- b. The Department of Water and Environmental Regulation has advised:
 - i. Clearing of native vegetation is subject to the *Environmental Protection Act 1986 (EP Act)*, and in the event any clearing of native vegetation is proposed, the applicant must contact the Department's Native Vegetation Regulation section by email

admin.nvp@dwer.wa.gov.au or by telephone 6364 7098 to determine if a clearing permit is required under the *EP Act*.

- ii. All operations must comply with the *Code of Practice for Timber Plantations in Western Australia (FIFWA 2014)*, with the following commitments:
 - To maintain a minimum 6 metre non-planted buffer to the edge of the waterway
 - Risk mitigation measures to protect the waterway be detailed for the operations/harvesting, and design – to ensure ground disturbing activities do not result in erosion, and the mobilisation of sediment into the watercourse
 - Pine wildlings are controlled within remnant vegetation areas over the life of the plantation
 - Use of chemicals, such as herbicides and pesticides, and other pest control methods in plantation operations will be in accordance with State policies, procedures and approved usage.

- c. The applicant is advised that the approved development is located within/nearby Place ID No. 19795 contained on the Department of Planning, Lands and Heritage Aboriginal Cultural Heritage Inquiry System mapping. Approval may be required under the *Aboriginal Heritage Act 1972* prior to the development commencing. The *Aboriginal Heritage Act 1972* requires that any proposed activities that may impact Aboriginal sites must undergo an approval process. This includes notifying the Aboriginal Cultural Heritage Committee, which assesses the significance of the sites and recommends whether consent should be granted. The applicant is advised to contact the Department of Planning, Lands and Heritage (DPLH) at 08 6551 8002 or at AboriginalHeritage@dplh.wa.gov.au.

- d. Regarding the timber harvesting plan:
 - i. Main Roads Western Australia, Heavy Vehicle Services has advised that any extension of the existing RAV 3 network to service Lot 212 will require a separate application.
 - ii. The Bibbulmun Track, managed by the Department of Biodiversity, Conservation and Attractions (DBCA), runs along part of the proposed haulage route on Hearle Road. While the proposal does not result in the permanent loss of the Track, timber haulage operations may temporarily affect the safety and amenity of trail users. DBCA has recommended that the following measures be implemented:
 - Traffic management measures along haulage routes
 - Dust control strategies
 - Clear demarcation of haulage routes
 - Installation of appropriate hiker warning signage
 - iii. The Timber Harvesting Plan should also include measures for traffic management in the event of the re-opening of the Donnybrook-Katanning Railway, ensuring safe coordination between timber haulage operations and rail activities.

- iv. The Timber Harvesting Plan should address the upgrading of certain sections of the local road network, at the applicant’s cost. This will include the construction of a new bitumen seal at the intersection on Hearle Road at the commencement of the unconstructed road (Road A); the upgrading of a 100 m section of Hearle Road between Donnybrook–Boyup Brook Road and the intersection with the unconstructed road (Road A) to a bitumen seal; the upgrading of a section of Hearle Road south of the intersection with the unconstructed road (Road A); and the upgrading of the gravel section of the access road (Road A) to a bitumen sealed standard up to, and including, the crossover to Lot 212 (refer Figure 4).

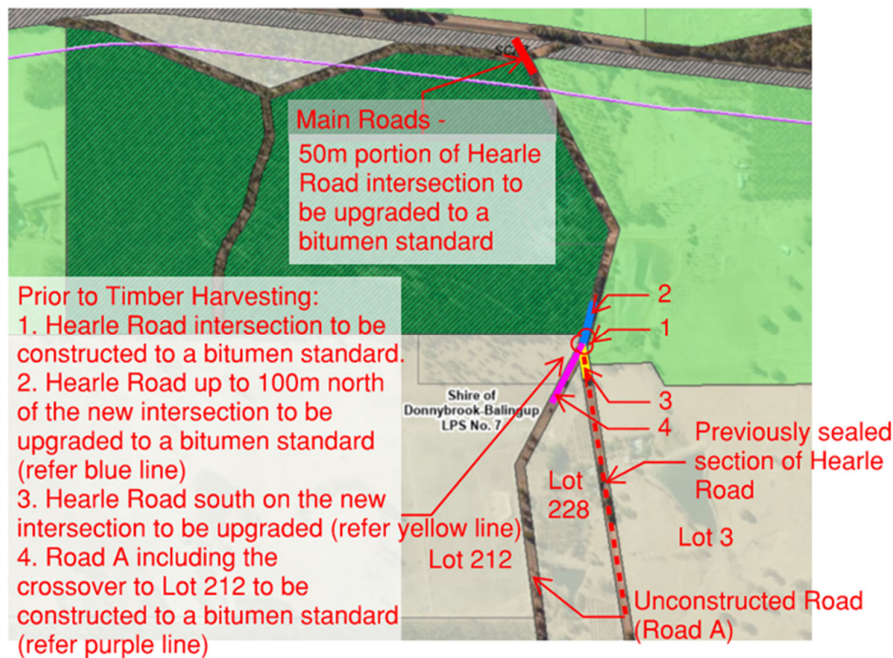


Figure 4 – Road upgrades

- v. The Timber Harvesting Plan, is to include the following, but not be limited to:
- Name of the plantation, location, lot numbers, and property boundaries.
 - Name and contact information of the harvesting operator.
 - Purpose of harvesting (e.g., commercial timber, thinning, fire risk reduction).
 - Expected volume of timber to be harvested.
 - Proposed harvesting schedule, including dates or seasons.
 - Existing infrastructure, including roads, tracks, firebreaks, and water points.
 - Type of harvesting to be undertaken (clearfell, selective, thinning).
 - Equipment to be used.
 - Techniques for minimising environmental impact.
 - Soil and water protection measures (erosion control, sediment barriers).
 - Vegetation protection, including control of invasive species.
 - Waste management and debris disposal procedures.
 - Rehabilitation of harvested areas.

- **Integration with the approved Fire Management Plan (FMP).**
- **Firefighting resources and water supply locations.**
- **Emergency response procedures.**
- **Emergency contacts and communication protocols.**
- **Reference to relevant legislation and guidelines.**
- **Notification of neighbours, local fire authorities, and relevant government agencies.**
- **Mechanisms for responding to complaints or concerns.**

This advice is provided to assist the applicant in preparing a comprehensive Harvesting Plan that meets the Shire’s expectations.

- e. **Applicant is advised that all rainwater tanks with a capacity greater than 5,000 L, including firefighting water tanks, require prior approval from the Shire through the issue of a Building Permit. Such tanks must also comply with the setback requirements specified under Local Planning Scheme No. 7 (LPS7).**
- f. **If an 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:** 3 - The natural environment is well managed for the benefit of current and future generations.
6 - The built environment is responsibly planned and well maintained.
- Objective:** 3.1 - Care for the natural environment, including weed and pest management.
6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
- Item:** Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for a Pine Plantation on Lot 212, as detailed in the application letter, Forest Management Plan, and Fire Management Plan ([Attachments 9.1.1\(1\)–\(3\)](#)).

Officers do not have delegation to determine applications where public comments or concerns cannot be addressed through conditions. One public submission was received, raising suggestions for the consolidation of native vegetation, creation of a north–south vegetation corridor, and additional native planting to enhance biodiversity. These measures were not identified as necessary by the relevant technical agencies consulted. Accordingly, there are no planning or environmental grounds to impose conditions requiring the proposed consolidation or corridor planting. Additional submissions were received from various agencies regarding operational and safety considerations, which have been addressed through recommended conditions.

The use of the land for a Plantation is a permitted 'P' use within the General Agriculture zone and, as such, cannot be refused. However, the Shire may impose conditions to ensure compliance with Local Planning Scheme No. 7 (LPS7) development standards and requirements. Officers recommend that the application be granted approval subject to conditions and advice consistent with previous plantation approvals and LPS7 requirements.

Background

Proposal

The applicant advises the proposal would establish plantings of *Pinus radiata* trees (softwood) for future supply to domestic/international markets mainly for timber house frames and associated products.

Lot 212 (refer Figure 1) has an area of 65 hectares, with the proposed plantation covering 51 hectares. The remaining land will be retained as native vegetation (5 hectares) and used for buffers and watercourses (1 hectare) and firebreaks/tracks (8 hectares). The plantation will be divided into 8 cells, ranging from 3.2 to 16.3 hectares, as shown in Figure 2 (Development Application Plan). Plantation development activities, including mounding, spraying, planting, establishment of buffer areas, and ongoing maintenance, are detailed in the Forest Management Plan ([Attachment 9.1.1\(2\)](#)). The property has been previously used for grazing, and there are no existing buildings on the lot.

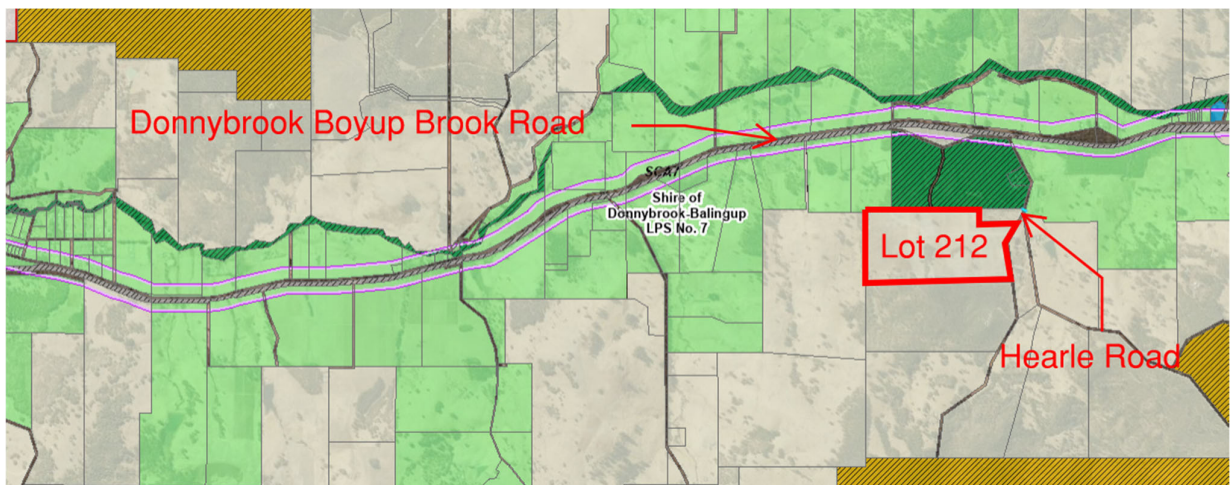


Figure 1 – Location Plan

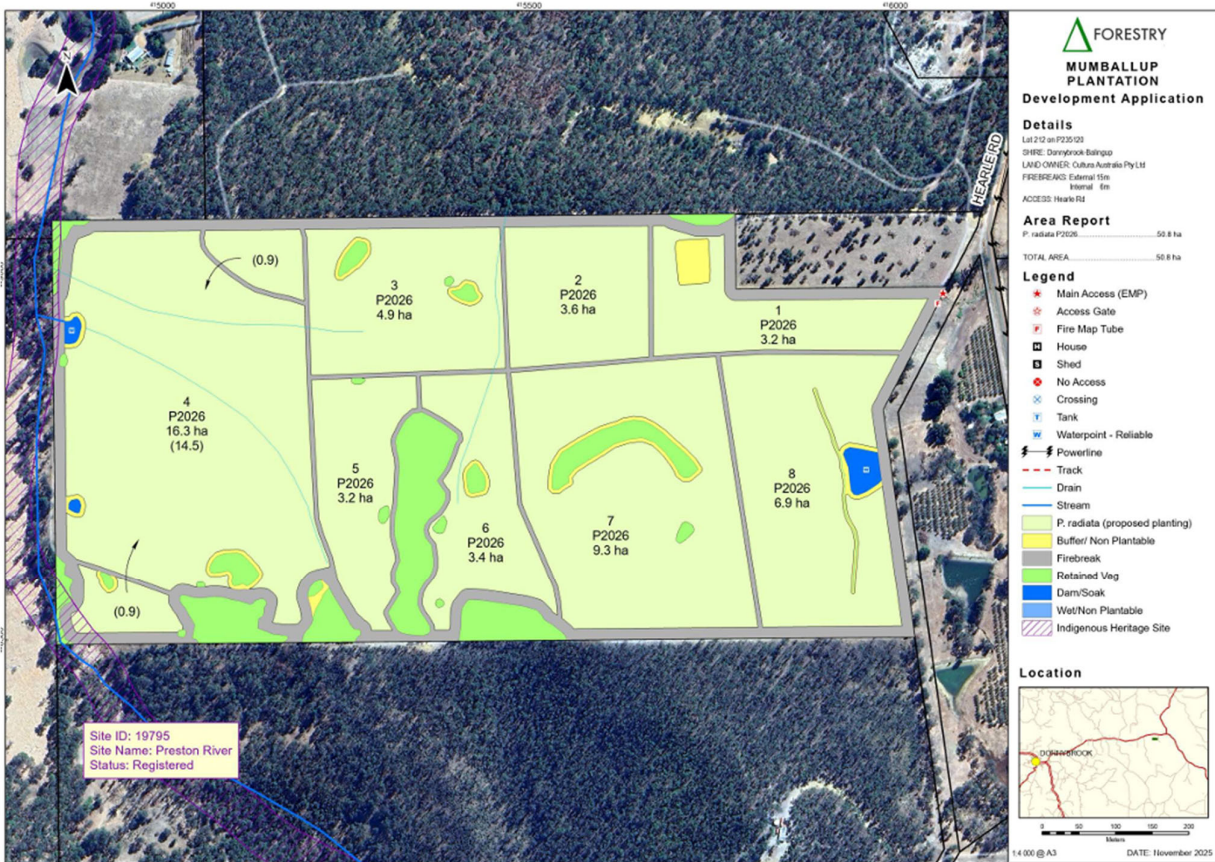


Figure 2 – Development Application Plan

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Insignificant	Low (3)
Risk Description:	Sloped areas and drainage channels on the site are at risk of erosion and sediment mobilisation during heavy machinery operations, particularly during storm events, which could result in contaminants or sediment runoff entering the Preston River tributary on the adjoining Lot 10, potentially impacting water quality and downstream ecosystems.		
Mitigation:	This risk can be mitigated by maintaining a strict 6-metre buffer from waterways and scheduling machinery operations during dry months.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Low	Low (1)
Risk Description:	The development requires an extension of RAV 3 approval for heavy vehicles through a separate Main Roads WA application and haulage operations may create safety hazards due to gravel drag, intersection geometry, and travel along sealed and unsealed roads. Additionally, timber transport could temporarily impact Bibbulmun Track users through reduced visibility, dust, and increased traffic, potentially affecting public safety and amenity.		

Mitigation:	This risk can be mitigated by requesting as a condition of approval a timber harvesting application and implementing traffic management, signage, and dust control measures along haulage routes.
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Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant 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

See details in Cl.67 assessment ([Attachment 9.1.1\(6\)](#)).

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. A full assessment is contained in ([Attachment 9.1.1\(6\)](#)).

The proposal is considered compatible with the purpose and relevant objectives for the General Agriculture zone and is compatible with the surrounding developments and the amenity and rural character of the area.

The subject land does not have legal and constructed access, and this require consideration under clause 4.34 and 4.37 of LPS7 that reads as follows:

4.34 Development of land without constructed/dedicated road frontage or access

Notwithstanding any other provision of the Scheme, development approval is required for any development on land abutting an unconstructed road or a lot or location which does not have frontage to a dedicated road. In considering such an application, the local government may –

- (i) refuse the application until the road has been constructed and/or access by means of a dedicated and constructed road is provided; or*
- (ii) require other legal arrangements to be made for permanent legal access to the satisfaction of the local government; or*
- (iii) where dedicated road access is available, grant approval to the application subject to a condition requiring the applicant to pay a sum of money for the cost of constructing the road or part thereof or construct the road to the local government's road construction standards.*

4.37 Services to all development

The local government shall not grant development approval to the carrying out of any development on any land unless –

- (i) a water supply and facilities for the removal or disposal of sewerage and drainage are available to that land (unless the proponent can demonstrate that the use does not require these services to the satisfaction of the local government);*
- (ii) appropriate legal and practical vehicular access are in place to the satisfaction of the local government;*
- (iii) and satisfactory arrangements have been made for the provision of that supply and those facilities.*

Officers have considered the road upgrades to be made to the unconstructed road in the allocated road reserve and further detail is provided in the Officer Comment section of the report.

Further consideration has also been given to the development of the dams within the boundary setback area, one of which is abutting a road (although unconstructed at this stage) under LPS7. Under LPS7 Schedule A Supplemental Provisions, development approval is not required where the external foot of the dam wall and associated water storage are located more than 20 m from the lot boundary. Two of the dams do not meet this standard and further detail regarding these are provided in the Officer Comment section of the report.

The Shire sought legal advice that confirms that due to this plantation relying upon access from an unconstructed road and requires considerations of variations to development standards within LPS7, development approval is required. As development approval is required, the application then becomes the subject of a full assessment, including all considerations identified within clause 67 of the Deemed Provisions ([Attachment 9.1.1\(6\)](#)).

Consultation

Public Submissions

As plantation is a permitted use within the zone, officers exercised discretion under Clause 64(1)(c) of the Deemed Provisions to refer the application to owners of nearby properties who, in the opinion of the local government, may be affected by the granting of development approval. The proposal was not advertised by way of on-site signage, local newspaper notice, or publication on the Shire website. One public submission was received. A copy of the submission is included in [Attachment 9.1.1\(5\)](#).

Below is a summary of the submission with officer comment:

Objection	Comment
<p>The submitter does not object to the plantation use itself, acknowledging that a <i>Pinus radiata</i> plantation is a permitted use within the General Agriculture zone. However, they object to the current design and layout of the proposal.</p> <p>The primary concern is the retention, protection and enhancement of native vegetation on the site. The submission argues that the</p>	<p>The application was referred to the Department of Water and Environmental Regulation (DWER) and the Department of Biodiversity, Conservation and Attractions</p>

Objection	Comment
<p>current proposal retains only small, isolated pockets of native vegetation, which are considered insufficient to ensure long-term ecological protection due to potential hydrological impacts and disturbance from surrounding plantation operations.</p> <p>The key requests are:</p> <ul style="list-style-type: none"> • Consolidation of existing native vegetation into larger, more viable patches capable of surviving long term. • Creation of a continuous north–south vegetation corridor across the site to improve habitat connectivity between substantial areas of native vegetation located to the north and south of the property. • Additional native planting within the consolidated corridor to enhance biodiversity and ecological resilience. <p>The submission contends that these modifications would better align the proposal with the objectives of LPS7, including:</p> <ul style="list-style-type: none"> • Protecting and enhancing environmental values and natural resources (Section 1.7). • Retention and protection of native vegetation within the General Agriculture zone (Section 3.5). • Provisions under Section 4.7 relating to tree planting and vegetation corridors. <p>In summary, the objection is not to the plantation use itself, but to the layout and environmental design, with the submitter seeking reasonable modifications to improve biodiversity outcomes and habitat connectivity across the site.</p>	<p>(DBCA), both of which are the relevant technical experts in environmental and biodiversity matters. Neither agency recommended the modifications suggested by the submitter. On this basis, there are no planning or environmental grounds for the Shire to impose conditions requiring the proposed consolidation of native vegetation, creation of a north–south vegetation corridor, or additional native planting to enhance biodiversity.</p>

Consultation with Government/Service Agencies

The proposal was referred to the Department of Primary Industries and Regional Development, Department of Biodiversity, Conservation and Attractions, Department of Fire and Emergency Services, Public Transport Authority, Main Roads WA, Department of Planning Lands and Heritage, and Department of Water and Environmental Regulation for comment. Not all agencies responded. Submissions received are contained in [\(Attachment 9.1.1\(4\)\)](#) and summarized below:

Submission	Comment
Department of Primary Industries and Regional Development (DPIRD)	
The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed Pine Plantation at the abovementioned lots.	No objection noted.
Department of Water and Environmental Regulation (DWER)	

Submission	Comment
<p>The Department has identified that the proposal has the potential for impact on the environment and water resource values management. Key issues and recommendations are provided below, and these matters should be addressed:</p> <p><u>Issue 1: Native vegetation</u></p> <p>Advice 1: An advice note be included that the clearing of native vegetation is subject to the <i>Environmental Protection Act 1986</i> (EP Act), and in the unlikely event any clearing of native vegetation is proposed, to contact the Department’s Native Vegetation Regulation section by email admin.nvp@dwer.wa.gov.au or by telephone 6364 7098 to determine if a clearing permit is required under the EP Act</p> <p>Discussion 1: The Department notes that based on the information provided, this proposal avoids the clearing of native vegetation by locating the plantation outside of the remnant stands. In the unlikely event there is to be any clearing of native vegetation, the following is advised:</p> <ul style="list-style-type: none"> • Under section 51C of the <i>Environmental Protection Act 1986</i> (EP Act), clearing of native vegetation is an offence unless: • it is undertaken under the authority of a clearing permit, • it is done after the person has received notice under Section 51DA (5) that a clearing permit is not required, • the clearing is subject to an exemption. <p>Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the <i>EP Act</i>. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the ‘<i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>’ (the Clearing Regulations).</p>	<p>An advice note is included in the Executive Recommendation.</p>
<p><u>Issue 2: Waterway protection</u></p> <p>Advice 2: The applicant is advised to abide by the Code of Practice for Timber Plantations in Western Australia (FIFWA 2014) to the satisfaction of the Shire with the following commitments as appropriate:</p> <ul style="list-style-type: none"> • To maintain a minimum 6 metre non-planted buffer to the edge of the waterway • Risk mitigation measures to protect the waterway be detailed for the operations/harvesting, and design – to ensure ground 	<p>An advice note is included in the Executive Recommendation.</p>

Submission	Comment
<p>disturbing activities do not result in erosion, and the mobilisation of sediment into the watercourse</p> <ul style="list-style-type: none"> • Pine wildlings are controlled within remnant vegetation areas over the life of the plantation • Use of chemicals, such as herbicides and pesticides, and other pest control methods in plantation operations will be in accordance with State policies, procedures and approved usage. <p>Discussion 2: The applicant has committed to ensuring a minimum 6 metre setback to the watercourse. Our GIS topographical contours and hydrography dataset shows there are watercourses on the subject property, which have been identified as ‘Drain’ by the applicant. While these watercourses are fully cleared, and appear only likely to perform a drainage function, care should be taken to ensure that the plantation activities on-site do not result in the mobilisation of contaminants into the Preston River tributary located to the west on neighbouring Lot 10. Ground disturbing activities in this sloping area, such as by heavy machinery can result in the erosion, and the mobilisation of sediment into the watercourse at the subject site into Lot 10, causing turbidity – particularly during major storm events. This risk can be minimised by conducting harvesting operations in the dry months and committing to a 6-metre buffer as appropriate.</p>	
<p><u>Issue 3: Aboriginal heritage site</u></p> <p>Advice 3: The applicant is advised to consult the Department of Planning, Lands and Heritage (DPLH) in regards to the Aboriginal heritage site.</p> <p>Discussion 3: DWER notes there is an aboriginal heritage site over the waterway at the extreme south west of the lot.</p>	<p>An advice note is included in the Executive Recommendation.</p>
<p>Public Transport Authority (PTA)</p>	
<p>Condition</p> <ol style="list-style-type: none"> 1. Six months prior to harvesting activities, a Timber Harvesting Plan is to be submitted and reviewed by the Public Transport Authority. <p>Advice</p> <p>The Timber Harvesting Plan should include information regarding traffic management measures in the event of the re-opening of the Donnybrook-Katanning Railway.</p>	<p>A condition is included in the Executive Recommendation.</p>
<p>Department of Biodiversity, Conservation and Attractions (DBCA)</p>	

Submission	Comment
<p><u>Vegetation clearing</u> Lot 212 contains vegetation considered suitable habitat for black cockatoos which are listed as a threatened species under the <i>BC Act</i>. Other species of conservation significance likely to be within the area include the quenda and south-western brush-tailed phascogale.</p> <p>If clearing of native vegetation is required, the applicant should be aware of their obligations and approval requirements under section 40 of the <i>BC Act</i>, which requires Ministerial authorisation to take or disturb threatened species. DBCA recommends that when vegetation clearing or pruning is required, the applicant should seek advice from DBCA's Species and Communities branch at speciesandcommunities@dbca.wa.gov.au prior to clearing works, in relation of section 40 authorisation requirements. If vegetation clearing is required, the applicant should seek advice from the Department of Water and Environmental Regulation in relation to clearing permit requirements.</p>	<p>DWER is the determining authority for native vegetation clearing permits. An advice note consistent with DWER's requirements has been included in the Executive Recommendation.</p>
<p><u>Retained vegetation</u> The Delta Forestry <i>Forest Management Plan</i> (undated) (FMP) - Development Application plan (Plan) depicts areas of retained vegetation and FMP Section 6 refers to minimum 6 metre buffers to remnant vegetation.</p> <p>DBCA recommends that firebreaks, and buffers to retained native vegetation, be located and measured from outside the tree crown drip zone, consisting of suitable demarcation materials to protect the retained native vegetation and tree roots, from accidental vehicle damage and soil compaction.</p>	<p>A condition has been included in the Executive Recommendation that require plantation buffers to extend beyond the tree crown drip line rather than the 6-metre setback proposed in the FMP, protecting retained vegetation from vehicle damage and soil compaction.</p>
<p><u>Haulage route</u> FMP Section 9 refers to the haulage route being along the unnamed road from Lot 212, connecting to the unsealed Hearle Road, then along the sealed Donnybrook-Balingup Road. The mapping indicates this is Donnybrook-Boyup Brook Road.</p> <p>The DBCA-managed Bibbulmun track is located to the east of Lot 211 along the haulage route portion of Hearle Road. Track users may have restricted visibility, particularly along the Hearle Road section, adjacent to the vegetated Lot 211 south-eastern boundary.</p> <p>DBCA recommends the applicant consider appropriate traffic and dust management measures to protect trail walkers from haulage truck</p>	<p>A condition and advice note have been included in the Executive Recommendation.</p>

Submission	Comment
<p>impacts during extraction operations, including demarcation of the Hearle Road haulage route section immediately east of Lot 211 to provide a buffer between walkers and trucks at this location.</p> <p>DBCA recommends that standard road traffic signage be installed to alert vehicles/haulage trucks of hikers (yellow diamond, hiker symbol) near the entrance of proposed haulage route crossings at the Hearle Road/unnamed road and Donnybrook-Boyup Brook Road/Hearle Road entrances.</p>	
Main Roads WA (Main Roads WA)	
<p>Hearle Road is sealed for approx. 20m approaching Donnybrook Kojonup Road but there is a significant amount of gravel being dragged onto the state road network due to the geometry approaching the intersection. In line with MRWA policy, it is requested that the first 50m of Hearle Road (measured from the edge line) is sealed on the approach to Donnybrook Kojonup Road. Existing sight distances to the west are approx. 250m and complies with RAV Assessment Guidelines. The submitted documentation does not state vehicle size used for haulage. It is presumed that the current RAV 3 with conditions will be sought to be extended from its current end point at 300m from Donnybrook Kojonup Road. This will need to be submitted through Main Roads Heavy Vehicle Services approx. 12 months prior to harvesting.</p>	<p>A condition has been included in the Executive Recommendation requiring that the first 50 metres of Hearle Road, measured from the edge line of Donnybrook–Boyup Brook Road, be sealed.</p> <p>An advice note has also been included advising the applicant to submit an application to Main Roads Heavy Vehicle Services for the extension of the existing RAV 3 approval prior to the commencement of harvesting operations.</p>
Department of Fire and Emergency Services (DFES)	
<p>Fire Management Plan - 3(b) - Local Fire Agency contact</p> <p>It is recommended that this section be placed at the beginning of the FMP to ensure quick and easy access in the event of an emergency.</p>	<p>A condition has been included in the Executive Recommendation.</p>
<p>Fire Management Plan - 3(g), (h), (i) – Maps</p> <p>Where feasible, a georeferenced map of the site should be included in the FMP to enable emergency services to readily identify the precise location of the property, access points, water supply points, assembly areas and other critical infrastructure. The inclusion of a QR code linking to the map is also recommended.</p>	<p>A condition has been included in the Executive Recommendation.</p>
<p>Plantation Fire Protection Specifications - 4.2 - Fire Breaks and Access</p>	<p>A condition has been included in the Executive Recommendation</p>

Submission	Comment
<p>There appears to be an opportunity to provide more than one access and egress point to a public road. As the development site is located partially within a bushfire prone area, DFES recommends that an additional access and egress point to the public road be provided to support bushfire management and emergency evacuation and response.</p>	<p>requiring the construction of the existing unconstructed road to a sealed standard to provide formalised access to Lot 212. This represents a significant improvement to the current access arrangements and ensures that at least one properly constructed access is available to support emergency response and fire management for the development. Officers consider that this matter is adequately addressed through the recommended conditions. As no dwelling is proposed on the lot, officers consider that an additional access point is not required, and that this matter is adequately addressed through the recommended conditions.</p>
<p>Plantation Fire Protection Specifications - 4.3 - Water Supplies</p> <p>The FMP states that the property has a reliable water point with a combined estimated capacity of 750 kilolitres, which is labelled with 'W' on the plantation map. The FMP further states that in the event the water point becomes unreliable, a 50,000 litre tank with a 50 millimetre camlock fitting will be installed for firefighting purpose.</p> <p>It is noted that the definition of 'reliable' has not been provided. The use of a dam as a water source would not be supported as 'reliable' unless the proposal is accompanied by a hydrology report which demonstrates that the water level would be maintained above the highest fire brigade suction points in perpetuity.</p> <p>In the absence of such a hydrology report, DFES recommends that the proposed 50,000 litre firefighting water tank be required to provide a permanently available water supply for initial use during fire response.</p>	<p>A condition has been included in the Executive Recommendation.</p>

Officer Comment

1. Requirement for a DA

While a plantation use class is a permitted 'P' use in the General Agriculture zone under LPS 7 and planting typically does not require development approval, a formal Development Application is necessary where there are substantial works beyond essential plantation activities. Planting and general property maintenance, and firebreak compliance are generally exempt, but the Shire has identified that Lot 212 require consideration and construction of a public road access and consideration of existing dams constructed without prior approval in the property setback areas meaning that exemption would not apply. The DA process is required to ensure proper assessment, compliance with planning policy, and any referral obligations under LPS 7. Regarding the setbacks specified under Clause 4.5.4.8 of LPS7, the management plans (Forest and Fire) submitted with this development application are considered to adequately address potential land use conflicts to support variations to scheme standards. When considered alongside the recommended conditions and advice included in the Executive Recommendation, the proposed development demonstrates satisfactory compliance, and the relaxation of the scheme standard relating to setbacks is recommended to be approved.

2. Dams

The proposed development includes three dams on the lot, with the largest dam located approximately 13.8 m from the eastern boundary, an off-stream dam near the northern boundary at approximately 17 m, and a smaller dam near the southern boundary likely meeting the 20 m setback. Under LPS7, development approval is not required where the external foot of the dam wall and associated water storage are located more than 20 m from the lot boundary. Therefore, two of the dams do not meet this standard. To prevent potential damage any dam overflows or spillways must not discharge across roadways or public access ways. The dams will require submission of engineered drawings and certification by a suitably qualified professional to ensure structural stability, and any erosion, sedimentation, or stormwater management issues arising from dam construction or overflow must be addressed to prevent impacts on surrounding properties and the adjacent road reserve.



Figure 3 – location of dams

3. Access

Hearle Road is currently constructed from the intersection with Donnybrook-Boyup Brook road and then passes between Lots 3 and 228 as illustrated in Figure 4. Where the road passes between Lots 3 and 228, it is a sealed standard. Shire records suggest that the landowners in this area contributed to the sealing of this portion of Hearle Road due to dust concerns. Lot 212 is not currently served by a constructed road.

In addition to the intersection upgrades required by Main Roads WA, the Shire's Works and Services Department has identified several road access requirements to support safe and efficient access to the proposed plantation. These include the construction of a new intersection on Hearle Road and the provision of road access to Lot 212 to an initial gravel standard.

Prior to harvesting, the Shire will require a Timber Harvesting Plan to be submitted under a separate Development Application. This plan will need to address the upgrading of certain sections of the local road network to a bitumen seal standard, at the applicant's cost. These upgrades include:

- Construction of a new bitumen seal at the intersection on Hearle Road at the commencement of the unconstructed road (Road A);
- Upgrading a 100 m section of Hearle Road between Donnybrook-Boyup Brook Road and the intersection with the unconstructed road (Road A);
- Upgrading a section of Hearle Road south of the intersection with the unconstructed road (Road A); and
- Upgrading the gravel section of the access road (Road A) to a bitumen sealed standard up to, and including, the crossover to Lot 212.

Roadworks will be staged, with roads initially constructed to a gravel standard. Upgrades to a bitumen seal will be required prior to harvesting to ensure safe and efficient access to the plantation.

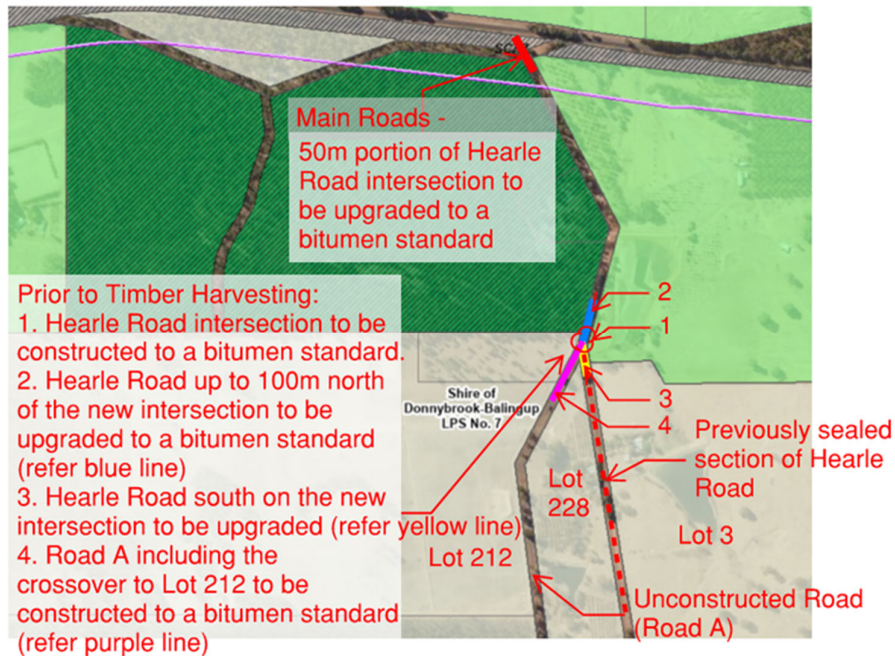


Figure 4 – Road upgrades

4. Potential offsite impacts

To minimise the spread of pine wildlings into adjoining land and road reserves the applicant is required to undertake monitoring and control of wildling pines within the 15 m boundary setback areas inside the lot, at the same frequency as weed and pest monitoring. Appropriate measures must also be implemented to mitigate any potential impacts on the site and surrounding areas by managing stormwater and erosion on the property.

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.*

Officers consider the proposal capable of being approved with conditions and advice.

Conclusion

The proposal has been assessed in accordance with the relevant State Planning Policy 2.5, 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.

Officers have considered public submissions and advice from relevant agencies and Shire service divisions. The application is consistent with the principles of orderly and proper planning. The proposal is therefore considered capable of approval, including retrospective approval for two existing dams, subject to the recommended conditions and advice to manage environmental, heritage, fire, and road safety considerations.

Cr Purich moved that the Executive recommendation with condition 9 removed be tabled.

COUNCIL RESOLUTION:	35/03-26	
MOVED BY:	Cr Alex Purich	SECONDED BY: Cr Grant Patrick

That Council:

A. 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 P25070 for a Tree Plantation (Pine) and two dams on Lot 212 Hearle Road, Mumballup, subject to the following conditions and advice:

- 1. The layout of the lot, firebreaks, exclusion, and planting areas to be in accordance with the Forest Management Plan and Development Application Plan (Attachment 9.1.1(2)) and the conditions of approval and must not be altered or modified without the further written consent of the Shire. Where specific or more detailed requirements are imposed under any other condition of this approval the condition(s) shall prevail.**

- 2. Prior to the commencement of any planting works, the Fire Management Plan prepared by Delta Forestry shall be amended to the satisfaction of the Shire. The amended Fire Management Plan shall include:**
 - a) Inclusion of the relevant local fire agency contact details at the beginning of the Fire Management Plan;**
 - b) A georeferenced map clearly identifying the precise location of the property, access points, water supply points, assembly areas and other critical infrastructure; and**
 - c) Provision of a minimum 50,000 litre firefighting water tank to provide a permanently available water supply for initial use during fire response.**

Once approved, the amended Fire Management Plan shall form part of this development approval and must thereafter be implemented and maintained to the satisfaction of the Shire.

- 3. The applicant shall ensure that a single-page plantation map, containing the information required under condition 2. above and including details of fire management, is:**
 - a) Stored at all property entrances in secure, weatherproof, and clearly labelled**

containers at all times; and

- b) Provided to the Department of Biodiversity, Conservation and Attractions, the Department of Fire and Emergency Services Regional Office, and the relevant local bushfire control brigades.

The provision, storage, and accessibility of this map must be maintained to the satisfaction of the Shire.

4. Prior to the first restricted burning period following planting, access tracks, firebreaks, and turnaround areas for emergency fire vehicles, as depicted in the approved plans, must be adequately installed with a trafficable surface. These areas must include appropriate surface water engineering structures to control and capture surface water, minimizing the risk of soil erosion. The access tracks, firebreaks, and turnaround areas must thereafter be maintained to the satisfaction of the Shire.
5. Setbacks:
 - A minimum 6-metre setback must be maintained on either side of the watercourse and/or any drains, and a minimum 6-meter setback must be provided between all proposed plantation operation areas (this includes planting areas, access tracks and fire breaks) and existing native vegetation areas, with the setback located on the outside of the tree crown drip line if this line is further than 6m. The applicant must ensure that vehicles and planting works remain outside of these areas, to the satisfaction of the Shire
 - The plantation shall maintain a minimum setback of 15 metres from all lot boundaries. The applicant/landowner shall undertake regular monitoring and control of pine wildlings within the setback areas inside the lot, at a frequency consistent with weed and pest monitoring activities, to minimise the spread of pine wildlings onto adjoining properties and road reserves.
6. Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any firebreak or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any road infrastructure, to the satisfaction of the Shire.
7. At least eighteen (18) months prior to any harvesting activities a Harvesting Plan is to be submitted to the Shire for assessment and approval under a separate development application. The Plan shall be referred to relevant authorities, including Main Roads WA, the Public Transport Authority (PTA), and the Department of Biodiversity, Conservation and Attractions (DBCA) and is to detail the proposed traffic management arrangements. No harvesting activities shall occur until the Timber Harvesting Plan has been approved to the satisfaction of the Shire.

8. Prior to the commencement of any planting works, the applicant shall construct to a gravel standard the:
 - i. new intersection on Hearle Road at the commencement of the unconstructed road; and
 - ii. currently unconstructed road from the new intersection up to and including the crossover to Lot 212.

9. Within three months of this approval, engineered drawings and certification by a suitably qualified engineer must be submitted to the Shire to confirm structural stability of the dams located within 20m of the setback area of Lot 212 (two in total).

ADVICE NOTES

- a. It is recommended that the applicant undertake consultation with surrounding residences/landowners prior to:
 - Planned/Prescribed burns;
 - Boundary fencing;
 - Use of herbicides/insecticides; and
 - Any other activity that the applicant considers may impact surrounding residences.

 - b. The Department of Water and Environmental Regulation has advised:
 1. Clearing of native vegetation is subject to the *Environmental Protection Act 1986 (EP Act)*, and in the event any clearing of native vegetation is proposed, the applicant must contact the Department's Native Vegetation Regulation section by email admin.nvp@dwer.wa.gov.au or by telephone 6364 7098 to determine if a clearing permit is required under the *EP Act*.

 2. All operations must comply with the *Code of Practice for Timber Plantations in Western Australia (FIFWA 2014)*, with the following commitments:
 - To maintain a minimum 6 metre non-planted buffer to the edge of the waterway
 - Risk mitigation measures to protect the waterway be detailed for the operations/harvesting, and design – to ensure ground disturbing activities do not result in erosion, and the mobilisation of sediment into the watercourse
 - Pine wildlings are controlled within remnant vegetation areas over the life of the plantation
 - Use of chemicals, such as herbicides and pesticides, and other pest control methods in plantation operations will be in accordance with State policies, procedures and approved usage.

 - c. The applicant is advised that the approved development is located within/nearby Place ID No. 19795 contained on the Department of Planning, Lands and Heritage Aboriginal Cultural
-

Heritage Inquiry System mapping. Approval may be required under the *Aboriginal Heritage Act 1972* prior to the development commencing. The *Aboriginal Heritage Act 1972* requires that any proposed activities that may impact Aboriginal sites must undergo an approval process. This includes notifying the Aboriginal Cultural Heritage Committee, which assesses the significance of the sites and recommends whether consent should be granted. The applicant is advised to contact the Department of Planning, Lands and Heritage (DPLH) at 08 6551 8002 or at AboriginalHeritage@dplh.wa.gov.au.

- d. Regarding the timber harvesting plan:
- i. Main Roads Western Australia, Heavy Vehicle Services has advised that any extension of the existing RAV 3 network to service Lot 212 will require a separate application.
 - ii. The Bibbulmun Track, managed by the Department of Biodiversity, Conservation and Attractions (DBCA), runs along part of the proposed haulage route on Hearle Road. While the proposal does not result in the permanent loss of the Track, timber haulage operations may temporarily affect the safety and amenity of trail users. DBCA has recommended that the following measures be implemented:
 - Traffic management measures along haulage routes
 - Dust control strategies
 - Clear demarcation of haulage routes
 - Installation of appropriate hiker warning signage
 - iii. The Timber Harvesting Plan should also include measures for traffic management in the event of the re-opening of the Donnybrook-Katanning Railway, ensuring safe coordination between timber haulage operations and rail activities.
 - iv. The Timber Harvesting Plan should address the upgrading of certain sections of the local road network, at the applicant's cost. This will include the construction of a new bitumen seal at the intersection on Hearle Road at the commencement of the unconstructed road (Road A); the upgrading of a 100 m section of Hearle Road between Donnybrook–Boyup Brook Road and the intersection with the unconstructed road (Road A) to a bitumen seal; the upgrading of a section of Hearle Road south of the intersection with the unconstructed road (Road A); and the upgrading of the gravel section of the access road (Road A) to a bitumen sealed standard up to, and including, the crossover to Lot 212 (refer Figure 4).

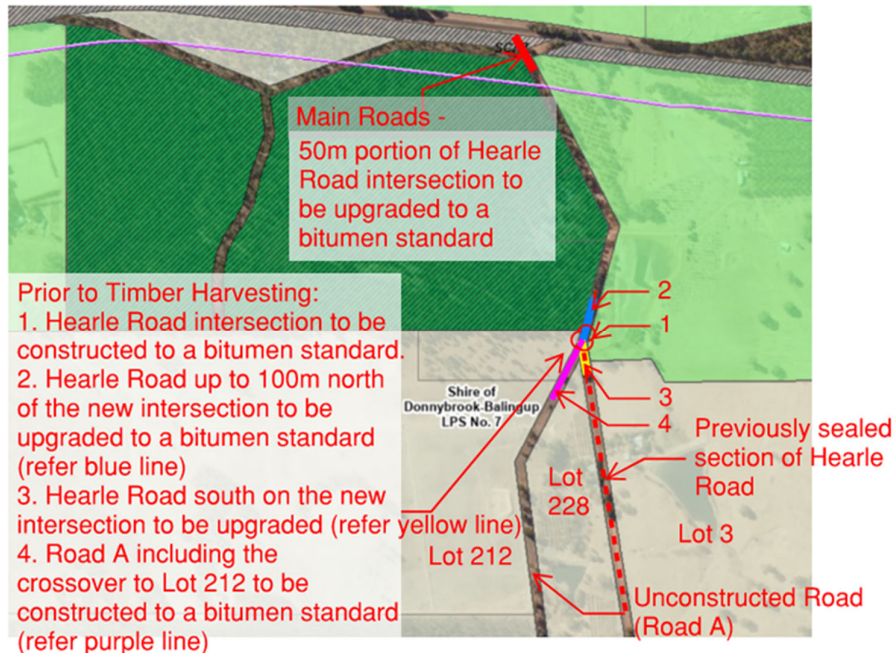


Figure 4 – Road upgrades

v. The Timber Harvesting Plan, is to include the following, but not be limited to:

- Name of the plantation, location, lot numbers, and property boundaries.
- Name and contact information of the harvesting operator.
- Purpose of harvesting (e.g., commercial timber, thinning, fire risk reduction).
- Expected volume of timber to be harvested.
- Proposed harvesting schedule, including dates or seasons.
- Existing infrastructure, including roads, tracks, firebreaks, and water points.
- Type of harvesting to be undertaken (clearfell, selective, thinning).
- Equipment to be used.
- Techniques for minimising environmental impact.
- Soil and water protection measures (erosion control, sediment barriers).
- Vegetation protection, including control of invasive species.
- Waste management and debris disposal procedures.
- Rehabilitation of harvested areas.
- Integration with the approved Fire Management Plan (FMP).
- Firefighting resources and water supply locations.
- Emergency response procedures.
- Emergency contacts and communication protocols.
- Reference to relevant legislation and guidelines.
- Notification of neighbours, local fire authorities, and relevant government agencies.
- Mechanisms for responding to complaints or concerns.

This advice is provided to assist the applicant in preparing a comprehensive Harvesting Plan that meets the Shire's expectations.

- e. Applicant is advised that all rainwater tanks with a capacity greater than 5,000 L, including firefighting water tanks, require prior approval from the Shire through the issue of a Building Permit. Such tanks must also comply with the setback requirements specified under Local Planning Scheme No. 7 (LPS7).**

- f. If an 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 Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0

9.1.2 Development Application P25071 – Pine Plantation, Noggerup

Report Details:

Prepared by: Principal Planner
Manager: Manager Development Services
Applicant: Delta Forestry Pty Ltd for Cultura Australia Pty Ltd
Location: Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup
File Reference: A2205 (P25071) **Voting Requirement:** Simple Majority

Attachment(s):

- 9.1.2(1) Application letter
- 9.1.2(2) Forest Management Plan
- 9.1.2(3) Fire Management Plan
- 9.1.2(4) Agency submissions
- 9.1.2(5) Public submissions
- 9.1.2(6) Assessment under Clause 67
- 9.1.2(7) Applicant's reply to submissions
- 9.1.2(8) Development Application Plan received 5 March 2026
- 9.1.2(9) Petition

Executive Recommendation

That Council:

- A. 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 P25071 for a Tree Plantation (Pine) on Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup, subject to the following conditions and advice:**
- 1. The layout of the lots, firebreaks, exclusion, and planting areas to be in accordance with the Forest Management Plan and Development Application Plan (Attachment 9.1.2(8)) and the conditions of approval and must not be altered or modified without the further written consent of the Shire. Where specific or more detailed requirements are imposed under any other condition of this approval the condition(s) shall prevail.**
 - 2. Prior to the commencement of any planting works, the Fire Management Plan prepared by Delta Forestry shall be amended to the satisfaction of the Shire. The amended Fire Management Plan shall include:**
 - a) Inclusion of the relevant local fire agency contact details at the beginning of the Fire Management Plan;**

- b) A georeferenced map clearly identifying the precise location of the property, access points, water supply points, assembly areas and other critical infrastructure; and
- c) Provision of a minimum 50,000 litre firefighting water tank to provide a permanently available water supply for initial use during fire response.

Once approved, the amended Fire Management Plan shall form part of this development approval and must thereafter be implemented and maintained to the satisfaction of the Shire.

- 3. The applicant shall ensure that a single-page plantation map, containing the information required under condition 2. above and including details of fire management, is:
 - a) Stored at all property entrances in secure, weatherproof, and clearly labelled containers at all times; and
 - b) Provided to the Department of Biodiversity, Conservation and Attractions, the Department of Fire and Emergency Services Regional Office, and the relevant local bushfire control brigades.

The provision, storage, and accessibility of this map must be maintained to the satisfaction of the Shire.

- 4. Prior to the first restricted burning period following planting, access tracks, firebreaks, and turnaround areas for emergency fire vehicles, as depicted in the approved plans, must be adequately installed with a trafficable surface. These areas must include appropriate surface water engineering structures to control and capture surface water, minimizing the risk of soil erosion. The access tracks, firebreaks, and turnaround areas must thereafter be maintained to the satisfaction of the Shire.

- 5. The applicant shall, within 3 months of this approval, prepare and submit a Pest/Weed and Dieback Management Plan to the Shire. The plan must address the mitigation of dieback spread from the plantation into the adjacent Department of Biodiversity, Conservation, and Attractions managed land. The plan will be reviewed and approved by the Shire in consultation with the Department of Biodiversity, Conservation, and Attractions. Once approved, the Pest/Weed and Dieback Management Plan shall form part of this approval and must be adhered to at all times for the duration of the approval.

6. Setbacks:

- i. A minimum 6-metre setback must be maintained on either side of the watercourse and/or any drains, and a minimum 6-meter setback must be provided between all proposed plantation operation areas (this includes planting areas, access tracks and fire breaks) and existing native vegetation areas, with the setback located on the outside of the tree crown drip line if this line is further than 6m. The applicant

- must ensure that vehicles and planting works remain outside of these areas, to the satisfaction of the Shire.
- ii. The plantation shall maintain a minimum 20-metre setback from all State Forest land; 15m from all other boundaries (excluding the front boundary), and 100m from the front boundary, to minimise the spread of pine wildlings and provide an appropriate fire management buffer.
7. Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any firebreak or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any road infrastructure, to the satisfaction of the Shire.
 8. At least eighteen (18) months prior to any harvesting activities a Harvesting Plan is to be submitted to the Shire for assessment and approval under a separate development application. The Plan shall be referred to relevant authorities, including Main Roads WA and the Public Transport Authority (PTA). No harvesting activities shall occur until the Harvesting Plan has been approved to the satisfaction of the Shire.
 9. Prior to the commencement of any plantation planting, the proponent shall submit a revised access/crossover location and design to the specifications of Main Roads WA and to the satisfaction of the Shire. No planting shall commence until the revised access design has been approved and the crossover has been constructed in accordance with Main Roads WA specifications to the satisfaction of the Shire.
 10. Prior to the commencement of any plantation planting the exiting dwelling on Lot 3711 is to be demolished.

ADVICE NOTES

- a. It is recommended that the applicant undertake public consultation, including to surrounding residences as well as the Noggerup townsite and affected agencies prior to:
 - Planned/Prescribed burns;
 - Boundary fencing;
 - Use of herbicides/insecticides; and
 - Any other activity that the applicant considers may impact surrounding residences.
- b. The Department of Water and Environmental Regulation has advised:
 - i. Clearing of native vegetation is subject to the *Environmental Protection Act 1986 (EP Act)*, and in the event any clearing of native vegetation is proposed, the applicant must contact the Department's Native Vegetation Regulation section by email admin.nvp@dwer.wa.gov.au or by telephone 6364 7098 to determine if a clearing permit is required under the *EP Act*.

- ii. All operations must comply with the *Code of Practice for Timber Plantations in Western Australia (FIFWA 2014)*, with the following commitments:
 - Machinery shall not enter the waterway or its foreshore areas.
 - Maintain a minimum 6-metre non-planted buffer from the edge of the waterway, measured separately for each bank of the waterway. The buffer should be measured from the farthest of:
 - the outer edge of wetland vegetation, or
 - the two- to three-year average recurrence interval floodway, or
 - the high-water mark / bankfull level if no riparian vegetation exists.
 - Detailed measures must be implemented to protect the waterway during operations and harvesting, including the design and construction of creek crossings, in accordance with Sections 4.3 and 4.5.1.7 of the Code of Practice.
 - Pine wildlings must be managed within remnant vegetation areas over the life of the plantation.
 - The use of herbicides, pesticides, and other pest control methods shall comply with all relevant State policies, procedures, and approved usage.
 - Contact DWER's Bunbury Water Licensing Branch (9726 4111) to obtain a 'bed and banks' permit under the *RIWI Act* where any interference with the watercourse bed and banks occurs (e.g., for creek crossings).

- c. The applicant is advised that the approved development is located within/nearby Place ID No. 19795 contained on the Department of Planning, Lands and Heritage Aboriginal Cultural Heritage Inquiry System mapping. Approval may be required under the *Aboriginal Heritage Act 1972* prior to the development commencing. The *Aboriginal Heritage Act 1972* requires that any proposed activities that may impact Aboriginal sites must undergo an approval process. This includes notifying the Aboriginal Cultural Heritage Committee, which assesses the significance of the sites and recommends whether consent should be granted. The applicant is advised to contact the Department of Planning, Lands and Heritage (DPLH) at 08 6551 8002 or at AboriginalHeritage@dplh.wa.gov.au.

- d. The Department of Biodiversity, Conservation and Attractions have advised:
 - i. Prior to undertaking any fencing, the proponent should liaise with the DBCA Wellington District Manager at wellington@dbca.wa.gov.au to confirm any requirements or approvals that may apply.
 - ii. The proponent is advised to update the Forest Management Plan (FMP) to:
 - Remove references to Blackwood district contact details, ensuring only DBCA Wellington District contacts are listed.
 - Include liaison with DBCA Wellington District prior to undertaking any prescribed burning program to minimise potential fire spread to the adjacent national park.
 - Any harvest debris, including heaping or burning of vegetated material, shall be located a sufficient distance from the Preston National Park to minimise the risk of weed spread, fire, or scorch. The location and management of debris must be confirmed with DBCA Wellington District prior to any works.

- iii. The proponent should ensure that wildling pine monitoring and control is undertaken along the boundary with the national park at the same frequency as weed and pest monitoring, in accordance with the Forest Management Plan, to minimise the spread of pine wildlings into the park.

 - e. In relation to the existing dwelling proposed to be demolished, the applicant is advised that a Demolition Permit approval must be obtained from the Shire prior to the commencement of any demolition works. Any demolition, removal, or relocation of structures containing asbestos must be undertaken in accordance with the requirements of the *Health (Asbestos) Regulations 1992* by an appropriately licensed contractor.

 - f. The applicant is advised that Donnybrook–Boyup Brook Road is under the control of Main Roads WA. In relation to the proposed new crossover, Main Roads WA advises that vehicle sight lines must be considered in accordance with the relevant Restricted Access Vehicle (RAV) Guidelines. This includes providing a minimum sight distance of 250 metres to the west to ensure safe vehicle movements.

 - g. Applicant is advised that all rainwater tanks with a capacity greater than 5,000 L, including firefighting water tanks, require prior approval from the Shire through the issue of a Building Permit. Such tanks must also comply with the setback requirements specified under Local Planning Scheme No. 7 (LPS7).

 - h. If an 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.
- B** Notes that the concerns raised within the petition i.e. town’s safety, water security and rural aesthetic have been considered in the assessment of the development application.

Strategic Alignment

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

- Outcome:** 3 - The natural environment is well managed for the benefit of current and future generations.
6 - The built environment is responsibly planned and well maintained.
- Objective:** 3.1 - Care for the natural environment, including weed and pest management.
6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
- Item:** Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for a Pine Plantation on Lot 3711 and Lot 3734, as detailed in the application letter, Forest Management Plan, and Fire Management Plan (Attachments 9.1.2(1)–(3)).

A total of 14 public submissions and a petition with 17 signatures were received during the referral period. Submissions raised key concerns regarding bushfire risk, noting the plantation could create a high-fuel corridor threatening the Noggerup townsite, evacuation points, and nearby properties, compounded by narrow roads and limited firefighting resources. Other concerns included water security, environmental impacts (chemical use, reduced biodiversity, soil erosion, dust), traffic hazards, visual and rural amenity, and potential policy conflicts. In response, the applicant amended the proposal. Officers consider that the amended proposal, together with the recommended conditions and advice, adequately addresses the matters raised in public and agency submissions.

As the use of land for a Plantation is a permitted 'P' use within the General Agriculture zone, the application cannot be refused; however, conditions may be imposed to ensure compliance with Local Planning Scheme No. 7 (LPS7). Officers recommend that Council grant approval subject to conditions and advice consistent with previous plantation approvals and LPS7 requirements.

Background

Proposal

The applicant proposes to establish a *Pinus radiata* (softwood) plantation for future supply to domestic and international markets, primarily for timber house frames and related products. The combined area of Lot 3711 and Lot 3734 (refer Figure 1) is 224 hectares, with the proposed plantation covering 147 hectares. The remaining land will be retained as native vegetation (43 hectares), used for buffers and watercourses (9 hectares), firebreaks and tracks (24 hectares), and dams (1 hectare).

The plantation will be arranged into 14 cells, ranging in size from 1.3 to 16.3 hectares, as shown in Figure 2 (Development Application Plan). Plantation development activities, including mounding, spraying, planting, buffer establishment, and ongoing maintenance, are detailed in the Forest Management Plan ([Attachment 9.1.2\(2\)](#)). The property has been previously used for grazing, with existing dams and sheds to be retained. The dwelling on Lot 3711 is uninhabitable and will be demolished prior to the commencement of planting.

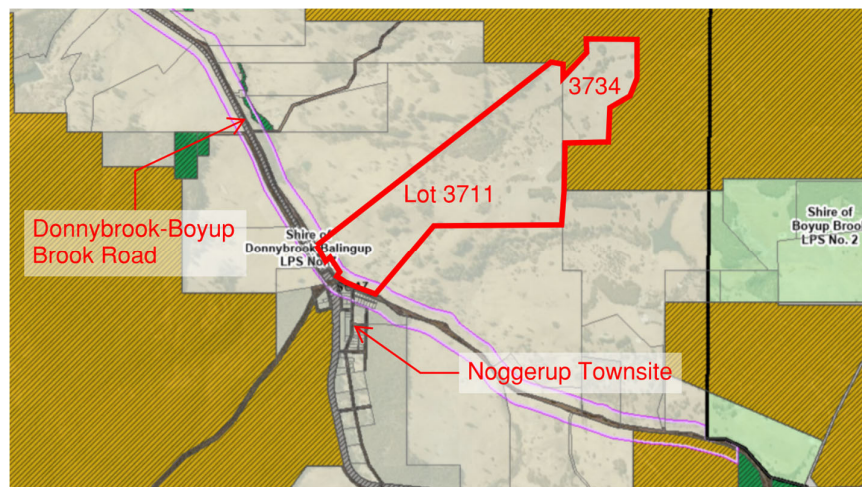


Figure 1 – Location Plan

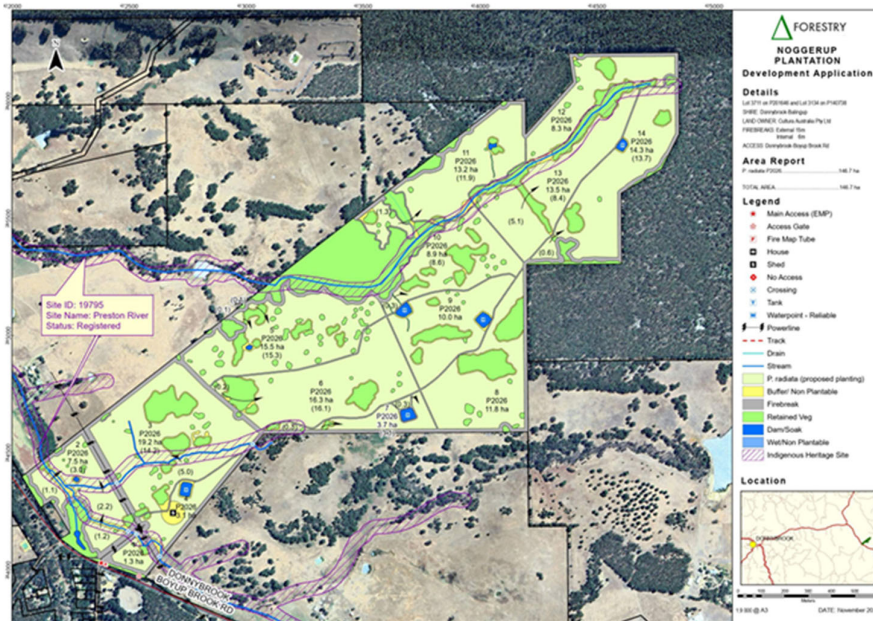


Figure 2 – Development Application Plan received with the application

As plantation forestry is a permitted use within the applicable zone, officers exercised discretion in undertaking consultation and limited referral to landowners considered most directly affected, which were considered to be those within 200m of the subject properties. A total of 14 public submissions were received during the consultation period. The proposal was also referred to relevant State agencies for comment, and all submissions and agency advice were subsequently provided to the applicant for consideration.

In addition to the public submission period a petition containing 17 signatures was separately presented to Council at its Ordinary meeting held 25 February 2026 where Council resolved the following:

*“COUNCIL RESOLUTION 3/02-26
That Council acknowledge the receipt of the petition.”*

The applicant acknowledges the concerns raised by the Noggerup community, particularly in relation to bushfire risk, and has proposed a modification to the plantation layout in response to the submissions. The amended design increases the setback of planting along the South Western Highway frontage, with planting now commencing north of the Preston River/waterway, as shown in Figure 3. This amendment is intended to create an additional exclusion zone and strategic firebreak between the plantation and the town of Noggerup, ensure planting occurs more than 100 m from the highway with further separation provided by the road reserve and waterway. This increases the separation distance to the Noggerup Hall to approximately 180 m, and removes plantation planting entirely from within Special Control Area 7 (SCA7) of LPS7 (illustrated by the purple outline in Figure 1).

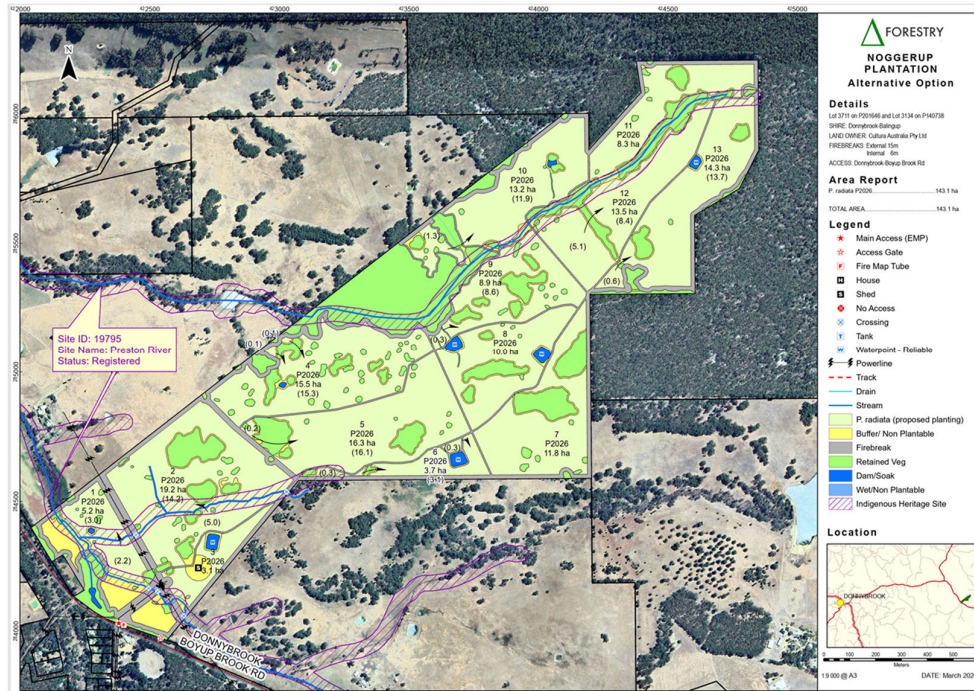


Figure 3 – Revised Development Application Plan received 5 March 2026

The applicant also advised that the plantation will incorporate active fire management practices, including compartmentalised planting, strategic firebreaks, pruning to maintain low-fuel zones and ongoing maintenance. The company is a member of the Forestry Industry Federation of Western Australia (FIFWA) and participates in cooperative fire management arrangements with agencies such as DFES and DBCA. In addition, the applicant has indicated a willingness to assist the local community with fire preparedness measures, including the provision of a fast-fill device and potential support for upgrades to the water tank at the Noggerup Hall. Overall, the key amendment to the proposal is the increased setback and relocation of planting away from the highway and town interface, creating a larger buffer area while maintaining the operational and fire management measures originally proposed.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Insignificant	Low (3)
Risk Description:	Sloped areas and drainage channels on the site are at risk of erosion and sediment mobilisation during heavy machinery operations, particularly during storm events, which could result in contaminants or sediment runoff entering the Preston River tributary, potentially impacting water quality and downstream ecosystems.		
Mitigation:	This risk can be mitigated by maintaining a strict 6-metre buffer from waterways and scheduling machinery operations during dry months.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Possible	High	High (10)

Risk Description:	Increased risk of bushfire threatening life and property due to high-density planting in proximity to the Noggerup community.
Mitigation:	Issue conditional development approval to ensure appropriate bushfire risk management measures are implemented and maintained. The applicant has modified their application and increased the separation distances between the front boundary (closest to the townsite) and the plantation area.

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant 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

See details in Cl.67 assessment ([Attachment 9.1.2\(6\)](#)).

Statutory Compliance

A petition comprising 17 signatories has been received. The petition was reviewed against the requirements for petitions under the *Local Government Act 1995*. While all signatories are electors of the Shire, the petition does not fully meet the prescribed requirements. In particular, the petition is not addressed to the Shire President and does not state the name of a person, and an address to notice the petitioners. As a result, there is no nominated contact person for correspondence in relation to the petition. Notwithstanding these matters, the petition has been accepted for consideration and the matters raised are addressed in this report.

The application has been assessed against the relevant provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7) and in accordance with Schedule 2, Part 9, Clause 67(2) of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. A full assessment is provided in [Attachment 9.1.2\(6\)](#).

The proposed plantation is a permitted land use within the General Agriculture zone under LPS7 and is generally consistent with the intent of the zone, which supports agricultural production and associated rural land uses. The proposal is considered compatible with the purpose and objectives of the General Agriculture zone.

The subject land is located within Special Control Area 7 (SCA7) – Road Protection Area, which aims to protect key travel routes, maintain the amenity and visual character of adjoining land, and apply special land use and development controls. In accordance with SCA7 requirements, the proposal was referred to Main Roads WA, as Donnybrook–Boyup Brook Road falls under their control. Their submission is discussed in the Consultation section of this report.

The Shire sought legal advice that confirms that due to the planation (initially) being located within a Special Control Area and required considerations of variations to development standards within LPS7,

development approval is required. As development approval is required, the application then becomes the subject of a full assessment, including consultation and all considerations identified within clause 67 of the Deemed Provisions ([Attachment 9.1.2\(6\)](#)).

Overall, staff consider that the application satisfies the requirements of orderly and proper planning and therefore recommend conditional retrospective approval of the proposal.

Consultation

Public Submissions and Petition

As plantation is a permitted use within the zone, officers exercised discretion under Clause 64(1)(c) of the Deemed Provisions to refer the application to owners of nearby properties who, in the opinion of the local government, may be affected by the granting of development approval. The application was referred to adjoining and nearby landowners within 200 m of the subject properties. No notice was placed on site, nor was the proposal advertised in local newspapers or on the Shire website. A total of 14 public submissions were received, along with a petition containing 17 signatures. Some submissions as well as the petition were received after the referral period had closed, but before the Officer Report had been finalised so have been considered in the assessment. The full set of public submissions is provided in [Attachment 9.1.2\(5\)](#).

Below is a thematic summary of the objections raised regarding the proposed Noggerup pine plantation:

Objection	Comment
<p>1. Bushfire and Fire Management Risks</p> <ul style="list-style-type: none"> Increased fire risk / fuel corridor: Multiple submissions highlight that the plantation would create a high-fuel corridor linking state forests north and south of Noggerup, directly threatening the town, evacuation points (Noggerup Hall), homes, farms, and local infrastructure. Pine plantations are noted as highly flammable (“gasoline trees”), with intense heat generation and rapid fire spread. Emergency access constraints: Narrow, single-lane roads (Macquarie Street, Hundley Road), limit evacuation and firefighting access. The main highway is the only practical exit and may become congested during emergencies. Volunteer fire brigade capacity: Local volunteer brigades have limited water 	<p>The Shire sought advice from the Department of Fire and Emergency Services (DFES) in relation to the concerns raised by the community. DFES confirmed that its advice considered both State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) and the Plantation Fire Protection Guidelines (2011). DFES noted that, as no habitable buildings are proposed within the development area, SPP 3.7 is not triggered. DFES recommended that the proposal consider additional public road access and ensure certainty of a permanent firefighting water supply. Furthermore, DFES advised that the applicant comply with the relevant measures outlined in the Plantation Fire Protection Guidelines.</p> <p>In response, the applicant has modified the plantation layout to address community concerns, increasing setbacks along the Donnybrook-Boyup Brook Road frontage, commencing planting north of the Preston River/waterway, creating an additional exclusion</p>

Objection	Comment
<p>and appliance resources. Internal plantation access (rip and mound establishment) may hinder firefighting response.</p> <ul style="list-style-type: none"> • Safe zones compromised: Planting close to the Noggerup Hall and evacuation areas could make them unsafe during a fire. • Regional fire behaviour concerns: The proposed plantation may exacerbate fire spread beyond the site, increasing risk to neighboring communities (Dwellingup and Yarloop referenced as examples). • Recommendations from residents: Greater setbacks from town and roads, on-site firefighting equipment, large water tanks outside burnable areas, and consultation with the local BFB on fire management. 	<p>zone and strategic firebreak, ensuring planting is more than 100 m from the highway, increasing the separation to Noggerup Hall to approximately 180 m. The applicant has also committed to active fire management measures, including compartmentalised planting, strategic firebreaks, pruning, and ongoing maintenance, and participates in cooperative fire management through FIFWA with DFES and DBCA.</p> <p>Officers consider that the amended setbacks, buffer zones, and the applicant’s compliance with DFES recommendations, including installation of a 50,000-litre water tank, adequately address the bushfire and fire management concerns raised by the community. It is also important to note that the Noggerup Hall is not listed as an evacuation area in the event of a bushfire.</p>
<p>2. Water Security and Management</p> <ul style="list-style-type: none"> • Groundwater depletion: Pine trees have high water requirements; concern that 147 hectares of <i>Pinus radiata</i> will act as “biological pumps,” lowering the water table relied on by residents and for fire suppression. • Catchment and bore impacts: Location at the headwaters of the Preston River raises concerns about aquifer depletion and reduced water availability for human, agricultural, and firefighting needs. • Stormwater / runoff concerns: Steep slopes may increase erosion and sediment transport to the Preston River, with potential downstream impacts on water quality. 	<p>The regulation and management of groundwater resources, aquifer allocation and water licensing fall under the jurisdiction of the Department of Water and Environmental Regulation (DWER) pursuant to the <i>Rights in Water and Irrigation Act 1914 (RIWI Act)</i>. Any abstraction of groundwater (for example, through licensed bores) requires approval under this legislation, and DWER is responsible for managing water resources at a catchment scale to ensure sustainable allocation. The proposal itself does not involve the direct abstraction of groundwater and therefore does not trigger a water licensing requirement.</p> <p>In relation to the site’s location within the headwaters of the Preston River catchment, DWER has provided advice regarding waterway protection. This includes the maintenance of minimum buffer setbacks to waterways, management of erosion and sediment during establishment and harvesting, and appropriate design and approval of any creek crossings.</p> <p>With respect to stormwater and runoff from steeper slopes, erosion and sediment control measures are addressed through the Code of</p>

Objection	Comment
	Practice and standard agricultural land management practices. A condition is included in the Executive Recommendation.
<p>3. Chemical Management and Environmental Impacts</p> <ul style="list-style-type: none"> • Herbicides and pesticides: Use of atrazine, hexazinone, and alpha-cypermethrin poses risks to aquatic ecosystems, groundwater, soil health, and non-target flora and fauna. Persistence in the environment may last decades. • Environmental degradation: Dense monoculture plantations may reduce biodiversity, displace native species, acidify soils, and degrade riparian and riverine ecosystems. • Erosion and dust: Site preparation and exposure to strong winds may cause soil erosion, dust, and air quality concerns. 	<p>The Department of Water and Environmental Regulation (DWER) has provided advice regarding the protection of waterways, particularly in relation to chemical runoff, ground disturbance, and impacts to riparian zones. These matters are addressed through compliance with the <i>Code of Practice for Timber Plantations in Western Australia (2014)</i>, which requires appropriate buffer setbacks to waterways, restrictions on machinery within foreshore areas, implementation of risk mitigation measures during establishment and harvesting, and chemical application in accordance with State policies and procedures. The Code also includes measures to manage erosion, sediment movement and plantation impacts on surrounding vegetation.</p> <p>In addition, the use of agricultural chemicals in Western Australia is regulated under separate State and Commonwealth legislation, including requirements relating to registration, approved uses, and application rates. Any interference with proclaimed watercourses (including creek crossings) is regulated under the <i>Rights in Water and Irrigation Act 1914 (RIWI Act)</i> and requires separate approval from DWER.</p> <p>Environmental matters raised are capable of being appropriately managed through compliance with the applicable Code of Practice and conditions of approval.</p>
<p>4. Proximity to Townsite and Community Safety</p> <ul style="list-style-type: none"> • Close location to Noggerup townsite: Several objections note that the plantation is immediately opposite the town centre, near homes, farms, and the emergency assembly point (Noggerup Hall). • Inadequate setbacks: Concerns that current setbacks from roads and the Hall are insufficient to protect residents, infrastructure, and evacuation routes. 	<p>As noted in item 1, Noggerup Hall is not an emergency assembly point or nominated evacuation point in the event of a bushfire within the Shire.</p> <p>In response to community concerns, the applicant has revised their application to create a 100m separation from the boundary opposite the Noggerup townsite to planted areas.</p> <p>Main Roads has advised that the proposed plantation access is not supported due to substandard vehicle sight lines at the existing crossover and it is recommended that an alternative access location be investigated that</p>

Objection	Comment
<ul style="list-style-type: none"> Traffic hazards: Plantation access off a high-speed highway could create risks for firefighting vehicles, residents evacuating, and general road users. 	<p>satisfies the required sight line standards before works proceeds. Traffic hazards have been addressed as a condition within the Executive Recommendation.</p>
<p>5. Visual and Rural Amenity</p> <ul style="list-style-type: none"> Loss of scenic character: Dense pine rows would replace open pastures, block scenic views from Donnybrook–Boyup Brook Road, and negatively affect tourism and rural character. Noise and disturbance: Plantation establishment, maintenance, and harvesting may generate ongoing dust, noise, and other disruptions to nearby residences. Impact on farming and local economy: Replacing productive grazing land with a “set and forget” monoculture diminishes local economic and agricultural value. 	<p>The subject land is located within Special Control Area 7 (SCA7) – Road Protection Area. One of the objectives of SCA7 is to maintain the amenity and visual character of adjacent land and to apply special land use and development controls to achieve these outcomes. However, in response to community comments, the applicant has lodged an amended development plan, which removes any plantings from within SCA7. This results in the revised plantation being visually buffered by existing vegetation along the river corridor, with planting on the opposite side of the river which is considered to minimise visual impacts on surrounding properties and road users.</p> <p>In relation to potential dust and noise impacts, such effects are generally associated with agricultural activities, including plantation establishment and harvesting. The locality is zoned General Agriculture, and it is reasonable to expect that agricultural operations may generate intermittent noise, dust and disturbance. Exemptions from compliance with the noise regulations apply for farm vehicles on rural premises so residents within Noggerup should anticipate and accept impacts consistent with lawful agricultural land uses.</p> <p>With respect to the impact on farming and the local economy, a plantation use is a permitted ‘P’ use within the General Agriculture zone under LPS7. The proposal does not remove the land from agricultural production, as plantation forestry is recognised as an agricultural activity.</p>
<p>6. Strategic Planning and Policy Concerns</p> <ul style="list-style-type: none"> Conflict with local planning framework: Objections cite Local Planning Policy LPP 9.3, the Local Planning Strategy, and State Planning Policy 3.7 (SPP3.7) regarding bushfire safety, townsite 	<p>The amended plantation proposal achieves a 100m setback from the lot boundary achieving recommended buffers from habitable buildings. There are no habitable buildings within the development area, as confirmed by DFES the proposal does not trigger SPP 3.7 requirements for hazard separation.</p>

Objection	Comment
<p>protection, watercourse protection, and scenic amenity.</p> <ul style="list-style-type: none"> • Precautionary principle: Residents urge the Shire to consider cumulative, landscape-scale risks rather than site-specific mitigation, and to prioritise community safety over commercial interests. 	<p>Setback and buffer requirements have been incorporated into the development conditions to manage visual impacts, prevent the spread of pine wildlings, and provide a fire management buffer.</p> <p>Landscape-scale risks have been considered with recommendations addressing access, firebreaks, and permanent water supply for firefighting.</p>

Consultation with Government/Service Agencies

The proposal was referred to the Department of Primary Industries and Regional Development (DPIRD), Department of Biodiversity, Conservation and Attractions (DBCA), Department of Fire and Emergency Services (DFES), Public Transport Authority (PTA), Main Roads WA, Department of Planning Lands and Heritage (DPLH), and Department of Water and Environmental Regulation (DWER) for comment. Not all agencies responded. Submissions were received only on the initial proposal and are contained in ([Attachment 9.1.2\(4\)](#)) and summarized below:

Submission	Comment
Department of Primary Industries and Regional Development (DPIRD)	
The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed Pine Plantation at the abovementioned lots.	No objection noted.
Department of Water and Environmental Regulation (DWER)	
<p>The Department has identified that the proposal has the potential for impact on the environment and water resource values management. Key issues and recommendations are provided below, and these matters should be addressed:</p> <p>Issue 1: Native vegetation</p> <p>Advice 1: An advice note be included that the clearing of native vegetation is subject to the <i>Environmental Protection Act 1986</i> (EP Act), and in the event any clearing of native vegetation is proposed, to contact the Department’s Native Vegetation Regulation section by email admin.nvp@dwer.wa.gov.au or by telephone 6364 7098 to determine if a clearing permit is required under the EP Act.</p>	An advice note is included in the Executive Recommendation.

Submission	Comment
<p>Discussion 1: The Department notes that based on the information provided, this proposal avoids the clearing of native vegetation by locating the plantation outside of the remnant stands (Screenshot 2). In the unlikely event there is to be any clearing of native vegetation, the following is advised:</p> <ul style="list-style-type: none"> ○ Under section 51C of the EP Act, clearing of native vegetation is an offence unless: <ul style="list-style-type: none"> ● it is undertaken under the authority of a clearing permit, ● it is done after the person has received notice under Section 51DA (5) that a clearing permit is not required, ● the clearing is subject to an exemption. ○ Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the <i>'Environmental Protection (Clearing of Native Vegetation) Regulations 2004'</i> (the Clearing Regulations). 	
<p>Issue 2: Waterway protection</p> <p>Advice 2: The proponent is advised to:</p> <ul style="list-style-type: none"> ○ abide by the Code of Practice for Timber Plantations in Western Australia (FIFWA 2014) to the satisfaction of the Shire with the following commitments: 	<p>An advice note is included in the Executive Recommendation.</p>

Submission	Comment
<ul style="list-style-type: none"> • Machinery should not enter the waterways or their foreshore areas • To maintain a minimum 6-metre non-planted buffer to the edge of the waterway, as measured separately for each bank of the waterway¹: <ul style="list-style-type: none"> ○ outwards from either the outer edge of wetland vegetation, ○ the two- to three- year average recurrence interval floodway or ○ the high-water mark/bankfull level (if there is no riparian vegetation) • Risk mitigation measures to protect the waterway be detailed for the operations/harvesting, and design and construction of the creek crossings as per Sections 4.3 and 4.5.1.7 of the Code of Practice (Screenshot 3 & 4) • Pine wildlings are controlled within remnant vegetation areas over the life of the plantation • Use of chemicals, such as herbicides and pesticides, and other pest control methods in plantation operations will be in accordance with State policies, procedures and approved usage. <p>○ contact DWER’s Bunbury water licensing branch on 97264111 for a ‘band and banks’ permit under the RIWI Act in the event there is any interference with the bed and banks of the watercourse – such as for the creek crossings.</p> <p>Discussion 2: The proponent has stated that “the buffers and setbacks set out in our Plan are designed to minimise the risk of any potential offsite movement, especially to the local waterways”, but the Forest Management Plan lacks detail on how the waterways are to be protected</p>	

Submission	Comment
<p>from the site operations. The use of herbicides and pesticides can adversely affect water quality, as rainfall can carry chemical residues into the waterway via sheet flow in large storm events. Heavy machinery can negatively impact waterways and their riparian zones resulting in ground disturbance, erosion, and sediment mobilisation. There is little detail provided regarding waterway crossings (Screenshot 2). As such, the above is advised, consistent with the Code of Practices for Timber Plantations in Western Australia. The Department also notes that the watercourses on the subject lots are shown on our GIS to be proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> (RIWI Act) – Preston River and Tributaries.</p> <p>¹ as per 'Operational policy 4.3: Identifying and establishing waterways foreshore areas' (by the then DoW, now DWER), Sept 2012.</p>	
<p>Issue 3: Aboriginal heritage site</p> <p>Advice 3: The proponent is advised to consult the Department of Planning, Lands and Heritage (DPLH) in regard to the Aboriginal heritage site (Blackwood River).</p> <p>Discussion 3: DWER notes there is an aboriginal heritage site over the waterway as shown in Screenshot 2</p>	<p>An advice note is included in the Executive Recommendation.</p>
<p>Public Transport Authority (PTA)</p>	
<p>Conditions</p> <ol style="list-style-type: none"> 1. Six months prior to harvesting activities, a Timber Harvesting Plan is to be submitted and reviewed by the Public Transport Authority. <p>Advice</p> <ol style="list-style-type: none"> a. The Timber Harvesting Plan should include information regarding traffic management 	<p>A condition is included in the Executive Recommendation.</p>

Submission	Comment
measures in the event of the re-opening of the Donnybrook-Boyup Brook Railway.	
Department of Biodiversity, Conservation and Attractions (DBCA)	
<p>Lot 3734, and a portion of the Lot 3711 boundaries, adjoin the Preston National Park, which is managed by DBCA. There should be no direct or indirect impacts, including surface water run-off, drainage, erosion, pollution and/or weed spread from the proposed pine plantation to the adjacent national park.</p> <p>Vegetation clearing</p> <p>Lots 3734 and 3711 contain vegetation considered suitable habitat for black cockatoos and western ringtail possums (WRP) which are listed as a threatened species under the <i>BC Act</i>. Other species of conservation significance likely to be within the area include the quenda, south-western brush tailed phascogale and quoll.</p> <p>If clearing of native vegetation is required, the proponent should be aware of their obligations and approval requirements under section 40 of the BC Act, which requires Ministerial authorisation to take or disturb threatened species. DBCA recommends that when vegetation clearing or pruning is required, the proponent should seek advice from DBCA's Species and Communities branch at speciesandcommunities@dbca.wa.gov.au prior to clearing works, in relation of section 40 authorisation requirements.</p> <p>If vegetation clearing is required, the proponent should seek advice from the Department of Water and Environmental Regulation (DWER) in relation to clearing permit requirements.</p>	<p>DWER is the determining authority for native vegetation clearing permits. An advice note consistent with DWER's requirements has been included in the Executive Recommendation.</p>
<p>Forest Management Plan</p> <p>The Forestry Forest Management Plan (undated) (FOMP) Section 8 – Standard Prescriptions table –</p>	<p>Advice notes regarding fencing and wildling control has been included in the Executive Recommendation.</p>

Submission	Comment
<p>refers to the maintenance of external fencing. The proponent should liaise with the DBCA Wellington District Manager (wellington@dbca.wa.gov.au) prior to any fencing construction works being undertaken to check whether there are any DBCA requirements.</p> <p>FOMP Section 10 Silviculture and Management Regime – Management Schedule table -Monitoring refers to monitoring weekly and at least quarterly thereafter for weeds, pests and other activities. The FOMP Monitoring table also refers to wildling control being undertaken as required. DBCA recommends that wildling monitoring and management be undertaken adjacent to the national park boundary as often as the proposed weed and pest monitoring, to minimise the spread of pine-wildlings spreading into the national park.</p>	
<p>Fire Management Plan</p> <p>The Forestry Fire Management Plan (undated) (FMP) Section 7 – Internal Access - refers to piping and/or hard surfacing material being applied to watercourse crossover points. DBCA recommends the proponent seek advice from DWER regarding permits to Interfere with the Bed or Banks of a Watercourse, prior to any development near watercourses.</p> <p>FMP Section 8 – Plantation Species and Design – includes a table indicating plantation design setbacks with a 15-metre setback to lot boundaries being proposed. DBCA’s preference is for a 20-metre lot boundary setback between planted areas and the adjacent national park to minimise pine wildling and weed spread into the national park and an increased fire management buffer between the plantation and DBCA-managed land.</p> <p>FMP Section 8 Plantation Species and Design table refers to a 6-metre minimum setback to retained</p>	<p>Advice from DBCA has been considered, and the following measures will be implemented within the Executive Recommendation:</p> <ul style="list-style-type: none"> • Advice from DWER regarding permits to interfere with the bed or banks of watercourses has already been included. • A condition requires a 20-metre setback from the plantation to DBCA-managed land, increasing the proposed 15-metre setback to reduce the risk of pine wildling spread and improve fire management buffers. • A condition requires that plantation buffers extend to beyond the tree crown drip line rather than the 6-metre setback proposed in the FMP, protecting retained vegetation from vehicle damage and soil compaction. • The FMP to be amended to remove reference to the Blackwood district contact details, and to ensure the

Submission	Comment
<p>remnant vegetation. The FMP Noggerup Plantation Development Application map (Plantation map) depicts the location of buffers between native vegetation and planted areas. DBCA recommends that the buffer to retained native vegetation be outside the tree crown drip zone, consisting of suitable demarcation materials to protect the retained native vegetation and tree roots, from accidental vehicle damage and soil compaction.</p> <p>FMP Section 13 Fire Contact Information – the key contact information includes both DBCA Wellington and Blackwood district contact numbers. Lots 3711 and 3734 are located entirely within the DBCA Wellington district and it is recommended that the Blackwood district contact details are removed.</p> <p>FMP Section 18 Fuel Reduction Considerations – refers to fuel reduction in the form of prescribed burning. DBCA recommends the proponent liaise with the DBCA Wellington district prior to any proposed prescribed burning program being undertaken to minimise potential fire spread to the adjacent national park.</p> <p>FMP Section 19 refers to harvest debris being treated or removed. Harvest debris heaping or burning of vegetated debris should be located a sufficient distance from the National Park to protect the DBCA-managed bushland from the spread of weeds, scorch or initiation of bushfire. The proponent should liaise with the DBCA Wellington District regarding the location of heaps and fire protection measures in areas adjacent to the national park.</p>	<p>applicant liaises with the DBCA Wellington District prior to any prescribed burning program.</p> <ul style="list-style-type: none"> The applicant must liaise with the DBCA Wellington District regarding the location and management of harvest debris heaps and fire protection measures adjacent to the national park to minimise risk of fire, scorch, or weed spread. <p>These measures ensure that the FMP aligns with DBCA recommendations and minimises impacts to the adjacent Preston National Park.</p>
<p>Phytophthora Dieback Disease The adjacent national park is a gazetted Disease Risk Area (DRA). A DRA is managed to ensure that there is minimal risk from activities that may</p>	<p>A condition is included in the Executive Recommendation.</p>

Submission	Comment
<p>introduce or spread Phytophthora dieback. It is important that any development works within Lots 3711 and 3734 do not significantly increase the potential for the spread of dieback to the adjacent national park. DBCA recommends the proposal be subject to dieback management measures to minimise the threat of disease spread to the adjacent national park.</p>	
Main Roads WA	
<p>Main Roads does not support the proposed plantation, given that vehicle sight lines are substandard at the existing access location, as discussed below. Existing sight distances from the crossover to the west are approx. 150m, which is well below the recommended RAV Guideline of 250 metres. It is recommended that an alternative crossover be investigated which meets the above sight line requirement and that a revised access proposal be submitted for consideration.</p>	<p>A condition is included in the Executive Recommendation.</p>
Department of Planning Lands and Heritage (DPLH)	
<p>A review of the Register of Places and Objects (Register) concludes that the proposed activity area intersects with the boundary of Registered Aboriginal site Preston River (ID 19795). Therefore, based on the current information held by the Department, approval under the <i>Aboriginal Heritage Act 1972 (AHA)</i> is required for any works within the boundary of the above site that may impact or harm Aboriginal heritage. More information about approvals can be found at Aboriginal Heritage Approvals. Please note, because this development application facilitates future development of the land, future works proponents must seek advice from DPLH before commencing any physical work on the land. The proposed activity area may not have been comprehensively surveyed, so there may be unrecorded Aboriginal heritage in the area. The AHA protects all Aboriginal sites in Western Australia, regardless of their presence on the Register or not. Should a person become aware of unreported Aboriginal heritage while undertaking an activity or project, they are required to report it to the Department. The public <i>Aboriginal Cultural Heritage Inquiry System (ACHIS)</i> is updated as new</p>	<p>An advice note is included in the Executive Recommendation.</p>

Submission	Comment
<p>information about Aboriginal heritage is recorded. The Department recommends regularly checking ACHIS in case any new information is reported within the proposed activity area. Search tips and user guides can be accessed at <i>Find Aboriginal cultural heritage in WA</i>. Further information can be found at <i>Aboriginal Heritage Act in Western Australia</i>.</p>	
Department of Fire and Emergency Services	
<p>Fire Management Plans - 3(b) - Local Fire Agency contact It is recommended that this section be placed at the beginning of the FMP to ensure quick and easy access in the event of an emergency.</p>	A condition has been included in the Executive Recommendation.
<p>Fire Management Plans - 3(g), (h), (i) – Maps Where feasible, a georeferenced map of the site should be included in the FMP to enable emergency services to readily identify the precise location of the property, access points, water supply points, assembly areas and other critical infrastructure. The inclusion of a QR code linking to the map is also recommended.</p>	A condition has been included in the Executive Recommendation.
<p>Plantation Fire Protection Specifications 4.2 - Fire Breaks and Access There appears to be an opportunity to provide more than one access and egress point to a public road. As the development site is located partially within a bushfire prone area, DFES recommends that an additional access and egress point to the public road be provided to support bushfire management and emergency evacuation and response.</p>	A condition has been included in the Executive Recommendation, noting that any additional crossovers onto a Main Roads controlled road will require prior Main Roads consideration.
<p>Plantation Fire Protection Specifications 4.3 - Water Supplies The FMP states that the property has five reliable water points with a combined estimated capacity of 3,000 kilolitres, which are labelled with 'W' on the plantation map. In addition, there are two water tanks at the rear of the existing shed with a combined capacity of 25,000 litres. The FMP further states that in the event the water point becomes unreliable, a 50,000 litre tank with 50 millimetre and 80 millimetre camlock fittings will be installed for firefighting purpose. It is noted that the definition of 'reliable' has not</p>	A condition has been included in the Executive Recommendation.

Submission	Comment
<p>been provided. The use of a dam as a water source would not be supported as ‘reliable’ unless the proposal is accompanied by a hydrology report which demonstrates that the water level would be maintained above the highest fire brigade suction points in perpetuity.</p> <p>In the absence of such a hydrology report, DFES recommends that the proposed 50,000 litre firefighting water tank be required to provide a permanently available water supply for initial use during fire response.</p>	
<p>Thank you for your email dated 3 March 2026 seeking DFES’ further comments on the abovementioned development application. DFES’ advice in letter dated 27 February 2026 has considered both State Planning Policy 3.7 Bushfire (SPP 3.7) and the FESA Guidelines for Plantation Fire Protection 2011 (Plantation Guidelines). As the development application does not involve habitable buildings, it appears that the application of SPP 3.7 is not triggered, in accordance with section 4 of and the Figure in SPP3.7. If the Shire believes that SPP 3.7 should apply, then a Bushfire Management Plan should be provided to address SPP 3.7, in accordance with policy measure 7.1 ii. DFES’ assessment comments on the proposal against the Plantation Guidelines have been included in our response letter. An additional public road access and greater certainty on permanent firefighting water supply have been recommended for the Shire’s consideration. On the basis of the above, DFES has no further comments to add in this instance.</p>	<p>Further clarification from DFES is noted.</p>

Officer Comment

1. Planning Framework and Land Use

- Plantation is a permitted (“P”) use within the General Agriculture zone and aligns with the zone’s objectives of supporting agricultural production and sustainable land management.
- Submissions highlighted potential conflicts with Local Planning Policy LPP 9.3, the Local Planning Strategy, and SPP 3.7 relating to bushfire risk, townsite protection, watercourse protection, and scenic amenity.
- Officers note that the amended proposal includes a 100 m setback from the lot boundary abutting Donnybrook-Boyup Brook Road, and appropriate boundary setbacks elsewhere (20 m from State Forest(DBCA-managed land), 15 m from other

boundaries), which mitigate risks to the community, infrastructure, and scenic amenity.

2. Bushfire Risk and Fire Management

- Bushfire concerns were the most prominent issue in submissions, including fuel corridors, emergency access, and volunteer fire brigade capacity.
- The applicant has modified the plantation layout to include:
 - Increased road and townsite setbacks,
 - Installation of a 50,000 L dedicated firefighting water tank.
- DFES has reviewed the Fire Management Plan and Forest Management Plan, confirming that SPP 3.7 is not triggered (as no habitable buildings are proposed). DFES recommended additional access and permanent water supply, both of which are incorporated through conditions.

3. Water Resources and Environmental Management

- Submissions raised concerns regarding groundwater use, catchment impacts, and waterway protection.
- The proposal does not involve direct groundwater abstraction; any future water use is subject to DWER licensing under the RIWI Act.
- Minimum 6 m waterway buffers are incorporated, along with measures to manage erosion, sediment, and chemical use during establishment and harvesting.
- DBCA recommendations regarding vegetation retention, wildling control, and riparian protection are incorporated into conditions.

4. Community Safety and Townsite Proximity

- Concerns about proximity to Noggerup and emergency assembly points have been addressed through increased setbacks, additional firebreaks, and internal plantation design. It is also important to note that the Noggerup Hall is not a recognised emergency assembly area in the event of a bushfire in the Shire.
- Access to Donnybrook–Boyup Brook Road requires relocation to meet Main Roads WA sight distance standards. Conditions require investigation of alternative access locations.

5. Visual and Rural Amenity

- Planting within Special Control Area 7 (SCA7) – Road Protection Area has been removed from the proposal to maintain visual character and scenic amenity along Donnybrook–Boyup Brook Road.

6. Heritage and Cultural Considerations

- The proposed activity intersects with a registered Aboriginal site (Preston River, ID 19795). The applicant must comply with the *Aboriginal Heritage Act 1972*, and any future works must be coordinated with DPLH to prevent impact to Aboriginal heritage values.

- Advice notes regarding heritage, dieback management, and Aboriginal site consultation are included in the Executive Recommendation.

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.*

Conclusion

The proposal has been assessed against the relevant provisions of the Shire of Donnybrook–Balingup Local Planning Scheme No. 7, the objectives of the General Agriculture zone, State and local planning policies, and advice from government agencies and internal Shire service divisions. Public submissions and potential impacts on bushfire risk, water resources, visual amenity, and community safety have been carefully considered. Officers consider that, with the recommended conditions, the amended proposal is consistent with the orderly and proper planning of the locality and the objectives of the zone. Accordingly, approval of the application subject to conditions is recommended.

Cr MacCarthy moved a motion to defer making a decision on item 9.1.2.

COUNCIL RESOLUTION:	36/03-26	
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Tyler Hall

That Council:

- 1. Defer making a decision on item 9.1.2, for further advice to be provided to the Shire of Donnybrook Balingup, concerning the following:**
 - a. How the proposed plantation will impact the groundwater resource relied upon by the Noggerup townsite**
- 2. Note the following reason for deferral:**
 - 2.1. The Council considered there was insufficient information provided to determine the application and that opportunity should be provided to address the matters outlined above.**
- 3. Request the Chief Executive Officer to bring a report back to Council by May OCM for consideration.**

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr Purich
Against: Cr McNab, Cr Patrick
Carried: 5/2

9.1.3 Proposed Upper Capel Station

Report Details:

Prepared by: Community Emergency Services Manager

Manager: Ross Marshall, Director Operations

Applicant: Upper Capel Bush Fire Brigade

File Reference: FRC 10L **Voting Requirement:** Simple Majority

Attachment(s):

- 9.1.3(1) Letter from Upper Capel BFB requesting consideration for a new facility
- 9.1.3(2) Map depicting Upper Capel brigade area, old facility and proposed new facility
- 9.1.3(3) Preliminary design for new facility, based on the Wandillup Bush Fire Brigade Station in the Shire of Bridgetown Greenbushes

Executive Recommendation

That Council:

1. **Supports the application to the Department of Fire and Emergency Services for funding for a 1 bay facility for Upper Capel Bush Fire Brigade.**
2. **Provides in principle support for site works should the application to the Department of Fire and Emergency Services for a new facility be successful.**
3. **Endorses the disposal of the existing Upper Capel Bush Fire Brigade facility in accordance with the *Local Government Act 1995* and remove from the Shires assets.**

Strategic Alignment

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

- Outcome:** 3 - The natural environment is well managed for the benefit of current and future generations.
- Objective:** 3.2 - Develop community readiness to cope with natural disasters and emergencies.
- Item:** 3.2.4 - Provide support for emergency services volunteers.

Executive Summary

The current Upper Capel Bush Fire Brigade Facility is now considered to be no longer be fit-for-purpose.

Shire Officers seek Council's support to make application for funding from the Department of Fire and Emergency Services for an improved facility at a more suitable location, and Council's in principle support for future site works costs.

It is also requested that Council support the disposal of the existing Upper Capel Bush Fire Brigade facility.

Background

In 2025, Upper Capel Bush Fire Brigade wrote to the Shire of Donnybrook Balingup and requested that the Shire consider facilitating a new station for the brigade, outlining the following concerns:

Location

The current Upper Capel Bush Fire Brigade Facility is located near the intersection of Vernon Road and Goodwood Road, approximately 2km from the Shire of Capel Boundary. This current location has been considered conducive to the timely response to bushfire on Local Government-managed land within the Upper Capel brigade area. The current facility is predominantly surrounded by Department of Biodiversity and Conservation Attractions-managed tenure, for which Local Government is not responsible for primary response to fire.

Amenities

The current facility also lacks the following amenities, which pose a health and safety risk to the volunteers at Upper Capel Bush Fire Brigade:

- No mains power
- No running water
- No ablutions or hygiene facilities
- No change rooms

These factors are believed to have impacted the brigade’s ability to attract and retain members as coordinating training has proven to be challenging in these conditions.

Space

The current facility is a basic 6x6 metre garage that is no longer large enough to house the brigade appliance (1.4), which was replaced and upgraded by DFES in 2025. The appliance is currently housed on private property, which poses numerous security and accessibility risks.

Through consultation with the brigade’s leadership, a suitable location for a new facility has been identified on Pearls Road along with a fit-for-purpose design that would better suit the brigade’s requirements and is strategically placed closer to the greater membership for the brigade.

Funding for new facilities can be applied for through the Department of Fire and Emergency Services’ (DFES) Local Government Grants Scheme (LGGS), however, funding for site works are ineligible through this grant. It is requested that Council provide in principle support for the costs of this ineligible expenditure.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Possible	Moderate	Moderate (9)
Risk Description:	Theft of existing appliance or associated equipment from current private property housing address		
Mitigation:	Construct a fit-for-purpose facility on Shire-managed/owned land		

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Minor	Low (4)
Risk Description:	Shire continues to house its asset (1.4 appliance) on private property		
Mitigation:	Provide suitable location to house the asset		

Financial Implications

Future Budget consideration for earthworks, estimated to be approximately \$80,000 - \$100,000 based on costing for current construction projects. The forecast costs will be accounted for in the 2027/2028 budget period.

Policy Compliance

Nil

Statutory Compliance

Local Government Act 1995

Disposal of the existing Upper Capel Bush Fire Brigade facility in accordance with “3.58 Disposing of Property”.

Consultation

Consultation has taken place with the leadership group of Upper Capel Bush Fire Brigade, who have agreed on a location and preliminary design.

Consultation was carried out at the October BFAC Meeting as a discussion item.

Should funding for this project be approved, further consultation with neighboring landholders will take place.

Officer Comment

The Current Upper Capel Bush Fire Brigade facility is ageing, in a poor location for effective bushfire response, lacks basic amenities, and is not large enough to accommodate the brigade’s firefighting appliance. Support for a more contemporary facility in an improved location is requested.

COUNCIL RESOLUTION:	37/03-26		
MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr Grant Patrick

That Council:

1. Supports the application to the Department of Fire and Emergency Services for funding for a 1 bay facility for Upper Capel Bush Fire Brigade.
2. Provides in principle support for site works should the application to the Department of Fire and Emergency Services for a new facility be successful.
3. Endorses the disposal of the existing Upper Capel Bush Fire Brigade facility in accordance with the *Local Government Act 1995* and remove from the Shires assets.

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

Against: Nil.

Carried: 7/0 by en-bloc resolution 28/03-26

9.1.4. Living Arrangements for Homeless

Report Details:

Prepared by:	Manager Development Services		
Manager:	Director Operations		
Location:	Shire of Donnybrook Balingup		
File Reference:	Monarch-2055293383-1654	Voting Requirement:	Simple Majority
Attachment(s):			
9.1.4(1)	Petition		

Executive Recommendation

That Council:

- 1. Inform the South West Catholic Diocesan Social Justice Committee that the Shire doesn't currently have sufficient data from those with lived experience of homelessness and those agencies working with the homeless to identify or fund a placed based solution.**
- 2. Invites the South West Catholic Diocesan Social Justice Committee to utilise a Shire meeting venue to facilitate a joint meeting with relevant support agencies to identify a placed based solution.**
- 3. Invites the South West Catholic Diocesan Social Justice Committee to identify land within its own ownership or Crown Land that may be capable of supporting facilities as those contemplated by their identified placed based solution for further Council consideration.**
- 4. Will continue to enable relevant Shire staff to work collaboratively with agencies and community groups to link at risk individuals with relevant local support.**

Strategic Alignment

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

- Outcome:** 2 - A safe and healthy community.
- Objective:** 2.1 - Improve access to facilities and services to support community health and wellbeing.

Executive Summary

Council is requested to consider responding to the recent petition, lodged by the South West Catholic Diocesan Social Justice Committee (the Committee) requesting construction of facilities for the homeless. As the Shire is not aware of the extent of homelessness as well as those at risk of homelessness within the Shire, it is difficult to identify a placed based solution. It is therefore recommended that Council support the Committee to obtain more information.

Background

A petition was received on 20 February 2026 ([Attachment 9.1.4\(1\)](#)) requesting that the Chief Executive Officer, President and Council of the Shire of Donnybrook Balingup consider making suitable vacant

Shire owned land or facilities available to provide safe and sheltered sleeping accommodation for people experiencing homelessness.

The petition also raises the need for appropriate supporting amenities, including access to basic ablution facilities. Suggested options outlined by the petitioner include the temporary placement of dongas or modified toilet facilities, time-restricted shower facilities, and the establishment of a designated camping area.

The petition further notes a willingness from members of the community to support such initiatives through fundraising, in-kind assistance, and other practical support measures

At its Ordinary Council meeting held 25 February 2026 Council resolved the following:

*“COUNCIL RESOLUTION 2/02-26
That Council acknowledge the receipt of the petition.”*

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Likely	Major	High (16)
Risk Description:	Committing to providing facilities before identifying a place-based solution i.e. what is needed, is an ineffective use of Shire resources.		
Mitigation:	Asking the petitioners to obtain more data to enable Council to make an informed decision.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Major	High (16)
Risk Description:	Not understanding the extent of homelessness being experienced within the Shire.		
Mitigation:	Asking the petitioners to obtain more data to enable Council to make an informed decision.		

Financial Implications

The Shire does not currently have a budget allocation for addressing homelessness within the District. However, funding has been allocated towards the renovation of the pump track building to facilitate a shared space for community groups. One of the groups will be the Donnybrook Community Resource Centre, who aim to provide food relief for individuals and families experiencing economic stress. As well as providing nutrition-rich food working with Donnybrook Community Garden, they will provide cooking lessons to assist with stretching budgets. Other groups involved in this project include a group of people with disability who will use the building as a social meeting point and local young people to access recreational, training and social assistance.

There is an existing delegation to the Chief Executive Officer to enable fee waivers for community meeting spaces.

Policy Compliance

Nil.

Statutory Compliance

Long drop toilets and showers, are generally only acceptable methods of effluent disposal in areas that are not environmentally sensitive. The compliance requirements for any proposed solution will need to be determined based on the specifics of the proposal.

Shire of Donnybrook Balingup Meeting Procedures Local Law

A petition comprising 63 signatories has been received. The petition was reviewed against the requirements for petitions under the *Local Government Act 1995*.

While the petition clearly states the request and includes the names and signatures of the petitioners, it does not fully meet the prescribed requirements. In particular, the petition is addressed to the Chief Executive Officer rather than the Shire President, and all signatories have provided only their town of residence rather than a full address. In addition, seven (7) signatories have not provided any location or town details. As a result, it is not possible to confirm whether all signatories meet the definition of an elector of the district.

Notwithstanding these matters, the petition has been accepted for consideration and the issues raised are addressed in this report.

Consultation

Nil.

Officer Comment

The Department of Communities established the Office of Homelessness in early 2022 to “provide a dedicated focus on the stewardship, coordination, strategic planning, and practices relating to homelessness”. The State Government have developed a Strategy “All Paths Lead to a Home: Western Australia’s 10-Year Strategy on Homelessness 2020-2030” to guide activity and investment, with much of the funding for investment coming from the Federal Government. The vision is that: “Everyone has a safe place to call home and is supported to achieve stable and independent lives”.

Within the State Strategy, it suggests that local government can assist to achieve this vision by:

- Making information on local services and supports available and accessible.
 - Ensuring Rangers and front-line staff (like customer service and library staff) are informed and supported to interact with people who are at risk or are experiencing homelessness and, where appropriate, refer them to local services.
 - Working with Police to support and refer people experiencing homelessness to local services and supports.
 - Coordinating volunteer and charity groups through a place-based approach that better meets the needs of people experiencing homelessness.
 - Utilising land and assets to create places that are inclusive and can support vulnerable people.
-

It also acknowledges that homelessness looks very different across Western Australia, with appropriate place-based responses needing to be developed which are informed by local needs, context and capacity.

Council is fortunate that the Shire's current Senior Ranger and Community Development Officer have experience in the social sector so are very adept at working collaboratively with local agencies, community groups and Police to assist people at risk of or who are homeless.

Larger local governments such as the Cities of Mandurah, Fremantle and Swan have developed specific local strategies and programs to address homelessness within their local government areas that include a level of financial investment. These have been developed following wide consultation with those with lived experiences as well as service providers to identify what is needed in their communities.

The Shire of Donnybrook Balingup does not currently have the financial capacity to be directly involved in funding solutions or resource capacity to undertake the targeted consultation required to undertake the works required to ensure that the solutions proposed are what are needed in our district. However, the Shire does have:

- Community meeting spaces that could be made available to facilitate community workshops/consultation to enable a broader understanding of the needs within the District;
- Management Orders over a number of Crown Land Parcels that may be suitable for divestment and/or leasing to an alternative agency/service provider for development of a placed base response;
- Compassionate, emotionally intelligent staff who temper their interactions with at risk individuals; and;
- Policies that enable consideration of different types of accommodation. Where the use is temporary, a risk based approach is used.

It is recommended that Council encourage the South West Catholic Diocesan Social Justice Committee to quantify the level of homelessness within the District, develop a placed based response and provide this information back to Council for further Council consideration.

COUNCIL RESOLUTION:	38/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

That Council:

- 1. Inform the South West Catholic Diocesan Social Justice Committee that the Shire doesn't currently have sufficient data from those with lived experience of homelessness and those agencies working with the homeless to identify or fund a placed based solution.**
- 2. Invites the South West Catholic Diocesan Social Justice Committee to utilise a Shire meeting venue to facilitate a joint meeting with relevant support agencies to identify a placed based solution.**

3. Invites the South West Catholic Diocesan Social Justice Committee to identify land within its own ownership or Crown Land that may be capable of supporting facilities as those contemplated by their identified placed based solution for further Council consideration.
4. Will continue to enable relevant Shire staff to work collaboratively with agencies and community groups to link at risk individuals with relevant local support.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

Donnybrook Waste Management Facility

Monday: 1:00 pm to 5:00 pm

Tuesday: 12:00 pm to 4:00 pm

Wednesday: Closed

Thursday: Closed

Friday: 8:00 am to 12:00 pm

Saturday: 7:00 am to 2:00 pm

Sunday: 10:00 am to 5:00 pm

These changes were implemented to more effectively manage windblown waste and ensure that the daily cover requirements of the Department of Water and Environmental Regulation issued operating licence are met. Operationally, the site is often unattended when the municipal waste trucks deliver the waste collected from the weekly kerbside collection.

On 17 February 2026 just prior to 10:00am, the kerbside collection vehicle dropped the collected rubbish at the tip face, only to discover that the load was smouldering. When exposed to air, the waste ignited, as illustrated in Figure 1.



Figure 1: Waste from Kerbside Collection 17/02/2026

Fortunately, a site attendant was on site undertaking some other maintenance and was able to quickly respond to the fire, by moving the burning waste away from the tipping face. This was then extinguished by the Town Volunteer Bushfire Brigade.

This incident has been reported as a “near miss” as it had the potential to escalate to a HAZMAT incident, were it not for the quick actions of the site attendant.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Major	Extreme (20)
Risk Description:	Claims or damages due to fire as well as the costs associated with redirecting waste to an alternative facility, should the fire be unable to be extinguished.		

Mitigation:	Ensuring there is supervision during kerbside drop off provides a second line of defence to potential truck fires (i.e. in addition to the driver noticing the fire) and a much faster response to any incidents.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Likely	Major	High (16)
Risk Description:	Damage to the surrounding State Forest, should a fire extend out of the waste facility.		
Mitigation:	Ensuring there is supervision during kerbside drop off provides a much faster response to any incidents.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Almost Certain	Major	Extreme (20)
Risk Description:	Local facilities not being available to cater for the disposal waste generated within the Shire.		
Mitigation:	A change to the hours enables supervision to occur and reduce this risk. It is also suggested that future tip passes have only a QR code printed on it, rather than the facility operating hours.		

Financial Implications

The change to the weekday hours is proposed to be offset by a slight reduction in weekend hours having minimal impact on the current budget for site management. It enables one site attendant to be on site prior to opening the site to the public, to manage the incoming waste from the kerbside collection.

Advertising the change can be undertaken via the Shire's existing communication methods at minimal cost. Future tip passes will have a QR code, rather than the facility opening hours, to ensure "one source of truth". There will be a small cost to adjust the gate signage.

Should the kerbside collection contractor experience an unanticipated delay and not be able to attend the site while a site attendant is in attendance, they will be instructed to divert the waste to an alternative site. There will be a waste disposal costs associated with this instruction. However, it is not anticipated that this will occur regularly. This contractor has already confirmed that the transport rate will not apply due to a delay caused by their equipment or processes.

Policy Compliance

Nil.

Statutory Compliance

The licence for the Donnybrook Waste Management Facility is issued by the Department of Water and Environmental Regulation under the Part V Division 3 of the *Environmental Protection Act 1986*. The Shire and, by contract, the site operator have obligations to comply with the licence conditions.

Part 4.2 of the *Shire of Donnybrook-Balingup Waste Local Law 2017* states:

The local government may from time to time determine the hours of operation of a waste facility.

Consultation

The site contractor and the kerbside contractor have both been active participants in the follow up investigation by our Work Health and Safety Officer to enable an opportunity to mitigate the risks associated with fires occurring in the waste trucks and then impacting the waste management facility.

Officer Comment

If a fire starts within a landfill, they can be very difficult to extinguish. Given the proximity of the landfill to the State Forest, there is also the potential for the fire to become a bushfire and pose a threat to nearby properties, including the Donnybrook townsite. While “hot loads” have not been a regular occurrence in Donnybrook, the kerbside contractor indicated that these are a regular i.e. daily occurrence across their collection network. Fires within collection vehicles are caused by inappropriate wastes being placed in kerbside collection bins e.g. batteries, aerosol cans, fireplace ash and vapes. The separation of FOGO from general waste loads results in the waste loads being less wet; further enabling fires to occur within collection vehicles from inappropriate wastes.

The current kerbside collections for Donnybrook occur on Monday and for Balingup a Tuesday. All the kerbside collection waste is deposited at the Donnybrook Waste Management Facility. By changing the opening hours, waste can be managed more effectively by the onsite contractor, improving compliance outcomes as well as mitigating the risks of a fire from a collection vehicle impacting the facility operations.

Table 1 compares the current and proposed hours.

Table 1: Donnybrook Waste Management Facility current and proposed operating hours

	Current Hours	Proposed Hours
Monday	1:00 pm – 5:00 pm	11:00 am – 3:00 pm
Tuesday	12:00 pm – 4:00 pm	11:00 am – 3:00 pm
Wednesday	Closed	
Thursday	Closed	
Friday	8:00 am – 12:00 pm	
Saturday	7:00 am – 2:00 pm	8:00 am – 2:00 pm
Sunday	10:00 am – 5:00 pm	10:00 am – 4:00 pm

Endorsement, by determination, of the proposed hours is recommended.

MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Anita Lindemann
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That Council determines the following Donnybrook Waste Management Facility operating hours take effect from 30 March 2026:

Monday: 11:00 am to 3:00 pm

Tuesday: 11:00 am to 3:00 pm

Wednesday: Closed

Thursday: Closed

Friday: 8:00 am to 12:00 pm

Saturday: 8:00 am to 2:00 pm

Sunday: 10:00 am to 4:00 pm

Cr Purich moved an amendment.

MOVED BY:	Cr Alex Purich	SECONDED BY:	Cr Anita Lindemann
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Amend the motion on the table to add:

- 2. Future tip passes will have facility opening hours printed on them.**

For: Cr Bailey, Cr Hall, Cr Purich
Against: Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick,
Lost: 3/4

The amended motion was lost, and the substantive motion was put to the meeting.

COUNCIL RESOLUTION:	39/03-26	
MOVED BY:	Cr Grant Patrick	SECONDED BY: Cr Anita Lindemann

That Council determines the following Donnybrook Waste Management Facility operating hours take effect from 30 March 2026:

Monday: 11:00 am to 3:00 pm

Tuesday: 11:00 am to 3:00 pm

Wednesday: Closed

Thursday: Closed

Friday: 8:00 am to 12:00 pm

Saturday: 8:00 am to 2:00 pm

Sunday: 10:00 am to 4:00 pm

For: Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick,
Against: Cr Bailey, Cr Purich
Carried: 5/2

9.2. Director Finance and Community

9.2.1 Schedule of Accounts Paid as at 28 February 2026

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 28 February 2026.

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 28 February 2026, 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 \$1,142,634.70.

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:

- a) The payee's name; and
- b) The amount of the payment; and
- c) The date of the payment; and
- d) Sufficient information to identify the transaction.

This list of accounts is to be:

- a) Presented to Council at the next ordinary meeting of the Council after the list is prepared; and
- b) 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 FEBRUARY TO 28 FEBRUARY

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
CREDIT CARD				
	01/01/2026	SENDGRID	MONTHLY AUTOMATED EMAIL SERVICE, LINKED TO ENVIBE	139.09
	09/01/2026	MICROSOFT	AZURE USAGE CHARGES	298.18
	14/01/2026	LGIS	SOUTH WEST RISK FORUM	132.50
	24/01/2026	MAILCHIP	MONTHLY MARKETING SUBSCRIPTION	38.98
	30/01/2026	LGIS	SOUTH WEST RISK FORUM	132.50
	30/01/2026	BENDIGO BANK	CARD FEES	20.00
DD28975.1	14/02/2026		TOTAL: CREDIT CARD PAYMENTS	761.25
EFT PAYMENTS				
EFT32504	05/02/2026	CONNEXT CONSULTING	COMMUNITY ENGAGEMENT FRAMEWORK & TOOLKIT PROPOSAL	6,160.00
EFT32504A	05/02/2026	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 04.02.26	165,540.50
EFT32504B	05/02/2026	AUSTRALIAN TAX OFFICE	PAYG PE: 04.02.26	45,372.00
EFT32505	12/02/2026	AUSTRALIA POST - ACCOUNTS	SHIRE POSTAGE	1,877.46
EFT32506	12/02/2026	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	53.00
EFT32507	12/02/2026	AMITY SIGNS	STREET SIGNS	229.90
EFT32508	12/02/2026	WINC AUSTRALIA PTY LTD - ACCOUNTS	STATIONERY SUPPLIES	191.30
EFT32509	12/02/2026	ALLENS TRAFFIC MANAGEMENT	TRAFFIC MANAGEMENT	3,489.75
EFT32510	12/02/2026	AQUAMONIX	CONTROLLER & CONTROL	907.50
EFT32511	12/02/2026	AXEMAN TREELOPPING	REMOVAL OF TREE - BRIDGE 5224	7,700.00
EFT32512	12/02/2026	S ARMSTRONG	REFUND SWIMMING LESSONS	130.95
EFT32513	12/02/2026	BUNNINGS GROUP LIMITED	HARDWARE SUPPLIES	615.22
EFT32514	12/02/2026	BELL FIRE EQUIPMENT COMPANY PTY LTD	FIRE EXTINGUISHERS - SERVICE	477.40
EFT32515	12/02/2026	BUILDING AND CONSTRUCTION INDUSTRY TRAINING BOARD	BCTIF LEVY COLLECTIONS	1,195.81
EFT32516	12/02/2026	BUNBURY PRINT	RECEIPT PAPER	606.09
EFT32517	12/02/2026	BDA TREE LOPPING	TREE PRUNING	13,860.00
EFT32518	12/02/2026	BUNBURY & BUSSELTON AIR	MAINTENANCE OF AIR-CONDITIONING EQUIPMENT	876.32
EFT32519	12/02/2026	BALINGUP LIQUOR & GENERAL STORE	BFB DIESEL	9.89
EFT32520	12/02/2026	BOYANUP BOTANICAL	PLANTS	418.00
EFT32521	12/02/2026	BIG APPLE BAKERY	MTG REFRESHMENTS	18.20
EFT32522	12/02/2026	BETTER TELCO SOLUTIONS PTY LTD - PHONE ACCOUNT	SERVICE CHARGES - MONTHLY ACCESS FEE & SIP	926.55
EFT32523	12/02/2026	BRIGHTMARK GROUP PTY LTD	CLEANING - JAN 26, ADDITIONAL ANNUAL CLEAN	40,049.78
EFT32524	12/02/2026	D BAXTER	REFUND DOG REGISTRATION	75.00

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY

EFT32525	12/02/2026	DUG CROSS ELECTRICS	LANGLEY VILLAS - ANNUAL RCD & SMOKE ALARM TESTING, DBK SCOUT HALL - INSTALL CIRCUIT FOR AC, DBK INFANT HEALTH CLINIC - INSTALL LIGHT FIXTURES, MINN COTTS - REPLACE RANGEHOOD, ANNUAL RCD & SMOKE ALARM TESTING	11,476.00
EFT32526	12/02/2026	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	314.08
EFT32527	12/02/2026	CAPE TRAINING & ASSESSING	EXCAVATOR TRAINING	950.00
EFT32528	12/02/2026	CSSTECH	SMS SERVICE	88.00
EFT32529	12/02/2026	DONNYBROOK MEDICAL SERVICES	PRE-EMPLOYMENT MEDICAL	170.00
EFT32530	12/02/2026	DONNYBROOK NEWSAGENCY	STATIONERY	30.25
EFT32531	12/02/2026	LIONS CLUB OF DONNYBROOK INC.	AUSTRALIA DAY BREAKFAST	350.00
EFT32532	12/02/2026	DONNYBROOK FAMILY BAKERY	STAFF TRAINING - REFRESHMENTS	350.50
EFT32533	12/02/2026	DONNYBROOK FARM SERVICE	RETIC COMPONENTS, TAP TIMER, SPRINKLERS, POOL CHEMICALS, PLIERS	2,209.81
EFT32534	12/02/2026	DONNYBROOK CWA	2026 AUSTRALIA DAY EVENT	350.00
EFT32535	12/02/2026	DONNYBROOK PLAYCENTRE INC (PLAYGROUP)	AUSTRALIA DAY - COLOURING TENT	300.00
EFT32536	12/02/2026	DBCEC (WA) PTY LTD	HIRE - SIDE TIPPERS, EXCAVATOR	15,210.25
EFT32537	12/02/2026	DEPARTMENT OF LOCAL GOVERNMENT INDUSTRY REGULATION AND SAFETY	BSL COLLECTIONS	3,516.71
EFT32538	12/02/2026	J DAVIDSOHN	REFUND GYM MEMBERSHIP	121.53
EFT32539	12/02/2026	WESTERN AUSTRALIAN ELECTORAL COMMISSION	2025 LOCAL GOVERNMENT ELECTION EXPENSES	41,864.13
EFT32540	12/02/2026	ECOCYCLE PTY LTD	BLN TRANSFER STATION - FLUORO & PLAIN GLOBE LAMP COLLECTION CARTON	66.00
EFT32541	12/02/2026	FAIRTEL PTY LTD	DONNYBROOK SES - PHONE AND NBN SERVICE	159.97
EFT32542	12/02/2026	F FAIRCLOUGH	REFUND OVERPAYMENT OF RATES	804.00
EFT32543	12/02/2026	H DYKSTRA	REFUND INCORRECT FEE	82.50
EFT32544	12/02/2026	HASTIE WASTE PTY LTD	DBK WMF, BLN TRANS STATION - MANAGEMENT, SKIP BINS, SERVICING OF FRONTLINE BINS, PROCESSING OF MATTRESSES	42,134.50
EFT32545	12/02/2026	HART SPORT	DBK REC CTR - POOL NOODLES & KICKBOARDS	192.00
EFT32546	12/02/2026	SKIPPERS PLUMBING SERVICES	UNBLOCK TOILET	220.00
EFT32547	12/02/2026	INFIELD SERVICES PTY LTD	INSTALLATION OF RIPPER BOX	314.60
EFT32548	12/02/2026	ITR PACIFIC PTY LTD	GRADER BLADES	1,197.90
EFT32549	12/02/2026	JONNO'S HANDYMAN AND CARPENTRY SERVICES	COMMUNITY HOUSING - GENERAL MAINT & GARDENING, INSTALL COLORBOND SKIN TO ACCESS DOOR & DIGITAL LOCK, INSTALL CLOTHESLINE	2,308.68
EFT32550	12/02/2026	P KENT	REFUND OVERPAYMENT OF RATES	804.00
EFT32551	12/02/2026	LINDSAY TRANSPORT PTY LTD	FREIGHT CHARGES	100.95

SHIRE OF DONNYBROOK BALINGUP
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EFT32552	12/02/2026	MULLALYUP FOREST FARM NURSERY	REINSTALLATION OF BORE - EGAN PARK	1,320.00
EFT32553	12/02/2026	A MORGAN	REIMBURSE LICENCE COSTS	67.00
EFT32554	12/02/2026	MANJIMUP MITSUBISHI	TAILLIGHT LENS	60.62
EFT32555	12/02/2026	MICROSOFT REGIONAL SALES CORPORATION	MICROSOFT 365 BUSINESS & EXCHANGE ONLINE PLANS	2,589.29
EFT32556	12/02/2026	M MCCLARE	REFUND OVERCHARGE	29.70
EFT32557	12/02/2026	NESPRESSO AUSTRALIA	COFFEE	440.00
EFT32558	12/02/2026	OFFICEWORKS	STATIONERY SUPPLIES	1,079.13
EFT32559	12/02/2026	A & R OADES	REFUND OVERPAYMENT OF RATES	804.00
EFT32560	12/02/2026	PRESTON PRESS	SHIRE CONNECT	500.00
EFT32561	12/02/2026	PRESTON VALLEY MAINTENANCE	INSTALL CULVERT PIPES	7,425.00
EFT32562	12/02/2026	PFD FOOD SERVICE PTY LTD	KIOSK SUPPLIES	498.75
EFT32563	12/02/2026	PICTON CIVIL PTY LTD	HIRE OF MACHINERY	2,244.00
EFT32564	12/02/2026	PRIME INDUSTRIAL PRODUCTS	GREASE GUNS	1,558.70
EFT32565	12/02/2026	POOLWERX BUNBURY	POOL CLARIFIER	580.00
EFT32566	12/02/2026	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	9,816.39
EFT32567	12/02/2026	C ROBERTSON	REFUND FOR SWIMMING LESSONS	130.95
EFT32568	12/02/2026	SPENCER SIGNS	LAMINATED SIGNS	2,088.35
EFT32569	12/02/2026	STEWART & HEATON CLOTHING CO. P/L	BFB - PPC	754.06
EFT32570	12/02/2026	SOS OFFICE EQUIPMENT	MONTHLY PRINTER METER READS, TONER	1,240.51
EFT32571	12/02/2026	SPOTLIGHT PTY LTD	NOVELTY ITEMS FOR SCHOOL HOLIDAY ACTIVITIES	16.00
EFT32572	12/02/2026	SOUTH REGIONAL TAFE	FIRST AID TRAINING	321.60
EFT32573	12/02/2026	SURVCON PTY LTD	FEATURE SURVEYS	10,940.60
EFT32574	12/02/2026	SCOPE BUSINESS IMAGING	DBK SES - SERVICE PLAN FOR PRINTER/COPIER	12.79
EFT32575	12/02/2026	SUPAGAS	GAS SUPPLY	50.60
EFT32576	12/02/2026	SULLY CIVIL PTY LTD	SMITH & TIMMS ST - ROAD UPGRADE	31,884.93
EFT32577	12/02/2026	SPINE & SPORTS PHYSIOTHERAPY PTY LTD	REFUND OF GYM MEMBERSHIP	228.60
EFT32578	12/02/2026	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	1,582.69
EFT32579	12/02/2026	TELAIR PTY LTD	NBN SERVICES	678.90
EFT32580	12/02/2026	TANGO INFORMATION TECHNOLOGY PTY LTD	ICT STRATEGY DEVELOPMENT	5,500.00
EFT32581	12/02/2026	LANDGATE - VALUATION SERVICES	INTERIM VALUATIONS	48.48
EFT32582	12/02/2026	SYNERGY	ELECTRICITY CHARGES	26,792.21
EFT32583	12/02/2026	VEOLIA ENVIRONMENTAL SERVICES	STREET CLEANING	1,681.89
EFT32584	12/02/2026	WESTRAC EQUIPMENT PTY LTD	HYDRAULIC OIL	396.17
EFT32585	12/02/2026	WORK CLOBBER	PPE	521.64
EFT32586	12/02/2026	WORKFORCE ROAD SERVICES PTY LTD	TRAFFIC MANAGEMENT	18,761.08
EFT32587	12/02/2026	W WANDLESS	REFUND OVERPAYMENT OF RATES	804.00
EFT32588	12/02/2026	H WILLIAMS	REIMBURSE 50% OF INVOICE FOR BLACKBERRY CONTROL	566.50
EFT32589	12/02/2026	EVENTS WEST WA	AUSTRALIA DAY - POST EVENT CHARGES	297.52

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
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EFT32590	12/02/2026	ZONE 50 ENGINEERING SURVEYS PTY LTD	ROAD MARKING SURVEY	1,515.80
EFT32590A	19/02/2026	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 18.02.26	155,265.40
EFT32590B	19/02/2026	AUSTRALIAN TAX OFFICE	PAYG PE: 18.02.26	43,562.00
EFT32591	26/02/2026	HARMONIC IT	MONTHLY MANAGED SERVICES	10,367.50
EFT32592	26/02/2026	ANIMAL CARE EQUIPMENT & SERVICES	MUZZLES	82.55
EFT32593	26/02/2026	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	53.00
EFT32594	26/02/2026	AMITY SIGNS	RURAL STREET NUMBERS	131.45
EFT32595	26/02/2026	AUSTSWIM LTD	DBK REC CTR - RASH VESTS	513.72
EFT32596	26/02/2026	ABCO PRODUCTS PTY LTD	CLEANING CONSUMABLES	6,087.16
EFT32597	26/02/2026	AQUAMONIX	NEW USER ACCOUNT	90.75
EFT32598	26/02/2026	ABC FILTER EXCHANGE	EXHAUST FAN FILTER	36.30
EFT32599	26/02/2026	R ARAMINI	REFUND OF CAT TRAP HIRE	100.00
EFT32600	26/02/2026	BELL FIRE EQUIPMENT COMPANY PTY LTD	SERVICING OF FIRE EXTINGUISHERS	1,057.65
EFT32601	26/02/2026	BUNBURY & BUSSELTON AIR	DBC REC CTR - REFRIDGERATOR REPAIR	1,085.76
EFT32602	26/02/2026	BLUE FORCE PTY LTD	MONTHLY EMERGENCY HELP MONITORING, NEW WATCHES	1,048.80
EFT32603	26/02/2026	SOUTHWEST FIRE MITIGATION SERVICES	BUSHFIRE MITIGATION - EQUIPMENT HIRE	19,051.59
EFT32604	26/02/2026	CITY & REGIONAL FUELS	PURCHASES ON FUEL CARDS & BULK FUEL - JAN 26	19,641.35
EFT32605	26/02/2026	DUG CROSS ELECTRICS	MINN COTTS - SMOKE ALARM & RCD UPGRADES	4,840.00
EFT32606	26/02/2026	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	314.08
EFT32607	26/02/2026	CLEANAWAY OPERATIONS PTY LTD.	BLN TRANSFER STATION - RECYCLING	842.80
EFT32608	26/02/2026	CLEANAWAY	KERBSIDE BIN COLLECTION - GENERAL WASTE, PUBLIC STREET BIN COLLECTIONS	50,120.28
EFT32609	26/02/2026	CORSIGN WA	SIGN	63.80
EFT32610	26/02/2026	CAFE 48	MTG - REFRESHMENTS	643.00
EFT32611	26/02/2026	CONNECT CALL CENTRE SERVICES	AFTERHOURS CALL CENTRE - W&S, P&G & RANGERS	365.81
EFT32612	26/02/2026	CS LEGAL	DEBT RECOVERY RATES	3,452.60
EFT32613	26/02/2026	CLEANAWAY PTY LTD	DBK WMF - WASTE PROCESSING	4,225.64
EFT32614	26/02/2026	CLEANAWAY OPERATIONS PTY LTD	BLN TRANSFER STATION - GENERAL WASTE COLLECTION & TRANSPORTATION	5,679.67
EFT32615	26/02/2026	COOLPRO REFRIGERATION AND AIR CONDITIONING	DBK SCOUT HALL - INSTALL REVERSE CYCLE WALL SPLIT AC	2,886.00
EFT32616	26/02/2026	CJ CIVIL SOLUTIONS	ASPHALT ROAD REPAIRS	5,720.00
EFT32617	26/02/2026	CHOOKY'S LAWNS & MORE	COMMUNITY HOUSING - GROUNDS MAINTENANCE	891.00
EFT32618	26/02/2026	COLONIAL LIGHTING	STREET LIGHTING RENEWAL - HERITAGE STREET LIGHT	20,249.68
EFT32619	26/02/2026	CITY RUBBER STAMPS & TROPHIES	CUSTOMISED STAMPS	118.95

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EFT32620	26/02/2026	DONNYBROOK MEDICAL SERVICES	PRE-EMPLOYMENT MEDICAL	170.00
EFT32621	26/02/2026	DONNYBROOK HARDWARE & GARDEN	PLANTS, CEMENT, HOSE, CABLE TIES, BATTERIES, NUTS & BOLTS	236.90
EFT32622	26/02/2026	DONNYBROOK FRUIT BARN PTY LTD	BFB DIESEL	124.00
EFT32623	26/02/2026	TYRES AND MORE DONNYBROOK	TYRE REPLACEMENTS & REPAIRS	968.00
EFT32624	26/02/2026	DONNYBROOK FRESH SUPA IGA	AUSTRALIA DAY BREAKFAST, DBK REC CTR, W&S, ADMIN & COUNCILLOR MTG REFRESHMENTS & GROCERIES	1,795.82
EFT32625	26/02/2026	DONNYBROOK AMATEUR BASKETBALL ASSOCIATION	COMMUNITY GRANTS 2025/26	2,000.00
EFT32626	26/02/2026	DONNYBROOK COMMUNITY GARDEN INC	AUSTRALIA DAY 2026 - ASSISTING WITH HOT & COLD DRINKS	300.00
EFT32627	26/02/2026	DELL FINANCIAL SERVICES PTY LTD	LEASE PAYMENTS FOR DELL PCS	3,106.38
EFT32628	26/02/2026	DONNYBROOK WINERIES & PRODUCERS INC (TASTE DONNYBROOK)	COMMUNITY GRANT	2,000.00
EFT32629	26/02/2026	DBCEC (WA) PTY LTD	DBK CEMETERY - EXCAVATOR HIRE	550.00
EFT32630	26/02/2026	DONNYBROOK BALINGUP CHAMBER OF COMMERCE INC.	SHOP LOCAL VOUCHERS	350.00
EFT32631	26/02/2026	ERGOLINK	ERGONOMIC EQUIPMENT	2,688.95
EFT32632	26/02/2026	ELLIOTT'S SMALL ENGINES	ANTIVIBRATION ELEMENT	15.00
EFT32633	26/02/2026	ENVISIONWARE AUSTRALIA PTY LTD	ENVISIONWARE SOLUTIONS ANNUAL RENEWAL	1,059.30
EFT32634	26/02/2026	ENVIRONMENTAL HEALTH AUSTRALIA LTD	WEBSITE ADVERTISING - STAFF VACANCY	220.00
EFT32635	26/02/2026	C FAIRCLOUGH	DOG REGISTRATION REFUND	30.00
EFT32636	26/02/2026	GO DOORS PTY LTD	SCHEDULED MAINTENANCE OF AUTOMATIC DOORS	891.08
EFT32637	26/02/2026	HEMSLEY'S LANDCARE SERVICES	BLACKBERRY WEED SPRAYING	3,960.00
EFT32638	26/02/2026	INFIELD SERVICES PTY LTD	VEHICLE SERVICE & REPAIRS	3,956.60
EFT32639	26/02/2026	JONNO'S HANDYMAN AND CARPENTRY SERVICES	PRESTON VILLAGE - ANNUAL GUTTER CLEAN	1,601.60
EFT32640	26/02/2026	LIVING SPRINGS WATER PTY LTD	BOTTLED WATER	28.00
EFT32641	26/02/2026	LGISWA	LGIS EMPLOYEE ASSISTANCE PROGRAM	7,513.00
EFT32642	26/02/2026	MCLEODS BARRISTERS & SOLICITORS	LEASE ASSIGNMENT	468.65
EFT32643	26/02/2026	K MCINTYRE	REIMBURSE 50% OF INVOICE FOR BLACKBERRY CONTROL	2,419.30
EFT32644	26/02/2026	R MARSHALL	REFUND OF HARDWARE PURCHASE	71.98
EFT32645	26/02/2026	MB TRAFFIC PLANNING & MANAGEMENT PTY LTD	GENERIC TMP FOR COMMUNITY EVENT SUPPORT	605.00
EFT32646	26/02/2026	DAVID NOWLAND HYDRAULICS	HYDRAULIC HOSE & FITTINGS/SEALS	158.80
EFT32647	26/02/2026	OFFICEWORKS	STATIONERY SUPPLIES	7.95
EFT32648	26/02/2026	N O'CONNOR	REIMBURSEMENT - STAFF FUEL	243.66
EFT32649	26/02/2026	PRESTON VALLEY MAINTENANCE	INSTALL TV, RELOCATE WHITEBOARDS, REPAIR PAVING, REPLACE SEATS, REMOVE BRICKS	1,043.00
EFT32650	26/02/2026	PICTON CIVIL PTY LTD	WATER CART HIRE & TRACK STEER LOADER	13,673.00
EFT32651	26/02/2026	PROGRAMMED PROPERTY SERVICES	DBK HALL - SCHEDULED PAINTING	5,280.00

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EFT32652	26/02/2026	WA DISTRIBUTORS PTY LTD	DBK REC CTR - CLEANING CONSUMABLES	922.85
EFT32653	26/02/2026	HOLCIM (AUSTRALIA) PTY LTD	ROCK & QUARRY SAND	987.09
EFT32654	26/02/2026	REPCO - DONNYBROOK	FLANGE, CABLE TIES, PLIERS, SPANNER, LED INDICATOR	552.56
EFT32655	26/02/2026	THE REAL GOOD COMPANY PTY LTD T/A WJS TRAINING	CPR TRAINING REFRESHER COURSE	1,050.00
EFT32656	26/02/2026	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	11,327.93
EFT32657	26/02/2026	SOS OFFICE EQUIPMENT	PRINTER TONERS	952.60
EFT32658	26/02/2026	SETON AUSTRALIA	DBK REC CTR - FACE RESPIRATORS, VAPOUR CARTRIDGES, FILTERS & GLOVES	997.00
EFT32659	26/02/2026	SEEK LIMITED	ADVERTISEMENT - STAFF VACANCY	423.50
EFT32660	26/02/2026	SYKES ENGINEERING PTY LTD TRADING AS SOUTHWEST ELECTRICAL & COMMUNICATION	VC MITCHELL PARK TENNIS COURT LIGHTING, EGAN BORE ELECTRICAL WORK	18,633.30
EFT32661	26/02/2026	SOUTH WEST PROPERTY MANAGEMENT	RENTAL SUBSIDY FOR CHILD CARE WORKER	869.05
EFT32662	26/02/2026	SCAVENGER SUPPLIES PTY LTD	BFB - PPC	610.50
EFT32663	26/02/2026	U SPACKMAN	REFUND OF DIRECT DEBIT ERROR	276.05
EFT32664	26/02/2026	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	1,161.45
EFT32665	26/02/2026	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	97.04
EFT32666	26/02/2026	TIMBER INSIGHT PTY LTD	BRIDGES - PREVENTATIVE MAINTENANCE WORKS	6,002.48
EFT32667	26/02/2026	TPG NETWORK PTY LTD	MONTHLY IP LINE, STANDARD ACCESS & FAST FIBRE	1,304.60
EFT32668	26/02/2026	TOTALLY WORKWEAR BUNBURY	STAFF UNIFORMS & PCC	630.31
EFT32669	26/02/2026	VALVOLINE AUSTRALIA PTY LTD	TRUCK WASH, ADBLUE, DEGREASER	700.03
EFT32670	26/02/2026	WATER CORPORATION - ACCOUNTS	WATER & SEWERAGE CHARGES	18,846.47
EFT32671	26/02/2026	SYNERGY	ELECTRICITY CHARGES	15,219.98
EFT32672	26/02/2026	WORKFORCE ROAD SERVICES PTY LTD	TRAFFIC MANAGEMENT	14,177.10
EFT32673	26/02/2026	WA COUNTRY HEALTH SERVICE	MEDICAL & PATHOLOGY CTR QRTLTY ELECTRICAL CHARGES	3,806.25
EFT32674	26/02/2026	ZIPFORM	PROGRAMMING, SET UP, PRINTING, ENVELOPING, LODGEMENT & SECURITY FEE - 3RD INSTALMENT	1,968.39
			TOTAL: EFT PAYMENTS	1,069,936.22
BANK FEES				
	28/02/2026	BENDIGO	BANK FEES	788.88
	28/02/2026	COMMONWEALTH	BANK FEES	235.91
	28/02/2026	TYRO	BANK FEES	1,271.59
	28/02/2026	PAYPAL	TRANSACTION FEES	18.53
	28/02/2026	EZIDEBIT	TRANSACTION FEES	7.16
	28/02/2026	SPACETOCO	TRANSACTION FEES	3,816.57
			TOTAL: BANK FEES	6,138.64
DIRECT DEBITS				
DD28947.1	04/02/2026	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	19,842.56
DD28947.2	04/02/2026	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	274.76

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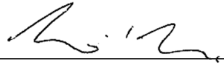
DD28947.3	04/02/2026	COMMONWEALTH BANK GROUP SUPER	EMPLOYEE SUPER DEDUCTIONS	327.27
DD28947.4	04/02/2026	HOSTPLUS	EMPLOYEE SUPER DEDUCTIONS	547.54
DD28947.5	04/02/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	266.45
DD28947.6	04/02/2026	RAIZ SUPER	EMPLOYEE SUPER DEDUCTIONS	150.98
DD28947.7	04/02/2026	HESTA SUPER FUND	EMPLOYEE SUPER DEDUCTIONS	326.64
DD28947.8	04/02/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	332.84
DD28947.9	04/02/2026	TELSTRA SUPERANNUATION SCHEME	EMPLOYEE SUPER DEDUCTIONS	110.45
DD28947.10	04/02/2026	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,272.30
DD28947.11	04/02/2026	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	4,680.11
DD28947.12	04/02/2026	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	1,895.45
DD28947.13	04/02/2026	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	551.36
DD28947.14	04/02/2026	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	473.55
DD28947.15	04/02/2026	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	795.80
DD28947.16	04/02/2026	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	401.60
DD28947.17	04/02/2026	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	345.60
DD28977.1	15/02/2026	SG FLEET AUSTRALIA PTY LIMITED	CESM - VEHICLE LEASE PAYMENT	1,018.60
DD28983.1	18/02/2026	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	19,589.34
DD28983.2	18/02/2026	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	304.02
DD28983.3	18/02/2026	COMMONWEALTH BANK GROUP SUPER	EMPLOYEE SUPER DEDUCTIONS	327.71
DD28983.4	18/02/2026	HOSTPLUS	EMPLOYEE SUPER DEDUCTIONS	326.76
DD28983.5	18/02/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	318.49
DD28983.6	18/02/2026	RAIZ SUPER	EMPLOYEE SUPER DEDUCTIONS	143.55
DD28983.7	18/02/2026	HESTA SUPER FUND	EMPLOYEE SUPER DEDUCTIONS	302.40
DD28983.8	18/02/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	326.64
DD28983.9	18/02/2026	THE TRUSTEE FOR LILLY SUPER FUND	EMPLOYEE SUPER DEDUCTIONS	63.90
DD28983.10	18/02/2026	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,272.30
DD28983.11	18/02/2026	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	4,694.31
DD28983.12	18/02/2026	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	2,013.80
DD28983.13	18/02/2026	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	368.45
DD28983.14	18/02/2026	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	482.06
DD28983.15	18/02/2026	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	815.30
DD28983.16	18/02/2026	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	401.60
DD28983.17	18/02/2026	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	345.60
DD29002.1	27/02/2026	SHERIFF'S OFFICE	LODGEMENT FEE	88.50
			TOTAL: DIRECT DEBITS	65,798.59
			TOTAL: PAYMENTS MADE FROM MUNICIPAL ACCOUNT	1,142,634.70

CERTIFICATION BY CHIEF EXECUTIVE OFFICER

This Schedule of Accounts Paid is submitted to the Council Meeting on 25 March 2026 in accordance with the *Local Government (Financial Management) Regulations 1996* Section 13. These accounts have been checked and are fully supported by vouchers

**SHIRE OF DONNYBROOK BALINGUP
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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:	40/03-26	
MOVED BY:	Cr Amanda McNab	SECONDED BY: Cr Grant Patrick

That Council receive the schedule of accounts paid as detailed in the report for the period ending 28 February 2026.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0

9.2.2 Monthly Financial Report for the period ending 28th of February 2026

Report Details:

Prepared by: Manager Financial Services

Manager: Director Finance & Community

File Reference: Nil.

Voting Requirement: Simple Majority

Attachment(s):

9.2.2(1) Monthly Financial Report for period ending 28th of February 2026

Executive Recommendation

That Council receive the Monthly Financial Report for the period ending 28th of February 2026 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 28th of February 2026.

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.

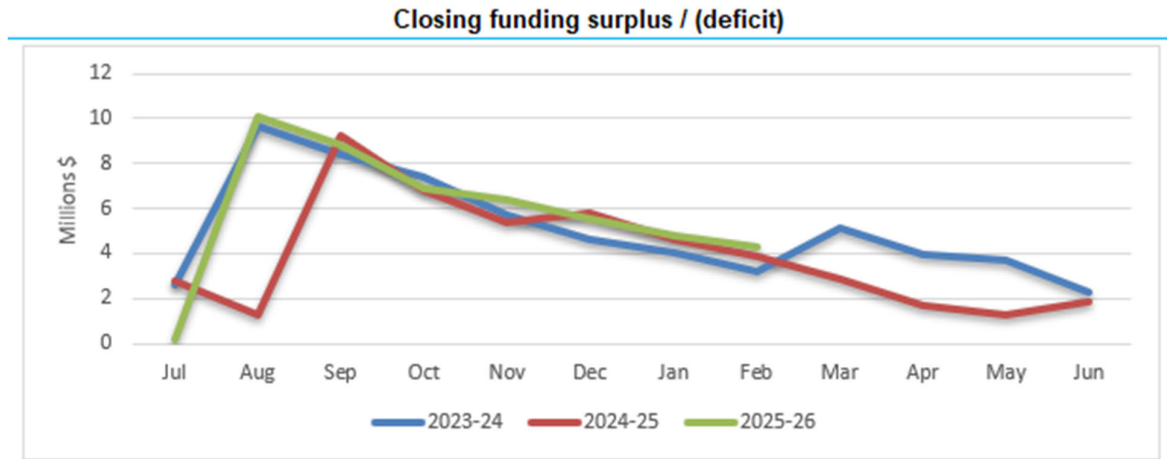
Consultation

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

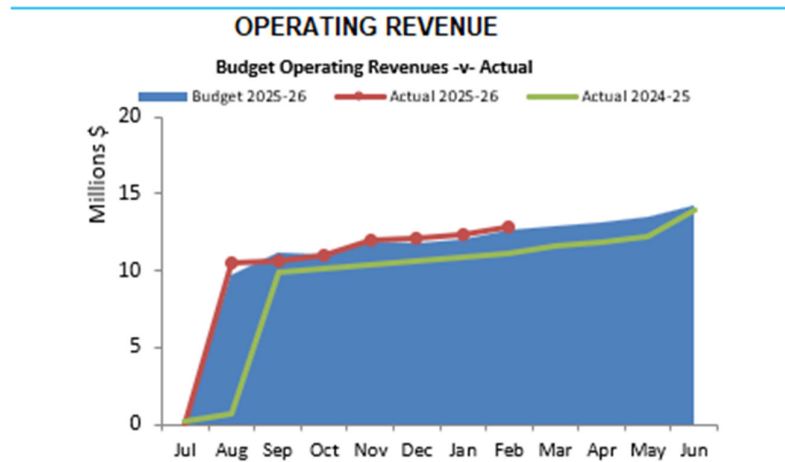
These statements compare year-to-date expenditure and revenue against the 2025/26 Adopted Original Budget which now includes further amendments and the Budget review adopted by Council. The Shire’s surplus after imposition of rates was \$4,256,004 which is higher than the year-to-date budgeted surplus of \$4,020,994.



Operating Activities

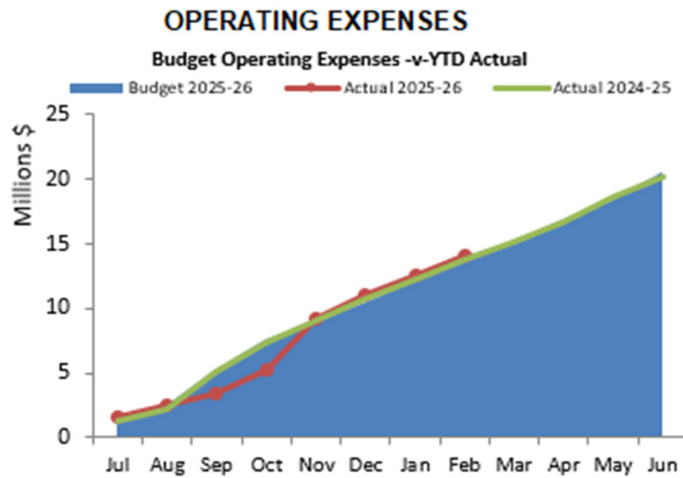
Revenue was \$12,867,784 which is greater than budget estimates. Key areas include:

- Operating grants, subsidies, and contributions is 9.40% above budget estimates, mainly due to the General Purpose and Bushfire mitigation grant and reimbursements from workers compensation and leave entitlements.
- Fees and charges was slightly higher by 2.72% than budget estimates.



Expenditure was \$14,013,465 being 0.23% below budget estimates. Key areas include:

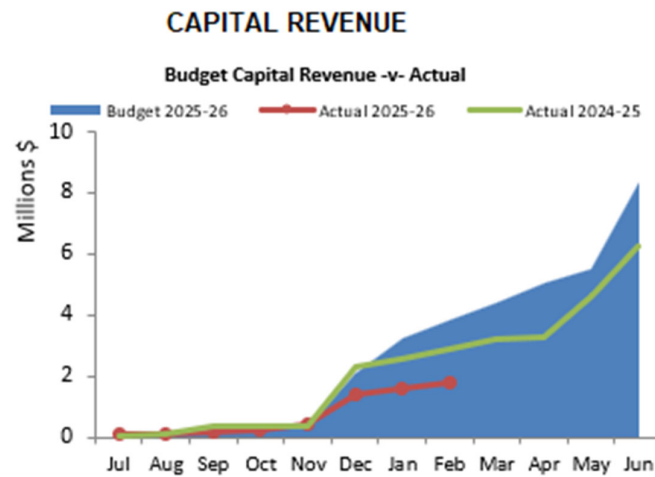
- Materials and contracts 7.12% below budget.
- Utility charges 5.60% below budget.
- Finance costs 30.01% below budget.
- Loss on asset disposals 24.68% above budget due to the disposal of vehicle involved in accident.



Investing Activities

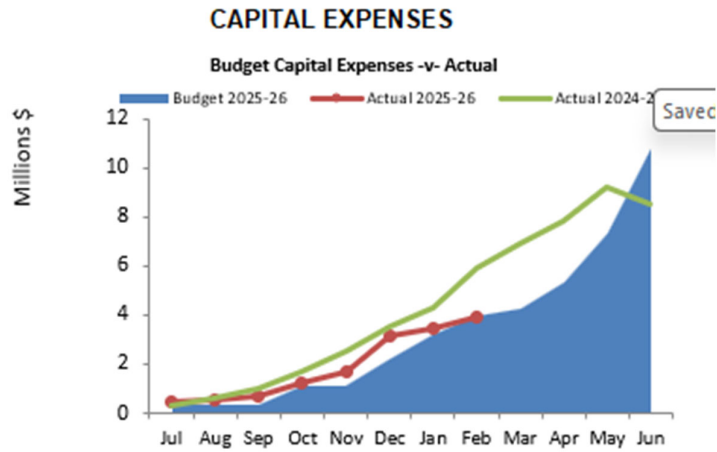
Inflows from investing activities was \$1,985,736 and is 9.12% below the YTD budget estimates. Key areas include:

- Proceeds from capital grants, subsidies, and contributions: \$1,891,401 being 11.02% below budget - refer to note 3 for explanation in the attached monthly financial report.
- Proceeds from disposal of assets \$75,545 being 86.32% above budget - refer to note 3 for explanation in the attached monthly financial report.



Outflows from investing activities was \$3,913,885 and is 0.07% below the YTD budget estimates. Key areas include:

- Payments for property, plant, and equipment \$1,043,757 and is 33.68% below budget.
- Payments for construction of infrastructure was \$2,870,128 and is 22.52% above budget.



COUNCIL RESOLUTION:	41/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

That Council receive the Monthly Financial Report for the period ending 28th of February 2026 as per Attachment 9.2.2(1).

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

9.2.3. Annual Review of the Long Term Financial Plan for the 15 year period 2026/27 – 2040/41

Report Details:

Prepared by: Manager Finance Projects

Manager: Colin Young, Director Finance and Community

Applicant: Shire of Donnybrook Balingup

Location: Shire of Donnybrook Balingup

File Reference: FNC 10/2 **Voting Requirement:** Simple Majority

Attachment(s):

9.2.3(1) Long Term Financial Plan 2026/27 – 2040/41

Executive Recommendation

That Council:

1. **Receives the annual review of the Long Term Financial Plan 2026/27 – 2040/41**
2. **Notes to address progress towards financial sustainability, a rate increase of 6.70% be used in developing the 2026/27 Annual Budget.**

Strategic Alignment

The annual review of the Long Term Financial Plan 2026/27 – 2040/41 will meet the following objectives of the Shire of Donnybrook Balingup Council Plan.

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

Outcome: 11 - Strong, visionary leadership.

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

Item: Nil.

Executive Summary

Council is requested to consider and receive the annual review of Council's Long Term Financial Plan for the 15 year period 2026/27 – 2040/41.

Background

In 2010, the Integrated Financial Planning and Reporting (IFPR) framework and guidelines were introduced in Western Australia (WA) as part of the State Government's Local Government Reform Program. All local governments were required to have their first suite of IFPR documents in place by 1 July 2013.

Past reviews of local government in WA found serious performance and sustainability issues in the sector, in particular:

- Strategic planning systems that did not deliver accountable and measurable linkages between community aspirations, financial capacity and practical service delivery.

- Financial planning systems that failed to accurately demonstrate a local government’s capacity to deliver services and manage assets that can sustain their communities into the future.
- Asset management systems lacking the rigour of process and integrity of data to accurately reflect true asset management costs.
- General lack of a formal approach to workforce planning across the sector.

IFPR addresses these concerns with processes to:

- Ensure community input is explicitly and reliably generated and informs the long- and medium-term objectives of the local government.
- Identify the resourcing required to deliver the plans and enable rigorous and transparent prioritisation within resource constraints before finalising the plans.

As part of the IFPR, all local governments in Western Australia are required to plan for future of the district, comprising at a minimum of a Strategic Community Plan and Corporate Business Plan (now combined by the Shire under the Council Plan).

Supporting these plans are several informing documents required under Regulation 19DA (3)(c) of the *Local Government (Administration) Regulation 1996* which include:

- Workforce Plan.
- Asset Management Plans.
- Long Term Financial Plan.

The LTFP is particularly important in Local Government where there is responsibility for a significant amount of long-lived assets and substantial asset management responsibilities. There are long periods with modest levels of asset renewal requirements, and then other periods when very significant outlays are necessary.

This requires planning to ensure the necessary generation of revenue in a sustainable manner over time to ensure that there is capacity to finance peaks in asset management and other outlays when necessary.

The LTFP reflects changes in economic conditions and to ensure its alignment to the Shire’s recently reviewed asset management plans and financial informing plans.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Major	Extreme (20)
Risk Description:	<p><u>Future Financial Sustainability</u> Identifying necessary funding for Council services and the maintenance and renewal of assets is an essential part of the LTFP. Historical levels of financial allocations have not been sufficient to achieve this, which leaves the Shire with a material shortfall in funding. This position cannot be rectified quickly. The LTFP identifies necessary increases from own source funds into asset</p>		

	<p>management reserves to ensure future identified works can be sustainably funded.</p> <p>If this does not occur, the Shire will be faced with future financial challenges. The LTFP enables Council to understand its future financial obligations beyond immediate budget considerations. The LTFP helps Council assess the need for early intervention to reduce future risks and associated future revenue raising requirements.</p>		
Mitigation:	<ol style="list-style-type: none"> 1. Rationalising assets to reduce future asset renewal obligations. 2. Reducing existing service levels. 3. Increasing cost recovery from user fees 		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Moderate	Moderate (9)
Risk Description:	<p><u>Financial Forecasts used in the LTFP</u></p> <p>Although the LTFP is based upon the latest available information, it is a future projection and is therefore subject to risk. It cannot anticipate inherent risks such as unforeseen economic, political, environmental and market changes. On this basis should be considered as a guide for Council to assess the long-term financial sustainability.</p> <p>Consideration has been given to the economic drivers that will influence the estimated future cost of providing assets, facilities, and services for the period of the LTFP. This plan is set against future periods of economic uncertainty with the values reported representing estimated future prices and costs.</p>		
Mitigation:	<ol style="list-style-type: none"> 1. The LTFP and other financial informing plans will be reviewed every 12 months to reflect the prevailing economic conditions, together with changing community services and service levels. 2. Assumptions of forward estimates used in preparing the LTFP are disclosed within the LTFP document. 		

Financial Implications

It is recommended that Council endeavours to achieve identified sustainable asset funding levels through increases in the annual budget allocation to reserves. A material funding gap exists between the identified levels of transfer to reserves and the level currently funded in the annual budget.

Based on existing service standards to the community, the shire's current recurring revenue is materially below the level required to meet identified long term future expenditure, (including future asset renewal obligations). Based on current knowledge, it is identified that approximately \$2.7m annually is required to be transferred to reserves. The 2025/26 budget provided for \$1.92m.

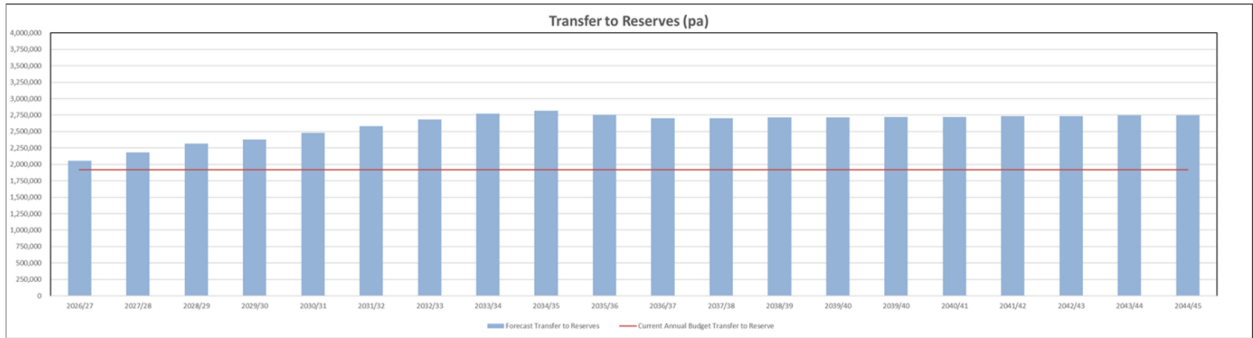


FIGURE 1

In addition to identified future reserve transfers, the Borrowings Plan identifies three new borrowings over the life of the LTFP to meet identified asset management/development requirements.

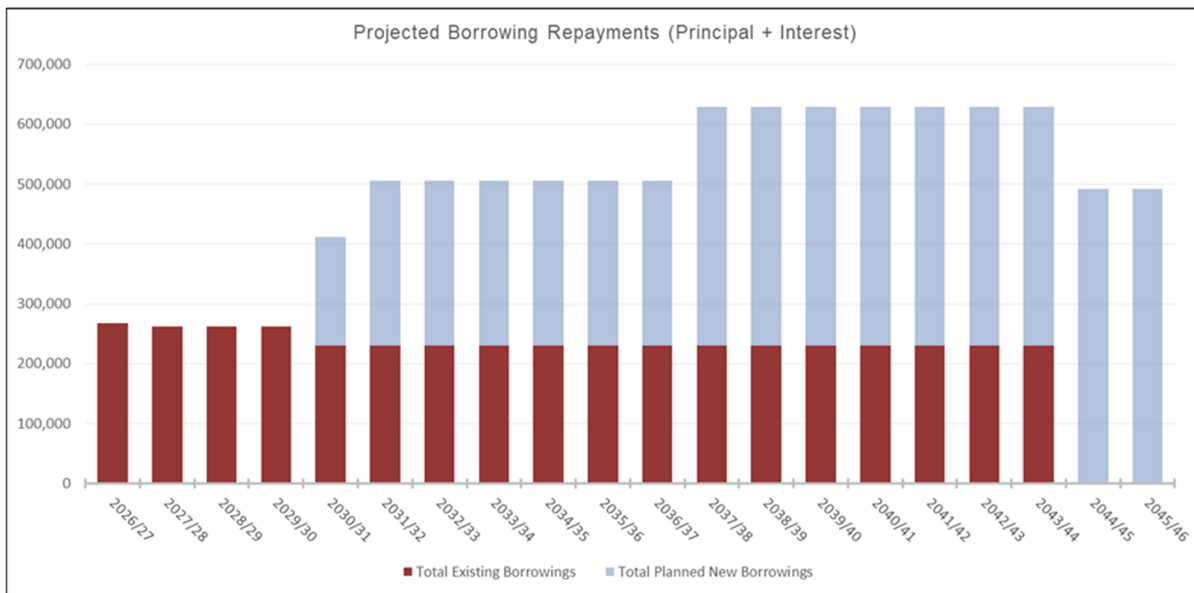


FIGURE 2

	Budget 2025/26	1 2026/27	2 2027/28	3 2028/29	4 2029/30	5 2030/31	6 2031/32	7 2032/33	8 2033/34	9 2034/35	10 2035/36	11 2036/37	12 2037/38	13 2038/39	14 2039/40	15 2039/40
Transfer to Reserves	1,921,580	2,056,400	2,183,900	2,314,400	2,379,400	2,481,900	2,581,900	2,684,900	2,769,900	2,818,400	2,754,435	2,701,900	2,701,900	2,711,900	2,711,900	2,721,900
Borrowing Repayments																
Borrowing Repayments (net of SSL)	262,311	262,311	262,311	262,311	262,311	412,085	505,210	505,210	505,210	505,210	505,210	505,210	628,861	628,861	628,861	628,861
Total Borrowings	262,311	262,311	262,311	262,311	262,311	412,085	505,210	505,210	505,210	505,210	505,210	505,210	628,861	628,861	628,861	628,861
Total	2,183,891	2,318,711	2,446,211	2,576,711	2,641,711	2,893,985	3,087,110	3,190,110	3,275,110	3,323,610	3,259,645	3,207,110	3,330,761	3,340,761	3,340,761	3,350,761
Change from previous year		134,840	127,500	130,500	65,000	252,274	193,125	103,000	85,000	48,500	(63,965)	(52,535)	123,652	10,000	0	10,000

TABLE 1

The identified long term sustainable annual transfer to reserves + future annual borrowings repayments combined, are estimated at circa \$3.3m annually. The 2025/26 budget funded a combined amount of \$2.18m.

Based on the stated assumptions, objectives, known revenue sources and future expenditure, the LTFP identifies the existing rates yield is approximately 6.7% below sustainable levels for the 2026/27 financial year. This is materially reduced from 26% that was identified prior to the 2024/25 budget

having been reduced through a range of budget repair actions over the past two financial years that has contributed to the transition of the Shire towards financial sustainability.

Rates have been used as the metric to measure the sustainable funding gap. The identified rate yields can be mitigated with measures such as (but not limited to).

- a) Rationalising assets to reduce future asset renewal obligations.
- b) Reducing existing service levels.
- c) Increasing cost recovery from user fees.
- d) Continued efforts to source grants and contributions for capital projects.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41
Rate Revenue	8,479,018	9,045,941	9,571,125	10,127,405	10,642,262	11,362,842	12,046,689	12,689,425	13,306,325	13,933,236	14,486,902	15,112,657	15,909,971	16,667,603	17,423,063	18,249,557
Change (\$)		566,923	525,184	556,280	514,857	720,580	683,847	642,736	616,900	626,911	553,666	625,755	797,314	757,632	755,460	826,494
Change (%)		6.69%	5.81%	5.81%	5.08%	6.77%	6.02%	5.34%	4.86%	4.71%	3.97%	4.32%	5.28%	4.76%	4.53%	4.74%

TABLE 2

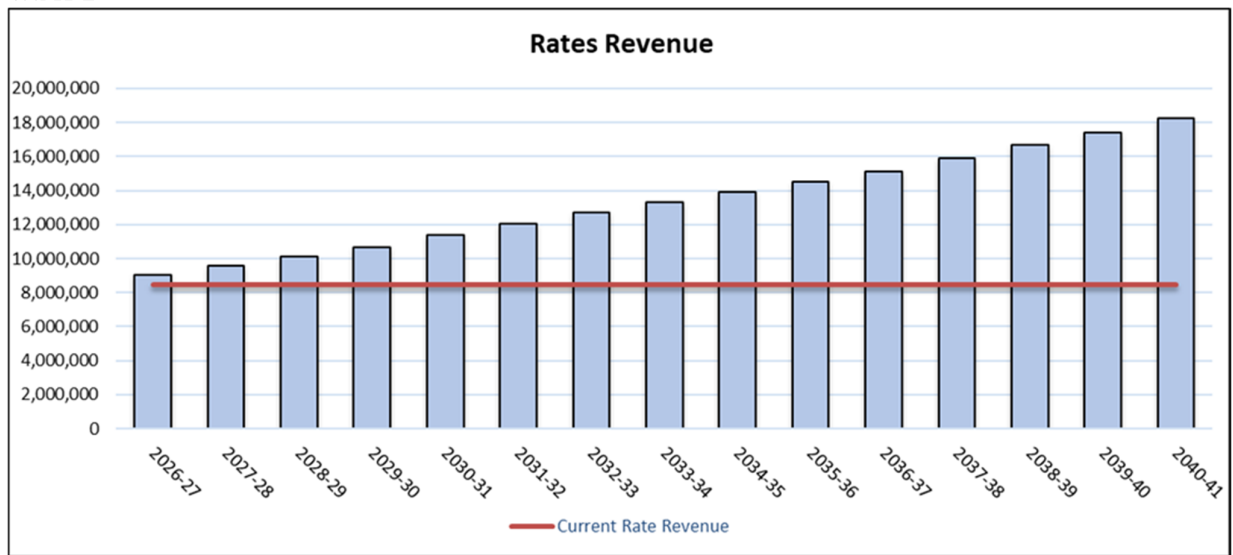


FIGURE 3

Average Rate Increase	
1-5 Year Average	6.03%
6-10 Year Average	4.98%
11-15 Year Average	4.73%

TABLE 3

The LTFP comprises underlying assumptions and forecast estimates. These do not commit the Shire to the financial details of the LTFP rather it is intended to act as a guide towards structurally steering the Annual Budget towards the financially sustainable foundation necessary to meet identified community service levels and future obligations of the Shire.

Policy Compliance

Nil.

Statutory Compliance

S5.56(1) of the Local Government Act 1995 requires local governments produce a plan for the future. Regulation 19DA (3)(c) of the Local Government (Administration) Regulation 1996 further requires the development of supporting plans which include:

- a. Workforce Plan.
- b. Asset Management Plans.
- c. Long Term Financial Plan.

Consultation

A presentation and discussion of the 2026/27 LTFP review was held with Executive staff, and Elected Members.

Officer Comment

The LTFP is a planning tool to project a financially sustainable course to meet the Shire’s future objectives and obligations. It presents a financial analysis of strategic objectives and goals set out in the IFPR documents over a 15-year period and has not been designed to have either a pessimistic or optimistic bias.

This LTFP forecasts the operating and capital requirements of the Shire over the next 15 years. It enhances the transparency and responsibility of the Shire towards the community by articulating the future sustainable financial requirements necessary for delivering desired community service levels while also meeting future obligations.

COUNCIL RESOLUTION:	42/03-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Amanda McNab

That Council:

1. **Receives the annual review of the Long Term Financial Plan 2026/27 – 2040/41**
2. **Notes to address progress towards financial sustainability, a rate increase of 6.70% be used in developing the 2026/27 Annual Budget.**

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0

9.3. Chief Executive Officer

9.3.1 Shire's Response to The Proposed Local Government Electoral Reforms

Report Details:

Prepared by: Nick O'Connor, Chief Executive Officer

Manager: Nick O'Connor, Chief Executive Officer

Location: Shire of Donnybrook Balingup

File Reference: Monarch-2055293383-1651 **Voting Requirement:** Simple Majority

Attachment(s):

9.3.1(1) Discussion Paper

9.3.1(2) WALGA Elections Submission

Executive Recommendation

That Council:

1. **Notes the attached WALGA Electoral Reform Discussion Paper (Attachment 9.3.1(1)).**
2. **Endorses the attached Submission to WALGA on potential Local Government Electoral Reforms (Attachment 9.3.1(2)).**

Strategic Alignment

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

Outcome: 11 - Strong, visionary leadership.

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

Executive Summary

The State Government has indicated that reforms to Local Government electoral arrangements may be progressed, including proposals for four year full spill elections and compulsory voting.

WALGA has circulated an *Electoral Reform Discussion Paper* seeking early feedback from Local Governments to inform sector advocacy. In response, a Councillor workshop was held on 4 March 2026, to discuss the reform options and key considerations for the Shire.

The workshop feedback indicated support for four-year full spill elections and compulsory voting, alongside broader discussion regarding continuity, strategic planning, voter engagement, and alignment with other election cycles.

This report seeks Council's endorsement of the attached draft submission to WALGA on potential Local Government Electoral Reforms, reflecting the workshop feedback.

Background

WALGA is undertaking early engagement with the Local Government sector to inform its advocacy on potential electoral reforms anticipated to be proposed by the State Government.

The attached *Electoral Reform Discussion Paper* outlines:

- the current electoral framework in Western Australia;
- reform options under consideration;
- comparative information from other jurisdictions; and
- potential governance and cost considerations.

As part of the Shire’s consideration of the *Electoral Reform Discussion Paper*, a Councillor workshop was held on 4 March 2026 to discuss the proposed reforms and identify key considerations relevant to the Shire of Donnybrook Balingup.

Four of the seven Councillors attended the workshop and provided feedback on the reform options. The views expressed during the workshop do not constitute a formal Council decision but have informed the preparation of the attached draft submission to WALGA on potential Local Government Electoral Reforms.

The workshop feedback indicated support for four-year full spill elections and compulsory voting, alongside broader discussion regarding continuity, strategic planning, voter engagement, and alignment with other election cycles.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Almost Certain	Minor	High (10)
Risk Description:	Failure for the Shire’s views to be considered as part of foreshadowed reform local government electoral arrangements		
Mitigation:	Submitting Councils response to the proposed electoral reforms.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Nil.

Consultation

Internal Consultation

A Councillor workshop was held on 4 March 2026, attended by four Councillors. Feedback provided during the workshop included the following:

Council Term Length

- Status quo – two-year half-spill elections: No support expressed
- Four-year full spill elections: Supported by all Councillors in attendance

Voting Method

- Compulsory voting: Supported by all Councillors in attendance

Voluntary voting: No support expressed

Key concerns and considerations raised

- Continuity of Council membership
- Ability to undertake and complete long-term strategic planning and advocacy
- Capacity to close off initiatives and see projects through to completion
- Alignment (tiering) with State and Federal election cycles
- Voter fatigue
- Timing of elections and alignment considerations
- Impact and frequency of caretaker periods

Discussion points relating to voting models

- Compulsory voting was noted as potentially:
 - reducing “pocket bias”; and
 - limiting disproportionate influence from single-issue interest groups.
- Voluntary voting was noted as potentially:
 - allowing greater influence in smaller communities.

It is acknowledged that this feedback reflects the views of Councillors who attended the workshop and may not represent the views of the full Council.

Community Consultation

- No direct community consultation has been undertaken.
- The matter is currently at a sector advocacy and discussion phase.
- Community consultation may be appropriate if reforms progress to formal proposals.

Officer Comment

The purpose of this report is to enable Council to determine the Shire’s position on the proposed Local Government electoral reforms. While feedback received at the Councillor workshop held on 4 March 2026 has informed the preparation of this report, it is acknowledged that not all Councillors were present and that final determination of Council’s position rests with Council.

Given the deadline for submissions is Friday 27 March 2026, the Chief Executive Officer has prepared the Shire's draft submission. The final submission will reflect Council's final decision on the matters considered, including whether support is provided for four-year full spill elections and compulsory voting.

COUNCIL RESOLUTION:	43/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Grant Patrick

That Council:

- 1. Notes the attached WALGA Electoral Reform Discussion Paper (Attachment 9.3.1(1)).**
- 2. Endorses the attached Submission to WALGA on potential Local Government Electoral Reforms (Attachment 9.3.1(2)).**

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by en-bloc resolution 28/03-26

9.3.2. Code of Conduct for Council Members, Committee Members and Candidates

Report Details:

Prepared by: Governance Coordinator

Manager: Loren Clifford, Executive Manager Corporate

File Reference: CNL 31

Voting Requirement: Absolute Majority

Attachment(s):

9.3.2(1) Code of Conduct for Council Members, Committee Members and Candidates

Executive Recommendation

That Council adopts the Shire of Donnybrook Balingup Code of Conduct for Council Members, Committee Members and Candidates, inclusive of amendments, at Attachment 9.3.2(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

A review of the Shire's Code of Conduct for Council Members, Committee Members and Candidates (Code) has been undertaken as a result of recent legislative changes taken effect on 1 January 2026. The purpose of this report is to seek Council resolution to adopt the updated Code inclusive of amendments at [Attachment 9.3.2\(1\)](#).

Background

The *Local Government Act 1995 (Act)* regulates conduct of Council members, committee members and candidates and requires adoption of a Code of Conduct by local governments which incorporates the Model Code of Conduct prescribed by the *Local Government (Model Code of Conduct) Regulations 2021*.

Council adopted its current Code at the Ordinary Council Meeting held 27 August 2025. Council also resolved to note the Code at the Ordinary Council Meeting held 26 November 2025, following the Local Government Ordinary Election and commencement of new Council Members as part of their induction.

The Code establishes key standards that reflect core governance principles and encompasses the following elements:

- General principles to guide behaviour, including at Council and Committee meetings;
- Requirements relating to behaviour, including personal integrity, relationship with others and accountability;

- Rules of conduct, including misuse of local government resources, disclosure of information and interests, and prohibition against involvement in administration; and
- Legal compliance and enforcement encompassing a legal basis for managing breaches, including mechanisms for complaints, investigations, and sanctions.

The *Local Government Amendment Act 2024* was passed in State parliament in late 2024. As part of this, amendments to the *Local Government Act 1995* and the *Local Government (Model Code of Conduct) Regulations 2021*, as well as the introduction of the *Local Government (Local Government Inspector) Regulations 2025*, commenced on 1 January 2026.

These changes encompass a wide range of significant legislative reforms applicable to the operation of local governments in Western Australia. Among the changes, the role of Local Government Inspector (Inspector) was enacted, as well as a new breach and complaints framework relevant to the Code of Conduct. An overview of the types of breaches with associated process is presented in the table below.

Breach type	Description
Behavioural (breach of behavioural components of Model Code)	<ul style="list-style-type: none"> • Complaint referred to the local government to be dealt with under the local government’s Code of Conduct
Conduct (breach of a rule of conduct or prescribed meeting procedure)	<ul style="list-style-type: none"> • Inspector is responsible for complaint receipt and investigation • Inspector either dismisses complaint or accepts complaint • Accepted complaints must be referred to Principal Adjudicator
Recurrent (more than two previous conduct breaches)	<ul style="list-style-type: none"> • Inspector may either treat this as a Conduct breach or escalate this as a Specified breach
Specified (committing a prescribed offence)	<ul style="list-style-type: none"> • Inspector is responsible for complaint receipt and investigation • Inspector either dismisses complaint or accepts complaint • If complaint is accepted, the Inspector can: <ul style="list-style-type: none"> • Make an allegation to State Administrative Tribunal • Initiate a prosecution in court • Take other action (e.g. issue infringement notice)

Key aspects relating to the new breach and complaints framework specified in the legislation include:

- The Inspector determines the type of breach complaint and the subsequent process to be undertaken;
- Conduct breach complaints need to be made within 12 months of the alleged behaviour; and

- Specified breaches are limited if the underlying offence has a statute of limitation;
- When a complaint alleging a conduct breach is accepted, the Inspector refers the matter to the Principal Adjudicator for allocation, so that a finding can be made and any appropriate sanction determined;
- Decisions may be appealed to the State Administrative Tribunal;
- A behavioural breach complaint is typically referred to the local government to be dealt with under its adopted Code of Conduct;
- The Inspector may escalate the complaint if the council member has at least 2 previous behavioural breach findings (since 1 January 2026);
- If escalated, the complaint is treated as a conduct breach and referred to the Principal Adjudicator.

As a result of the legislative changes, a comprehensive review of the Shire’s Code has been undertaken. It has been updated to reflect the prescribed statutory content of the Model Code, with minor formatting edits. The updated Code, detailing amendments in red text, is at [Attachment 9.3.2\(1\)](#).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Moderate	Moderate (9)
Risk Description:	Non-compliance with statutory requirements pertaining to prescribed content of the Code of Conduct.		
Mitigation:	Adopt the updated Code as per the Executive Recommendation to this report.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Moderate (9)
Risk Description:	Non-compliance with the Code of Conduct by Council Members, Committee Members and Candidates.		
Mitigation:	Ensure all new Councillors, committee members and candidates are suitably inducted in their roles, incorporating provision, review and formal acknowledgement of the Code of Conduct.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Local Government Act 1995 (Act):

- Part 5, Division 9 regulates the conduct for Council members, committee members and candidates;
- Section 5.104 requires adoption of a Code of Conduct by local governments which incorporates the Model Code of Conduct.

Local Government (Model Code of Conduct) Regulations 2021:

- Prescribes the content of the Model Code of Conduct required by the Act.

Local Government (Local Government Inspector) Regulations 2025:

- Prescribes the breach and complaints process.

Consultation

The up to date Code will be published on the Shire’s website in compliance with legislative requirements.

Officer Comment

The Code promotes transparency by requiring Council Members, Committee Members and Candidates to act with integrity and accountability in their decision-making and interactions. The updated Code aligns with newly commenced legislative provisions, formalising clearer complaint handling pathways, stronger integrity protections and strengthened external oversight through the Local Government Inspector.

As part of supporting Council in its role to ensure legislative compliance and appropriate governance for the Shire, it is advised that Council resolve the Executive Recommendation to this report and adopt the amendments to the Code of Conduct for Council Members, Committee Members and Candidates at [Attachment 9.3.2\(1\)](#).

COUNCIL RESOLUTION:	44/03-26	
MOVED BY:	Cr Anita Lindemann	SECONDED BY: Cr Amanda McNab

That Council adopts the Shire of Donnybrook Balingup Code of Conduct for Council Members, Committee Members and Candidates, inclusive of amendments, at [Attachment 9.3.2\(1\)](#).

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 by Absolute Majority Vote

9.3.3 Audit, Risk and Improvement Committee – Adoption of Terms of Reference and Transitional Arrangements

Report Details:

Prepared by: Executive Manager - Corporate

Manager: Nicholas O'Connor, Chief Executive Officer

File Reference: MONARCH-99592669-32 **Voting Requirement:** Absolute Majority

Attachment(s):

9.3.3(1) Draft Audit, Risk and Improvement Committee Terms of Reference

Executive Recommendation

That Council:

1. **Adopts the Audit, Risk and Improvement Committee (ARIC) Terms of Reference, as attached at Attachment 9.3.3(1);**
2. **Confirms the establishment of the Audit, Risk and Improvement Committee under section 7.1A of the *Local Government Act 1995*; and**
3. **Notes that the existing Audit and Risk Management Committee (ARMC) will transition to the Audit, Risk and Improvement Committee (ARIC) once all applicable transitional requirements under the *Local Government Act 1995* and associated regulations have been met, as outlined in this report.**
4. **Authorises the Chief Executive Officer to undertake an Expression of Interest process for independent membership of the Audit, Risk and Improvement Committee and to present a report to Council recommending the appointment of an Independent Presiding Member and Independent Deputy of the Presiding Member.**

Strategic Alignment

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

Outcome: 11 - Strong, visionary leadership.

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

Item: Nil.

Executive Summary

Council is requested to adopt the draft Audit, Risk and Improvement Committee (ARIC) Terms of Reference to support the formal establishment of the ARIC in accordance with recent amendments to the *Local Government Act 1995*. These reforms strengthen governance arrangements by expanding the committee's focus beyond audit and risk to include continuous improvement and by requiring independent leadership of the committee.

The adoption of the Terms of Reference will provide a clear governance framework for the operation of the ARIC and confirm Council's intent to transition from the existing Audit and Risk Management Committee (ARMC) to an ARIC once all legislative transitional requirements are satisfied.

Background

The *Local Government Amendment Act 2024* introduced significant governance reforms, including the replacement of audit committees with Audit, Risk and Improvement Committees (ARICs). These reforms commenced on 1 January 2026 and require all local governments to establish an ARIC within the prescribed transition period.

Historically, the Shire has operated an Audit and Risk Management Committee (ARMC) established under section 5.8 of the *Local Government Act 1995*. While the existing committee has provided oversight of audit and risk matters, the legislative reforms expand the committee's role to include continuous improvement and introduce mandatory independence requirements for the Presiding Member and Deputy of the Presiding Member.

This report is presented to Council to formally adopt the ARIC Terms of Reference and confirm the establishment of the committee under the amended legislative framework, enabling an orderly and compliant transition from the ARMC to the ARIC.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Minor	Moderate (6)
Risk Description:	Failure to adopt compliant Terms of Reference may result in non-compliance with statutory governance requirements under the Local Government Act 1995.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Possible	Minor	Moderate (6)
Risk Description:	<ul style="list-style-type: none"> Without clearly defined roles and responsibilities, the effectiveness of audit, risk, and improvement oversight may be diminished. Lack of clarity regarding the transition from ARMC to ARIC may lead to uncertainty around committee authority, membership, and reporting. 		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Minor	Moderate (6)
Risk Description:	Non-compliance or delayed implementation of governance reforms may impact community and stakeholder confidence.		
Mitigation:	Adoption of the proposed Terms of Reference mitigates these risks by clearly defining the committee's role, authority, and independence requirements.		

Financial Implications

The adoption of the ARIC Terms of Reference does not, in itself, create a direct financial impact. Any costs associated with independent committee members (such as sitting fees or reimbursements) will be managed within existing budget allocations or addressed through future budget considerations. No budget amendment is required as a result of this decision.

Policy Compliance

Nil.

Statutory Compliance

This decision is governed by the following legislation:

Local Government Act 1995

- Section 7.1A – Requires a local government to establish an Audit, Risk and Improvement Committee and prescribes independence requirements for the Presiding Member and Deputy Presiding Member.
- Section 5.8 – Provides for the establishment of committees of Council.
- Sections 5.12 and 5.13 – Govern the appointment of committee members and presiding members.

Local Government (Audit) Regulations 1996 (as amended)

- Prescribe the functions of an Audit, Risk and Improvement Committee, including oversight of audit, risk management, legislative compliance, and continuous improvement.

Transitional Provisions

- Transitional provisions associated with the Local Government Amendment Act 2024 allow existing audit committees to continue operating while transitioning to an ARIC, provided legislative requirements are met within the prescribed timeframe.

The adoption of the Terms of Reference ensures compliance with these statutory obligations.

Consultation

Internal Consultation

Internal consultation has occurred with Executive staff to ensure the draft Terms of Reference align with legislative requirements, existing governance frameworks, and operational capability.

Elected/Committee Member Consultation

Elected/Committee Members have been informed of the ARIC reforms through previous related reports and briefings and committee discussions.

External Consultation

Executive staff have liaised with WALGA regarding the legislative requirements.

Future external consultation will commence following Council's adoption of the Audit, Risk and Improvement Committee Terms of Reference. An Expression of Interest (EOI) process will be undertaken to recruit suitably qualified independent members, including the Presiding Member and Deputy Presiding Member.

Advertising of the EOI will be conducted through:

- SEEK;
- the Shire's official website; and

- the Shire’s official Facebook page.

This approach is intended to support transparency, attract suitably qualified candidates, and meet the independence requirements prescribed under the *Local Government Act 1995*.

Officer Comment

The adoption of the Audit, Risk and Improvement Committee (ARIC) Terms of Reference represents a key governance step in responding to the State Government’s local government reform agenda and strengthening Council’s oversight of audit, risk, and continuous improvement.

While the Shire currently operates an Audit and Risk Management Committee (ARMC), the amended *Local Government Act 1995* introduces specific requirements that must be met before the committee can formally operate as an ARIC. These transitional requirements include:

- The formal establishment of the Audit, Risk and Improvement Committee under section 7.1A of the *Local Government Act 1995*;
- Adoption of compliant Terms of Reference that reflect the expanded ARIC functions prescribed under the *Local Government (Audit) Regulations 1996* (as amended);
- Appointment of an independent Presiding Member and an independent Deputy Presiding Member, neither of whom may be a council member of any local government;
- Confirmation of committee membership arrangements that comply with legislative independence requirements; and
- Completion of any remaining transitional actions within the prescribed transition period.

Until these requirements are met, the existing ARMC will continue to operate to ensure continuity of governance and oversight. Once satisfied, the committee will formally transition to an Audit, Risk and Improvement Committee (ARIC) without interruption to its functions.

Council is therefore being asked to consider and adopt the Executive Recommendation to endorse the Terms of Reference, confirm the establishment of the ARIC under the *Local Government Act 1995*, and note the transitional arrangements required to support a compliant and orderly transition from the ARMC to the ARIC.

COUNCIL RESOLUTION:	45/03-26	
MOVED BY:	Cr Tyler Hall	SECONDED BY: Cr Grant Patrick

That Council:

- 1. Adopts the Audit, Risk and Improvement Committee (ARIC) Terms of Reference, as attached at Attachment 9.3.3(1);**
- 2. Confirms the establishment of the Audit, Risk and Improvement Committee under section 7.1A of the *Local Government Act 1995*; and**
- 3. Notes that the existing Audit and Risk Management Committee (ARMC) will transition to the Audit, Risk and Improvement Committee (ARIC) once all applicable transitional requirements**

under the *Local Government Act 1995* and associated regulations have been met, as outlined in this report.

4. Authorises the Chief Executive Officer to undertake an Expression of Interest process for independent membership of the Audit, Risk and Improvement Committee and to present a report to Council recommending the appointment of an Independent Presiding Member and Independent Deputy of the Presiding Member.

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0 Absolute Majority Vote

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 RFQ 362 – Supply of Grader

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.

The Presiding Member put to the Council that the meeting be closed to the public to address confidential matters.

COUNCIL RESOLUTION:	46/03-26	
MOVED BY:	Cr Alex Purich	SECONDED BY: Cr Tyler Hall

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 RFQ 362 – Supply of Grader

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Choose an item.: 0/0

The meeting was closed to the public at 4:33pm.

The Presiding Member put to the Council that meeting be re-opened to the members of the public following consideration of the confidential items.

COUNCIL RESOLUTION: 48/03-26		
MOVED BY:	Cr Alex Purich	SECONDED BY: Cr Amanda McNab

That Council re-open the meeting to the public.

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

The meeting re-opened to the public at 4:36pm, and the Presiding Member read the confidential resolutions aloud.

12.2. Public reading of Resolutions that may be made public

COUNCIL RESOLUTION: 47/03-26		
MOVED BY:	Cr Amanda McNab	SECONDED BY: Cr Tyler Hall

That Council:

- 1. Requests the Chief Executive Officer to award RFQ 362 – Supply of Grader, to WesTrac Pty Ltd in accordance with their submitted price.**
- 2. Endorses the disposal of its existing Caterpillar 120M via public auction in accordance with 3.58 Disposing of Property as outlined in the *Local Government Act 1995* and remove from the Shires fleet.**

For: Cr Bailey, Cr Hall, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Patrick, Cr Purich
Against: Nil.
Carried: 7/0

13. Closure

The Presiding Member advised that the next Agenda Briefing Session will be held on 15 April 2026 at 3:00PM, in the Shire of Donnybrook Balingup Council Chamber.

The Presiding Member declared the meeting closed at 4:36pm.