



Ordinary Council Meeting (28 October 2026)

ATTACHMENTS

Number	Title
7.1.1(1)	Minutes of Ordinary Council Meeting held 23 September 2026
9.1.1(1)	May OCM Agenda 9.1.5 Item and Attachments
9.1.1(2)	Fire Management Plan dated September 2026
9.1.1(3)	Hydrogeology Review
9.1.1(5)	Forest Management Plan
9.2.2(1)	Monthly Financial Report for the period ending 30 September 2026
9.2.3(1)	Position Description – Volunteer Camp Hosts
9.2.3(2)	Baseline Risk Assessment – Transit Parks Camp Host Program
9.3.1(1)	Standards for CEO Recruitment, Performance and Termination (EXE/CP-16)
9.3.2(1)	Draft Parking and Parking Facilities Local Law
9.3.2(2)	Current Local Law
9.3.2(3)	Local Parking and Parking Facilities Local Law Comparison Table
9.3.4(1)	Council Plan 2026/2027 Priority Projects – Quarter 1 Progress Update
9.3.7(1)	Expression of Interest submitted by the Donnybrook Historical Society
9.3.7(2)	Property Management Framework
9.1.1(4)	Revised Main Roads Submission



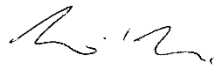
Minutes of Ordinary Council Meeting

Held on 23 September 2026 and commenced at 5:00pm

Held at the Council Chambers in Donnybrook

(1 Bentley Street, Donnybrook)

Authorised:



Nick O'Connor, Chief Executive Officer

Prepared:

25 September 2026

Disclaimer:

Please note the items and recommendations in this document are not final and are subject to change or withdrawal.

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

Contents

1.	Declaration of Opening / Announcement of Visitors.....	6
2.	Attendance (OCM).....	6
2.1.	Apologies.....	7
2.2.	Approved Leave of Absence	7
2.3.	Application for Leave of Absence	7
3.	Announcements from the Presiding Member	7
4.	Declarations of Interest	8
5.	Public Question Time	8
5.1.	Responses to previous public questions that were taken on notice	9
5.2.	Public Question Time	9
6.	Presentations	8
6.1.	Petitions	8
6.2.	Presentations	8
6.3.	Deputations.....	9
6.4.	Delegates' Reports.....	9
7.	Confirmation of Minutes	25
7.1.	Ordinary Council Meeting Minutes	25
7.1.1	Ordinary Council Meeting held on 26 August 2026.....	25
8.	Reports of Committees.....	26
8.1.	Local Emergency Management Committee Meeting Minutes.....	26
8.1.1	Local Emergency Management Committee Meeting held on 28 July 2026	26
8.2.	Warren Blackwood Alliance of Councils Meeting Minutes.....	27
8.2.1	Warren Blackwood Alliance of Councils Meeting held on 4 August 2026	27
8.3.	Audit, Risk & Improvement Committee Meeting Minutes	28
8.3.1	Audit, Risk & Improvement Committee Meeting held on 26 August 2026.....	28
9.	Reports of Officers	31
9.1.	Director Operations	31
9.1.1	Reconsideration of conditions P25070 - Pine Plantation, Mumballup.....	31
9.1.2	Request to Close Unconstructed Road Parcels ID 3627482 and ID 3627483, Balingup	40
9.1.3	Dark Down South Open Air Festival – Event Application.....	54
9.1.4	New Policy - Installation of Public Memorial Seat	64

9.1.5	Rescindment of Council Policies EMERG/CP-1 Fireworks Events and EMERG/CP-2 Permits for Road Verge Burning.....	67
9.2.	Director Finance and Community.....	70
9.2.1	Schedule of Accounts Paid as at 31 August 2026	70
9.2.2	Monthly Financial Report for the period ending 31 July and 31 August 2026....	81
9.2.3	Rescindment of Council Policy COMD/CP-4- Community Townscape Activities and COMD/CP-5- Tourism in Donnybrook Balingup	86
9.2.4.	Policy Review – HR/CP-4 Temporary Employment or Appointment of CEO.....	89
9.2.5	Review of Council Policies – FIN/CP-3-Debt, FIN/CP-5- Regional Price Preference and FIN/CP-7 – Purchasing Card	93
9.3.	Chief Executive Officer.....	97
9.3.1	Donnybrook Medical Centre Lease Arrangements and Strategic Site Review....	16
9.3.2	Lot 597 (2) Collins St (Good Shed), Donnybrook – Further Lease Extension Request	97
9.3.3	Policy Review - EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers	102
9.3.4	New Policy – EXE/CP-19 Information Breach Management.....	106
9.3.5	Review of Council Policies ADM/CP-1 Records Management, EM/CP-4 Honorary Freeman and EXE/CP-8 Policy Framework.....	110
10.	Elected Member Motions.....	116
11.	New Business of an urgent nature introduced by Decision of the Meeting	116
12.	Meeting Closed to the Public	116
12.1.	Matters for which the Meeting may be closed.....	116
12.1.1	Road Upgrades and Construction Works- RFT2627-375, RFT2627-376 & RFT2627-377	116
12.2.	Public reading of Resolutions that may be made public.....	117
13.	Closure	118

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

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

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

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

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

2. Attendance (OCM)

Councillors Present:

Cr John Bailey	Cr Tyler Hall	Cr Reggie Keown
Cr Anita Lindemann	Cr Vivienne MacCarthy	Cr Amanda McNab
Cr Leanne Wringe	Cr Alex Purich	

Staff Present:

Nick O’Connor, Chief Executive Officer	Colin Young, Director Finance and Community
Loren Clifford, Executive Manager Corporate	Michelle Dennis, Acting Director Operations
Samantha Farquhar, Administration Officer Corporate	

Other Members Present:

Public Gallery: 57 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:	149/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Vivienne MacCarthy

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

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

2.1. Apologies

Ross Marshall, Director Operations

2.2. Approved Leave of Absence

At the Ordinary Council Meeting held 24 June 2026, Council resolved the following:

"COUNCIL RESOLUTION 98/06-26
That Council approve Cr Grant Patrick's request for a leave of absence for the September 2026 Ordinary Council Meeting.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Presiding Member

Nil.

4. Declarations of Interest

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

- Cr Tyler Hall declared an impartiality interest in relation to item 9.3.1, as his family use the services of the Donnybrook Medical Centre.
- Loren Clifford declared an impartiality interest in relation to item 9.3.1, as immediate family members use the services provided by Donnybrook Medical Services.
- Cr Amanda McNab declared an impartiality interest in relation to item 9.3.1, as she uses the services at the Donnybrook Medical Services.
- Cr Anita Lindemann declared an impartiality interest in relation to item 9.3.1, as the lessee is a friend.
- President MacCarthy declared an impartiality interest in relation to item 9.3.1, as immediate family members use the services provided by Donnybrook Medical Services.
- Cr Leanne Wringe declared an impartiality interest in relation to item 9.3.1, as immediate family members use the services provided by Donnybrook Medical Services.

That Council move the order of business.

COUNCIL RESOLUTION:	150/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council moves the order of business to allow presentations to be presented prior to public question time, and for Item 9.3.1, to be presented to Council following the en-bloc resolution.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against:
Choose an item.: 8/0

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.

Dr Wietske Van Der Velden Schuijling in relation to item 9.3.1, Donnybrook Medical Centre Lease Arrangements and Strategic Site Review (presented at the Ordinary Council Meeting).

6.4. Delegates' Reports

Nil.

5. Public Question Time

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

Nil.

5.2. Public Question Time

Question: Judith Morrissey

In the report for Agenda item 9.3.1, the officer notes that a new rolling annual lease would likely constitute a disposal of property under section 3.58 of the Local Government Act, requiring public advertising. Has the report officer or the Shire considered Regulation 30(2)(f) of the Local Government (Functions and General) Regulations 1996 (WA), which exempts the leasing of land to a person registered in the medical profession for carrying on their medical practice, from section 3.58 of the Local Government Act? If it applies to 41 Bentley Street, Reserve 52021, does that mean a new lease to the current lessee would not require public advertising and or other requirements of section 3.58 of the Local Government Act?

Officer response:

Officers are aware of the exemption in Regulation 30(2)(f), which may exempt certain medical leases from the advertising requirements of section 3.58 of the Local Government Act. If the exemption applies, it may mean that public advertising under section 3.58 is not required for a new lease arrangement. However, the key point is that the exemption only relates to the statutory requirement to advertise. It does not require Council to enter into a new lease, nor does it determine the rent, term or lease conditions. Council may still choose to publicly advertise a lease opportunity if it considers doing so is in the public interest, provides greater transparency, or assists Council to understand what options may be available before making a decision.

The report references section 3.58 because a completely new lease arrangement raises legislative considerations that would need to be assessed at the time. If Council wished to pursue a new lease in the future, officers would assess all applicable legislative requirements, exemptions and available options before providing advice to Council.

To clarify, the exemption may remove the obligation to advertise, but it does not prevent Council from advertising if it chooses to do so, nor does it remove Council's responsibility to determine whether a new lease should be offered and on what terms.

Question: Judith Morrisey

In February 2024, Council resolved to not accept the offer to purchase Lot 501 (41 Bentley Street) and to initiate the process of acquiring Reserve 52021 from the Crown. In May 2025, Council resolved that it was unable to proceed with disposal of the site due to land tenure constraints. Can the CEO clarify what progress was made on the Crown acquisition process during those 15 months, and whether the land tenure constraint cited in May 2025 was the same constraint as in 2024, or a new finding?

Officer response:

In February 2024, Council was unable to accept the purchase proposal because the Shire did not own the land. The land is Crown land and the Shire holds a Management Order over Reserve 52021. Before any sale could occur, the land would first need to be acquired from the State.

Between February 2024 and May 2025, the matter was considered on a number of occasions through Council workshops and discussions involving Councillors and staff. During that period, the discussion evolved from simply looking at how a sale might occur to the broader question of whether Council should sell the site at all. Considerable work was undertaken to better understand the process, costs, risks and practical implications of acquiring the land from the State and potentially disposing of the property in the future. During this time, there were also a number of meetings involving representatives of Donnybrook Medical Services, the CEO and the Shire President to discuss alternative options and opportunities, recognising the complexity, cost and timeframe associated with any potential acquisition and sale process. Those discussions included matters such as future expansion opportunities on the site and other ways of supporting the ongoing operation of the medical service without requiring a sale of the property.

By May 2025, Council formed the view that it was not in a position to proceed with disposal of the site due to the land tenure constraints, the complexity and cost of the acquisition process, the uncertainty of obtaining State approval, and the financial implications associated with both preparing the necessary business case and potentially purchasing the land from the State.

Accordingly, the issue identified in 2025 was not a new land tenure constraint, but rather a recognition of the practical challenges, costs and risks involved in progressing from a Crown reserve managed by the Shire to a privately owned property.

Question: Samantha Wright

Has any contact already been made with WACHS, Hall & Prior, or the SWDC regarding this proposed engagement, and is there a defined timeframe, budget, or resourcing allocated to this stakeholder review? Or is this recommendation being brought to Council without any prior scoping of what that engagement would involve?

Officer response:

No.

Question: Samantha Wright

The stakeholder engagement outlined in recommendation 6 lists WACHS, Hall & Prior, the SWDC, and the lessees as parties to be consulted during the holdover period, to investigate options that support "health, aged care, community and other strategic service outcomes for the Donnybrook community." Does the scope of this engagement include any process for direct community consultation on what health and lifestyle-medicine services residents want from this site? Does the phrase "health, aged care, community and other strategic service outcomes" include consideration of a preventative, lifestyle-medicine model of care specifically, or is that model not currently within the scope of this review?

Officer response:

At this stage, the recommendation only authorises discussions with relevant stakeholders and does not prescribe a detailed scope or consultation process. The intention is to keep discussions broad and explore opportunities that may benefit the Donnybrook community.

Question: Dr Wiestske Van Der Velden Schuijling

Could the Shire please explain how the annual rates payable by Donnybrook Medical Centre are calculated, including the GRV, the area of the property to which that valuation applies, and whether the rates relate only to the area leased by the Medical Centre? Could the Shire also clarify why the Medical Centre, as a tenant of a Shire-owned building on crown land, is responsible for these rates in addition to paying commercial rent?

Officer response:

Landgate provides the Shire with a Gross Rental Valuation on the property, the annual rates are calculated by multiplying this valuation with the rate in the dollar set by Council. Landgate has valued the property with a Gross Rental Value of \$67,600. The gross rental value (GRV) is the total annual rent a property might reasonably be expected to earn each year if it was rented out.

To determine a fair rental value for each property, individual property attributes and constraints are considered. Landgate has valued the property on a commercial basis, with having 5 consulting rooms, a reception, treatment room, records, admin and staff rooms and toilets.

Your rates are then calculated by multiplying the GRV (Landgate provided) by the Rate in the dollar set by Council - 2026/2027: $\$67,600 \times 0.106037 = \$7,168.10$

Further, Clause 4.2 of the lease states:

4.2 Outgoings

- (1) Subject to the Schedule of Responsibilities, the Lessee agrees to pay to the Lessor or to such person as the Lessor may from time to time direct punctually all the following outgoings or charges (if applicable), assessed or incurred in respect of the Premises:
 - (a) local government rates, taxes, charges and services, including charges for rubbish removal and the emergency services levy;

This is a standard clause in commercial leases and has been drafted into policy by way of the adopted Property Management Framework to ensure consistency.

Question: Delphina Bunter

Can the Shire confirm whether the Health Precinct Partnership MOU referenced in the February 2024 minutes is still current, and table it for public information? If so, is Donnybrook Medical Centre Pty Ltd a signatory or party to it? If not, does Council intend to include them? If the MOU is no longer current, was Donnybrook Medical Centre Pty Ltd ever a party to it, and what replaced it, if anything?

Officer response:

A draft MOU was developed in 2023 between a number of health and aged care stakeholders, including WA Country Health Service, Donnybrook Medical Services, Hall & Prior and others. Donnybrook Medical Services was included as a proposed party to the draft MOU. However, the MOU was never fully executed by all parties and was never presented to Council for adoption or endorsement. As a key stakeholder, WA Country Health Service did not execute the document and the MOU therefore did not proceed. As a result, there is no current Health Precinct MOU in place and no replacement agreement has been adopted by Council.

Question: Donna Kitchen

Council's report recognises that the medical-centre site is part of a broader health and aged-care precinct and proposes a review of its long-term strategic, community and financial opportunities. Given Donnybrook Medical Services' vision to expand the existing centre into a rural health hub, will Council include a formal assessment of a pathway for the practice to purchase the Shire-owned building and, subject to State approval, acquire the relevant land as freehold?

Officer Response:

No. Council's most recent resolution regarding the property is not to proceed with a sale of the site. Since that resolution was made, the Chief Executive Officer has advised the lessee at a Councillor Workshop that Council's financial position and circumstances have changed over the last few years. As a result, if the lessee wished to pursue the matter further, a request to purchase could be presented to Council for consideration again.

Question: Donna Kitchen

If freehold purchase of the land is not possible or is not supported, will Council work with the Department of Planning, Lands and Heritage to identify an alternative secure long-term land-tenure arrangement that would enable Donnybrook Medical Services to fund an extension of the existing building and provide expanded GP, pathology, allied-health, preventative-health and chronic-disease services? Please also advise the anticipated process and timeframe for that assessment and a Council decision.

Officer Response:

Council is open to exploring all options with the lessee.

Question: Wendy Ayers

Why does the Shire want to demolish the Balingup children's playground.

Officer Response:

There have been discussions around the scope of the new proposed playground, however no decisions or formal resolutions have been made to remove the current playground.

Question: Wendy Ayers

Why was there a proposal to remove the playground.

Officer Response:

This is miscommunication. The working group were discussing options only, and no decision has been made.

Question: Wendy Ayers

Why has the Mullalyup Fire Station closed.

Officer Response:

The Mullalyup Fire Station has not been closed.

Question: Michelle Padman

How is Council considering the thousands of patients and families across Donnybrook, Balingup, Boyanup, Capel and surrounds, including relevant stakeholders namely Tuia Lodge and the support to Donnybrook Hospital, and not just the financial or commercial value of the building?

Officer Response:

If Council wishes to look at other factors outside what's already been agreed to within the lease, then that's open to Council to make that determination.

Question: Michelle Padman

Is it a normal thing for rates to go down? Our rates went down three years ago.

Officer Response:

Yes, rates do go down. GRV within the Shire of Donnybrook Balingup is re-valued every six years. When the re-value happens, the GRV values often move up and down. The actual rates of the Medical Services in 2023/2024 were \$10,784, and reduced in 2024/2025 to \$6,220. There was a \$4000 drop directly related to the GRV. A lot of the time residential will go up, and commercial will go down.

Question: Greg Strelein

I understand that the Shire has only offered a short-term lease to the Medical Centre, and that they are looking for alternative tenants for the building. When would the Medical Centre be expected to close, and what notice would be given.

Officer Response:

That is not correct. Council's default position was to renew for another 5 years, and the Council is not looking for alternative tenants for the building.

Question: Charles Smally

If the current Drs move towns, will the Councillors take responsibility for this.

Officer Response:

This Council makes decisions that affect the community and affect each other, at every Council Meeting.

Question: Charles Smally

Why have the Shire sold a building to the community bank, but won't sell the building to the Drs. Why doesn't the Shire sell the building and put the money toward debt within the Shire.

Officer Response:

Council owned the bank building freehold, and that matter had formally and informally been on the agenda for a number of years. Council recently undertook a review of its properties and identified that the due to tenure of the bank building being freehold, the building could be sold. The Bendigo Bank confirmed it was willing to buy the building. The requirements of the Local Government Act were met for the sale of the bank building, and a resolution was passed by Council approving the offer to purchase the bank building. To sell the Medical Services building would be a far more protracted process. We would need to convert the land from reserve and into Council's freehold ownership, and then on-sell it. Council hasn't been in a financial position to spend \$50,000 to \$60,000 of rate payers money to do the business case, or to subsequently purchase the property.

Question: Harry Ortheil

Has the Shire in the last four years been approached by or been in negotiations with statewide largescale healthcare providers regarding the possible replacement of the current provider. Has the Shire considered the possible quality deterioration of the service in case of the provider change.

Officer Response:

No, the Shire have had no discussions.

Question: Fabian Mavath

Where does the Shire's duty of care end in regards to the maintenance of trees in public spaces.

Officer Response:

This matter will be followed up after the meeting.

Adoption by Exception

COUNCIL RESOLUTION:	151/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

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

- 7.1.1 Ordinary Council Meeting held on 26 August 2026
- 8.1.1 Local Emergency Management Committee Meeting held on 28 July 2026
- 8.2.1 Warren Blackwood Alliance of Councils Committee Meeting held on 4 August 2026
- 8.3.1 Audit, Risk and Improvement Committee Meeting held 26 August 2026
- 9.1.1 Reconsideration of Conditions P25070 – Pine Plantation, Mumballup
- 9.1.2 Request to Close Unconstructed Road Parcels ID 3627482, Balingup
- 9.1.3 Dark Down South Open Air Festival – Event Application
- 9.1.4 New Policy – Installation of Public Memorial Seat
- 9.1.5 Rescindment of Council Policies EMERG/CP-1 Fireworks Events and EMERG/CP-2 Permits for Road Verge Burning
- 9.2.1 Schedule of Accounts Paid as at 31 August 2026
- 9.2.2 Monthly Financial Report for the Period Ending 31 July and 31 August 2026
- 9.2.3 Rescindment of Council Policy COMD/CP-4- Community Townscape and COMD/CP-5- Tourism in Donnybrook Balingup
- 9.2.5 Review of Council Policies – FIN/CP-3-Debt, FIN/CP-5- Regional Price Preference and FIN/CP-7 – Purchasing Card
- 9.3.3 Policy Review – EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers
- 9.3.4 New Policy – EXE/CP-19 Information Breach Management

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

9.3.1 Donnybrook Medical Centre Lease Arrangements and Strategic Site Review

Report Details:

Prepared by: Executive Manager Corporate
Manager: Chief Executive Officer
Applicant: Donnybrook Medical Centre Pty Ltd
Location: 41 Bentley Street, Donnybrook
Monarch: MONARCH-175587964-122 **Voting Requirement:** Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.3.1(1) Donnybrook Medical Services – Request to Review Lease Terms
9.3.1(2) Donnybrook Medical Services – New Correspondence (Received 14/09/26)

Executive Recommendation

That Council:

1. **Notes the correspondence received from Donnybrook Medical Services Pty Ltd, requesting an annual (Attachment 9.3.1(1)) rollover lease arrangement and review of the current rental amount;**
2. **Declines the request for an annual rollover lease structure over a five-year period;**
3. **Approves a twelve (12) month holdover tenancy commencing retrospectively from 1 July 2026 and expiring 30 June 2027, subject to the terms and conditions of the existing lease agreement remaining unchanged;**
4. **Notes that, in accordance with Clause 24 of the existing lease agreement, the rent payable during the holdover period will be the existing rental amount plus a three per cent (3%) increase;**
5. **Authorises the Chief Executive Officer to execute all necessary documentation to give effect to the decision; and**
6. **Requests the Chief Executive Officer, during the holdover period, to engage with the Western Australia Country Health Service (WACHS), Hall & Prior (Tuia Lodge), the South West Development Commission (SWDC), the lessees and other relevant stakeholders to investigate and report back to Council on potential medium and long-term opportunities for the site, including options that support health, aged care, community and other strategic service outcomes for the Donnybrook community.**

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

Further correspondence has been received from Donnybrook Medical Centre Pty Ltd regarding the future leasing arrangements for the medical centre premises at 41 Bentley Street, Donnybrook. The correspondence advises that the lessee no longer intends to pursue acquisition of the property and requests that Council consider an alternative leasing model comprising successive annual lease terms over a five-year period, together with a review of the rental amount.

The existing lease commenced on 1 July 2021 for an initial term of five years and includes a further five-year option. In accordance with the lease provisions, the Shire obtained an independent market rental valuation to determine the applicable market rent for any continued occupation of the premises. The lessee has subsequently raised concerns regarding the proposed lease structure, rental amount and responsibility for valuation costs, and has requested that Council consider an alternative approach.

This report presents three options for Council's consideration:

Option 1: Require the Lessee to Exercise the Further Five-Year Option

Request the lessee to exercise the further five-year term available under the existing lease agreement and enter into the renewed term at the reviewed market rental and on the existing lease terms and conditions. This option provides certainty for both parties and allows the tenancy to continue under the current lease framework.

Option 2: Holdover Tenancy (Executive Recommendation)

Approve a twelve-month holdover period of the existing lease, including terms and conditions, with rent based on the independent market rental valuation and applied retrospectively from 1 July 2026, providing both parties with additional flexibility while longer-term arrangements are considered.

Option 3: New Rolling One-Year Lease Arrangement

The lessee has requested consideration of an alternative arrangement comprising successive one-year lease terms over a five-year period. As this arrangement is not provided for within the existing lease, it would require Council to enter into a new lease agreement. A new lease is likely to constitute a disposal of property under section 3.58 of the *Local Government Act 1995*, which defines a lease as a form of property disposal and generally requires compliance with the public notice and consideration requirements of that section before the lease can be granted.

The Executive Recommendation seeks to balance continuity of service at the site with Council's strategic interests by providing a short-term leasing arrangement while broader discussions are undertaken with key stakeholders regarding the future use and long-term opportunities associated with the property.

Subsequent to the Agenda Briefing, additional correspondence was received from Donnybrook Medical Services outlining a revised position regarding the tenancy and future arrangements for the Donnybrook Medical Centre. Whilst the correspondence raises broader matters than those originally

contemplated by this report, it has been provided to ensure Council is fully informed prior to making a decision. The primary purpose of this report remains the determination of future tenancy arrangements following the expiry of the lease on 30 June 2026.

Background

The Shire leases the premises at 41 Bentley Street, Donnybrook, to Donnybrook Medical Centre Pty Ltd for the operation of a medical practice. The lease commenced on 1 July 2021 for an initial term of five years and includes an option for a further five-year term, with rental for the further term to be determined through a market rental review process. To facilitate the review, the Shire commissioned an independent market rental valuation.

Over recent years, Council has considered several matters relating to the future of the Medical Centre site. These discussions have included requests from the lessee to purchase the property, opportunities for future expansion of medical services from the site, and the longer-term strategic use of the asset. In February 2024, Council considered a request to purchase the property and noted that the land could not be sold in its current form due to its Crown land tenure. Council subsequently requested further investigation into the potential acquisition of the reserve from the Crown before any future disposal could be considered.

In May 2025, as part of Council's broader asset and service review process, Council again considered the future of the property and resolved that it was unable to proceed with a disposal of the site due to the land tenure constraints applying to the reserve.

The initial lease term expired on 30 June 2026. Under the existing lease, the lessee may elect to exercise the further five-year term in accordance with the lease provisions. Following completion of the independent market rental valuation process, the Shire advised the lessee that it could either exercise the further term at the assessed market rental or submit an alternative proposal for Council's consideration.

On 24 August 2026, the Shire received further correspondence from the lessee advising that it no longer wished to pursue acquisition of the property and requesting that Council consider an alternative leasing arrangement comprising annual lease terms over a five-year period, together with a review of the rental payable. The lessee has also raised concerns regarding the market rental valuation and responsibility for valuation costs.

Officers note that the current lease already provides a mechanism for continuation of the tenancy through the exercise of the further term. The alternative arrangement proposed by the lessee would require Council to consider a different leasing structure and its associated financial, administrative, legal and statutory implications. The recommendation presented in this report seeks to provide a twelve-month holding arrangement to maintain continuity of occupation while allowing the Chief Executive Officer time to engage with relevant stakeholders and investigate broader strategic opportunities for the site and surrounding health precinct.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Possible	Minor	Moderate (6)
Risk Description:	Delayed decision-making may limit Council's ability to optimise the long-term use of the Medical Centre site.		
Mitigation:	Utilise the 12-month holdover period to investigate future site opportunities and report options back to Council.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Moderate	Moderate (9)
Risk Description:	Failure to investigate alternative tenancy or service delivery opportunities may result in reduced financial returns, while vacancy could result in loss of rental income and ongoing holding costs.		
Mitigation:	Retain the current tenant under a market-based rental while assessing alternative tenancy, partnership and site use opportunities.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Unlikely	Minor	Low (4)
Risk Description:	A new lease arrangement outside the current lease provisions may trigger compliance requirements under section 3.58 of the <i>Local Government Act 1995</i> .		
Mitigation:	Obtain legal and governance advice and ensure any future lease proposal complies with statutory requirements before implementation.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Minor	Moderate (6)
Risk Description:	Council's decision may attract criticism from stakeholders regarding the management of a community asset or use of public funds.		
Mitigation:	Ensure decision-making is transparent, documented and supported by stakeholder engagement and independent valuation advice.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Community	Possible	Minor	Moderate (6)
Risk Description:	Uncertainty regarding the future use of the site may create concern about the ongoing provision of health and related services.		
Mitigation:	Maintain continuity of occupation while engaging with key stakeholders to consider future service delivery opportunities.		

Financial Implications

The recommendation maintains rental income at the independently assessed market rental value for a further 12-month period while providing Council with time to investigate the future strategic and financial opportunities associated with the site. The recommendation also avoids committing Council to a longer-term leasing arrangement before alternative options have been fully explored.

Policy Compliance

Nil.

Statutory Compliance

Nil.

Consultation

Internal consultation:

- Internal discussions with executive and governance staff.

External consultation:

- Donnybrook Medical Centre Pty Ltd met with Council at its workshop to discuss the lease, and next steps.
- Market Rental Valuation sought.

Officer Comment

The current lease has reached the end of its initial term and the lessee has requested that Council consider an alternative leasing structure comprising successive annual lease terms rather than exercising the further five-year term available under the existing lease. Council is therefore required to determine the most appropriate pathway for the future occupation of the premises. The options available are to require the lessee to exercise the existing five-year option, approve a temporary holdover arrangement under the current lease, or support the negotiation of a new lease structure.

While the existing lease provides a mechanism for the tenant to continue occupation through the exercise of the further term, officers consider that approval of a 12-month holdover tenancy represents the most appropriate course of action at this time. The recommended approach maintains continuity of occupancy, retains rental income and avoids committing Council to a longer-term arrangement while broader strategic opportunities for the site are investigated.

It is noted that the Medical Centre site forms part of a broader health and aged care precinct and has been the subject of several Council discussions in recent years regarding future ownership, expansion opportunities and long-term use. Council has previously considered requests relating to the possible sale of the property and broader strategic planning for the site. As the lessee has now confirmed that it no longer wishes to pursue acquisition of the premises, officers consider that an opportunity exists for Council to undertake a broader review of potential medium and long-term uses of the site in consultation with relevant stakeholders, including the Western Australia Country Health Service, Hall & Prior (Tuia Lodge), the South West Development Commission, the current tenant's and other relevant stakeholders.

Officers also note that the lessee's preferred option of successive one-year lease terms would require ongoing lease administration and repeated Council consideration. Historically, negotiations relating to the Medical Centre lease and associated property matters have extended over several months and involved significant officer time in obtaining valuations, seeking legal and professional advice, preparing reports, negotiating lease terms, corresponding with stakeholders and facilitating Council decision-making processes. A short-term renewal structure would likely result in these processes

recurring at more frequent intervals, resulting in additional administrative effort and associated costs to the Shire.

Should Council ultimately determine that a new lease arrangement is to be pursued rather than continuation under the existing lease framework, further work would be required before a lease could be executed. A new lease will need to be developed in accordance with Council's Property Management Framework, whilst considering statutory obligations under section 3.58 of the *Local Government Act 1995*, including public advertising, consultation processes and returning the matter to Council for further consideration and approval.

Officers consider it appropriate that the rental payable during the holdover period be based on the independent market rental valuation obtained by the Shire. The valuation was commissioned in accordance with the lease provisions and provides an objective assessment of market rent for the premises. Applying the independently assessed rental ensures consistency, transparency and equity in the management of a Shire-owned commercial asset, while supporting Council's responsibility to obtain an appropriate commercial return on behalf of ratepayers.

The recommendation does not prevent the current tenant from continuing to occupy the premises, nor does it predetermine any future leasing, development or asset decisions. Rather, it provides Council with a defined period to maintain occupancy and rental income while the Chief Executive Officer engages with stakeholders and investigates the long-term strategic, community and financial opportunities associated with the property.

UPDATE FROM AGENDA BRIEFING:

Following the Agenda Briefing, Council received further correspondence from Donnybrook Medical Services ([Attachment 9.3.1\(2\)](#)) outlining a revised position in relation to the tenancy and future arrangements for the Donnybrook Medical Centre. Whilst the correspondence provides additional context and raises broader matters for Council's consideration, it was received after the Agenda Briefing and represents a departure from the matters previously being discussed between the parties. As a result, some of the issues raised extend beyond the primary purpose of this report. Given the importance of the matter, officers considered it appropriate to provide the correspondence to Council to ensure Elected Members are fully informed prior to making a decision.

The central matter requiring determination remains the future tenancy arrangements for the Donnybrook Medical Centre following the expiry of the current lease on 30 June 2026. The lease has now expired and Council is required to determine a suitable path forward to provide certainty for both parties regarding occupancy of the premises and to ensure the Shire fulfils its obligations as lessor under the lease arrangements.

While the correspondence raises a number of matters and reflects the lessee's perspective, officers note that it does not provide a complete chronology of all discussions, negotiations, considerations and actions undertaken by both parties throughout the lease review process. Accordingly, officers have assessed the matter having regard to the full history available to the Shire, including the lease

provisions, independent market rental valuation, previous correspondence and discussions held between the parties.

Commercial Sensitivity

Given the ongoing lease negotiations, market rent review process and the commercially sensitive nature of the matters under consideration, officers recommend that any discussion concerning the market rental valuation, rental review process, lease negotiations and future tenancy arrangements be conducted in a confidential session pursuant to section 5.23(2)(c) of the *Local Government Act 1995*, as disclosure of this information could reasonably be expected to prejudice the commercial position of the Shire and/or the tenant.

Cr Hall put the following motion to Council:

MOVED BY:	Cr Tyler Hall	SECONDED BY:	Cr Leanne Wringe
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That Council:

- 1. Acknowledges the valuable contribution of Donnybrook Medical Services to the health and wellbeing of the local community;**
- 2. Acknowledges the important role that Donnybrook Medical Services plays in providing local medical services to the community, values its continued presence at the site, and welcomes its future participation in discussions regarding the long-term health and aged care needs of the Donnybrook community.**

Lease Arrangements

- 3. Notes the correspondence received from Donnybrook Medical Services Pty Ltd (Attachment 9.3.1(1)) requesting an annual rollover lease arrangement and a review of the current rental amount;**
- 4. Declines the request for successive annual rollover lease arrangements over a five-year period as the requested arrangement is not provided for under the existing lease and would require a new lease agreement to be negotiated between the parties.**
- 5. Approves a twelve (12) month holdover tenancy commencing retrospectively from 1 July 2026 and expiring on 30 June 2027, subject to the terms and conditions of the existing lease agreement remaining unchanged;**
- 6. Notes that, in accordance with Clause 24 of the existing lease agreement, the rent payable during the holdover period will be the existing rental amount plus a three per cent (3%) increase;**
- 7. Authorises the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.**

Strategic Site Review

- 8. Acknowledges that the consideration of the Donnybrook Medical Centre lease has highlighted an opportunity to strengthen the Public Health Plan incorporated within the**

Shire's Council Plan 2026–2036, particularly in articulating the importance of continued access to local health services, the strategic role of the Donnybrook health and aged care precinct, and the Shire's role in supporting future service provision;

- 9. Requests the Chief Executive Officer to advocate to the Department of Health and WA Country Health Service for the preparation of a strategic review of current and future health and aged care service needs within the Donnybrook district, and to report back to Council on any outcomes, opportunities or recommendations relevant to the future use and development of the Donnybrook Medical Centre site and surrounding health precinct.**

Cr Wringe advised that she was planning to move the following amendment and asked whether Cr Hall, as the mover of the original motion, would accept the changes to the original motion. Cr Hall accepted the changes to his original motion as proposed by Cr Wringe.

COUNCIL RESOLUTION:	152/09-26		
MOVED BY:	Cr Tyler Hall	SECONDED BY:	Cr Leanne Wringe

That Council:

- 1. Acknowledges the valuable contribution of Donnybrook Medical Services to the health and wellbeing of the local community;**
- 2. Acknowledges the important role that Donnybrook Medical Services plays in providing medical services to the community, values its continued presence at the site, and welcomes its future participation in discussions regarding the long-term health and aged care needs of the District.**

Lease Arrangements

- 3. Notes the correspondence received from Donnybrook Medical Services Pty Ltd (Attachement 9.3.1 (1)) requesting an annual rollover lease arrangement and a review of the current rental amount;**
- 4. Declines the request for an annual rollover lease structure over a five-year period as the requested arrangement is not provided for under the existing lease and would require a new lease agreement to be negotiated between the parties;**
- 5. Approves a twelve (12) month holdover tenancy commencing retrospectively from 1 July 2026 and expiring on 30 June 2027, subject to the terms and conditions of the existing lease agreement remaining unchanged;**
- 6. Notes that, in accordance with Clause 24 of the existing lease agreement, the rent payable during the holdover period will be the existing rental amount plus a three percent (3%) increase;**
- 7. Authorises the Chief Executive Officer to execute all necessary documentation to give effect to this resolution.**

Strategic Site Review

- 8. Acknowledges that the consideration of the Donnybrook Medical Centre lease has highlighted an opportunity to strengthen the Public Health Plan incorporated within the Shire's Council Plan 2026-2036, particularly in articulating the importance of continued**

access to local health services, the strategic role of the Donnybrook health and aged care precinct, and the Shire's role in supporting future service provisions;

9. Requests the Chief Executive Officer, during the holdover period, to engage with the lessees, WA Country Health Service, Hall & Prior (Tuia Lodge), the SW Development Commission (SWDC), and other relevant stakeholders to investigate and report back to Council on potential medium and long-term opportunities for the site, including options that support health, aged care, community and other strategic service outcomes for the District.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

7. Confirmation of Minutes

7.1 Ordinary Council Meeting Minutes

7.1.1 Ordinary Council Meeting held on 26 August 2026

Minutes of the Ordinary Council Meeting held 26 August 2026 are attached as [Attachment 7.1.1\(1\)](#).

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 26 August 2026 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	153/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That the Minutes from the Ordinary Council Meeting held 26 August 2026 be confirmed as a true and accurate record.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

8. Reports of Committees

8.1 Local Emergency Management Committee Meeting Minutes

8.1.1 Local Emergency Management Committee Meeting held on 28 July 2026

Minutes of the Local Emergency Management Committee Meeting held 28 July 2026 are attached as Attachment 8.1.1(1).

Executive Recommendation:

That the Minutes from the Local Emergency Management Committee Meeting held 28 July 2026 be received.

COUNCIL RESOLUTION:	154/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That the Minutes from the Local Emergency Management Committee Meeting held 28 July 2026 be received.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

8.2 Warren Blackwood Alliance of Councils Meeting Minutes

8.2.1 Warren Blackwood Alliance of Councils Meeting held on 4 August 2026

Minutes of the Warren Blackwood Alliance of Councils Committee Meeting held 4 August 2026 are attached as [Attachment 8.2.1\(1\)](#).

Executive Recommendation:

That the Minutes from the Warren Blackwood Alliance of Councils Committee Meeting held 4 August 2026 be received.

COUNCIL RESOLUTION:	155/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That the Minutes from the Warren Blackwood Alliance of Councils Committee Meeting held 4 August 2026 be received.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

8.3 Audit, Risk & Improvement Committee Meeting Minutes

8.3.1 Audit, Risk & Improvement Committee Meeting held on 26 August 2026

This report provides the minutes of the Audit, Risk and Improvement Committee Meeting held 26 August 2026 (Attachment 8.3.1(1)). It is noted that, the Audit, Risk and Improvement Committee members confirmed the accuracy of the minutes via a flying minute process conducted by email.

Executive Recommendation:

That Council:

- 1. Receive the confirmed minutes from the Audit, Risk and Improvement Committee Meeting held on 26 August 2026; and**
- 2. Adopt the recommendations as detailed in the minutes and summarised in items 7.1-8.1.5, noting that the 2025 Compliance Audit Return (Attachment 8.3.1(2)) will be submitted as part of this resolution.**

7.1 Audit, Risk and Improvement Committee Meeting held on 24 June 2026

That the Minutes from the Audit, Risk and Improvement Committee Meeting held 24 June 2026 be received.

8.1.1 Audit Findings Report

That the Audit, Risk and Improvement Committee notes the update provided on Audit Findings as outlined in Attachments 8.1.1(1) Annual Audit Findings August 2026 status and 8.1.1(2) Outstanding Financial Management Review/Audit Regulation 17 Review Findings.

8.1.2 Compliance Audit Report 2025

- 1. Endorse the adoption of the 2025 Compliance Audit Return for the period 1 January 2025 to 31 December 2025 (Attachment 8.1.2(1) Compliance Audit Report 2025 Summary of Responses); and**
- 2. Endorse the certification of the 2025 Compliance Audit Return by the Shire President and Chief Executive Officer prior to submission to the Local Government Inspector by 30 September 2025.**

8.1.3 Strategic Risk Register Review and Risk Treatment Plan Update

That the Audit, Risk and Improvement Committee:

- 1. Notes the updated Risk Register - Strategic Updated 18-08-2026 (Attachment 8.1.3(1)); and**
- 2. Notes that control effectiveness assessments have now been completed for all identified strategic risks and residual risk ratings have been reviewed accordingly; and**
- 3. Notes that strategic risk treatment plans have been developed for all strategic risks with residual risk ratings above the Shire's risk tolerance level of 9, as**

detailed in Strategic Risk Treatment Plan - Updated 18 August 2026
(Attachment 8.1.3(2)); and

- 4. Notes that implementation and monitoring of the identified treatment actions will be reported to future meetings of the Audit, Risk and Improvement Committee as part of the Shire's ongoing risk management and governance framework.**

8.1.4 Privacy and Responsible Information Sharing – Implementation Progress

That the Audit, Risk and Improvement Committee Meeting note the update provided on the Privacy and Responsible Information Sharing Implementation Progress.

8.1.5 Chief Executive Officer Briefing

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

COUNCIL RESOLUTION:	156/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

- 1. Receive the confirmed minutes from the Audit, Risk and Improvement Committee Meeting held on 26 August 2026; and**
- 2. Adopt the recommendations as detailed in the minutes and summarised in items 7.1-8.1.5, noting that the 2025 Compliance Audit Return (Attachment 8.3.1(2)) will be submitted as part of this resolution.**

7.1 Audit, Risk and Improvement Committee Meeting held on 24 June 2026

That the Minutes from the Audit, Risk and Improvement Committee Meeting held 24 June 2026 be received.

8.1.1 Audit Findings Report

That the Audit, Risk and Improvement Committee notes the update provided on Audit Findings as outlined in Attachments 8.1.1(1) Annual Audit Findings August 2026 status and 8.1.1(2) Outstanding Financial Management Review/Audit Regulation 17 Review Findings.

8.1.2 Compliance Audit Report 2025

- 1. Endorse the adoption of the 2025 Compliance Audit Return for the period 1 January 2025 to 31 December 2025 (Attachment 8.1.2(1) Compliance Audit Report 2025 Summary of Responses); and**

2. Endorse the certification of the 2025 Compliance Audit Return by the Shire President and Chief Executive Officer prior to submission to the Local Government Inspector by 30 September 2025.

8.1.3 Strategic Risk Register Review and Risk Treatment Plan Update

That the Audit, Risk and Improvement Committee:

1. Notes the updated Risk Register - Strategic Updated 18-08-2026 (Attachment 8.1.3(1)); and
2. Notes that control effectiveness assessments have now been completed for all identified strategic risks and residual risk ratings have been reviewed accordingly; and
3. Notes that strategic risk treatment plans have been developed for all strategic risks with residual risk ratings above the Shire's risk tolerance level of 9, as detailed in Strategic Risk Treatment Plan - Updated 18 August 2026 (Attachment 8.1.3(2)); and
4. Notes that implementation and monitoring of the identified treatment actions will be reported to future meetings of the Audit, Risk and Improvement Committee as part of the Shire's ongoing risk management and governance framework.

8.1.4 Privacy and Responsible Information Sharing – Implementation Progress

That the Audit, Risk and Improvement Committee Meeting note the update provided on the Privacy and Responsible Information Sharing Implementation Progress.

8.1.5 Chief Executive Officer Briefing

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

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9. Reports of Officers

9.1. Director Operations

9.1.1 Reconsideration of conditions 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) Minutes of Council Meeting held on 25 March 2026

9.1.1(2) Development Application Plan dated July 2026

9.1.1(3) Fire Management Plan dated August 2026

9.1.1(4) (Attachment 9.1.1(2) approved under Council Resolution 35/03-26)

Executive Recommendation

That Council:

A. In accordance with section 31 of the *State Administrative Tribunal Act 2004*, and pursuant to clause 68(2)(b) of Schedule 2 (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, resolves to amend Conditions 1, 2, 3, 5, 7, 8 and 9 of Development Approval P25070 for a Pine Plantation on Lot 212 Hearle Road, Mumballup, approved under Council Resolution 35/03-26 on 25 March 2026, as follows:

- 1. The layout of the lot, firebreaks, exclusion, and planting areas to be in accordance with the Forest Management Plan (Attachment 9.1.1(2)) and Development Application Plan dated July 2026 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. The Fire Management Plan dated August 2026 shall form part of this development approval and must be implemented and maintained to the reasonable satisfaction of the Shire.**
- 3. The applicant shall ensure that a copy of the single page Fire and Emergency Plan 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 reasonable satisfaction of the Shire.

5. Setbacks:

- a) A minimum setback of 6 metres shall be maintained from all native vegetation and from both sides of the watercourse. The setback from native vegetation is to be measured from the outer edge of the tree canopy dripline, where applicable, as it exists at the date of this approval. Unless otherwise required by a Bushfire Notice under the Bush Fires Act 1954 or other written law, firebreaks and vehicle accessways may encroach up to 3 metres into the required 6-metre setback provided a minimum separation distance of 3 metres is always maintained from the tree canopy dripline or watercourse.
- b) 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.

7. At least eighteen (18) months prior to the commencement of any harvesting activities, a Harvesting Plan shall be submitted to and approved by the Shire. The Plan shall be referred to relevant authorities, including Main Roads Western Australia, the Public Transport Authority (PTA), and the Department of Biodiversity, Conservation and Attractions (DBCA), and shall detail the proposed traffic management arrangements associated with the harvesting operation. This includes any required gravel resheeting, or road upgrades or other works necessary to accommodate haulage vehicles if Restricted Access Vehicle (RAV) approval is required. No harvesting activities shall commence until the Harvesting Plan has been approved to the reasonable satisfaction of the Shire. All harvesting activities shall thereafter be undertaken in accordance with the approved Harvesting Plan.
8. Prior to the commencement of any planting works, the applicant shall to the reasonable satisfaction of the Shire:
 - i. construct and thereafter maintain, to the reasonable satisfaction of the Shire, a gravel crossover from Lot 212 to the unconstructed road fronting Lot 212;
 - ii. construct and thereafter maintain, to the reasonable satisfaction of the Shire, the unconstructed road reserve from the crossover to the Hearle Road intersection, including any drainage culverts, to a gravel standard;
 - iii. install and maintain an access gate across the constructed road at a location that is as close as reasonably practicable to the Hearle Road intersection while enabling all vehicles to be fully contained within the constructed road before access to or after egress from Hearle Road; and
 - iv. install reflective signage on the access gate and near the Hearle Road intersection to clearly delineate to those travelling south that the constructed road is not the continuation of Hearle Road.

- 9. The two dams within compartments 4 and 7 be decommissioned to the reasonable satisfaction of the Shire within eight (8) months of the date of this approval. Any future recommissioning of these dams shall require engineering drawings and certification by a suitably qualified engineer to the reasonable satisfaction of the Shire.**

Strategic Alignment

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

Outcome: 9 - A thriving economy.

Objective: 9.1 - Attract and retain a diverse mix of businesses, investment and employment opportunities.

Executive Summary

The purpose of this report is for Council to reconsider several conditions attached to Development Approval P25070, granted by Council at its 25 March 2026 meeting, for a pine plantation on Lot 212 Hearle Road, Mumballup.

Following the State Administrative Tribunal (SAT) process a revised set of conditions has been negotiated and agreed in principle. Officers consider the amended conditions appropriately address the matters raised in the SAT application while continuing to protect environmental, fire management and road safety interests.

As the approval was granted by Council resolution, officers do not have delegated authority to determine amendments to the approval. Accordingly, Council is required to consider whether it wishes to reconsider and amend the approval conditions pursuant to section 31(1) of the *State Administrative Tribunal Act 2004*.

Background

Council approved Development Application P25070 for a pine plantation on Lot 212 Hearle Road, Mumballup at its meeting held on 25 March 2026 (Council Resolution 35/03-26), subject to conditions ([Attachment 9.1.1\(1\)](#)). Subsequently, the applicant's legal representatives, HWLE Lawyers, lodged an application for review with the State Administrative Tribunal pursuant to section 252(1) of the *Planning and Development Act 2005*. The application sought review of several conditions of approval, principally relating to setbacks, road infrastructure requirements and harvesting operations.

Grounds of Review

1. Setback requirements

The applicant submitted that setback requirements are already prescribed within the approved Forest Management Plan (FMP), compliance with which is required under Condition 1. It was argued that Condition 5 duplicates those requirements and, in addition, prevents firebreaks and access tracks from being located within designated setback areas. The applicant contended that there is no planning justification for this additional restriction.

2. Road upgrades

Condition 8 required works to the unconstructed road reserve and intersection with Hearle Road prior to the commencement of planting. The applicant submitted that these works are only necessary to facilitate future harvesting and haulage operations, which are not expected to occur for approximately 20 years. It was argued that there is insufficient planning justification to require the works prior to planting. The applicant further submitted that Hearle Road and the proposed gravel road are capable of accommodating future harvesting activities and that nearby plantations have historically utilised the same road network.

3. Requirement for a further development approval in respect of harvesting plan

The applicant submitted that harvesting operations are an integral component of plantation forestry and should not require a separate future development approval. It was argued that Condition 7 lacks certainty and effectively requires an additional approval for the same land use. The applicant proposed that, instead, the condition require preparation and endorsement of a Harvest Management Plan consistent with the *Code of Practice for Timber Plantations in Western Australia 2014*, focused on operational matters and management of road network impacts.

Orders sought

The applicant sought orders varying the decision to:

- a) amend Condition 5 to permit firebreaks within setback areas;
- b) amend Condition 7 to require a Harvest Management Plan endorsed by the local government with clearly defined content requirements; and
- c) delete Condition 8 in its entirety.

Following mediation and subsequent discussions between the parties, revised conditions were drafted and refined. As Council originally determined the application, officers are seeking Council endorsement of the amended conditions before the matter returns to the Tribunal. A directions hearing is scheduled with the Tribunal for 9 October 2026.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Insignificant	Low (3)
Risk Description:	Potential environmental impacts may arise if required setbacks to native vegetation and watercourses are not appropriately managed. There is also a risk of adverse impacts on the environment and the local community if effects on the local road network are not adequately addressed and managed.		
Mitigation:	The risk would be managed through the imposition of conditions on the development approval, requiring compliance with environmental and infrastructure management requirements. Council would have the ability to undertake compliance and enforcement action in the event of any breach of approval conditions or future non-compliance.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Moderate	High (15)
Risk Description:	Continued participation through the SAT process is resource intensive.		
Mitigation:	The approval of the amended conditions as per the Executive Recommendation will likely lead to a resolution of the SAT proceeding.		

Financial Implications

The applicant exercised its statutory right to seek a review of the conditions of approval through the State Administrative Tribunal. All applicable application and Tribunal-related fees are the responsibility of the applicant. The reconsideration of the approval conditions has no direct financial implications for the Shire, other than staff time associated with the assessment, participation in mediation, preparation of reports, and attendance at Tribunal proceedings. There is no provision for the recovery of these officer costs.

Policy Compliance

Council previously considered this matter under the original item. Refer to [Attachment 9.1.2\(1\)](#).

Statutory Compliance

State Administrative Tribunal Act 2004

31. Tribunal may invite decision-maker to reconsider decision

- (1) At any stage of a proceeding for the review of a reviewable decision, the Tribunal may invite the decision-maker to reconsider the decision.
- (2) Upon being invited by the Tribunal to reconsider the reviewable decision, the decision-maker may:
 - (a) affirm the decision; or
 - (b) vary the decision; or
 - (c) set aside the decision and substitute its new decision.

The applicant, if they do not agree with the outcome of the reviewed decision, may have the Council reconsideration decision reviewed by the State Administrative Tribunal.

Consultation

Both DWER and DBCA provided input into the revised conditions regarding setbacks/firebreaks etc.

Officer Comment

On 7 August 2026, the State Administrative Tribunal issued orders requiring that:

1. By 14 August 2026, the respondent confirm to the applicant whether Conditions 2 and 8 of the development approval had been satisfied;

2. Pursuant to section 31(1) of the *State Administrative Tribunal Act 2004*, the respondent reconsider its decision on or before 1 October 2026; and
3. The matter be listed for a directions hearing on 9 October 2026.

In response, officers undertook an assessment of compliance with Conditions 2 and 8 and advised all parties accordingly.

Condition 2

Condition 2 of the March decision required amendment of the Fire Management Plan prior to commencement of planting works. Specifically, the amended plan was required to include:

- relevant local fire agency contact details;
- a georeferenced emergency response map identifying access points, water supplies, assembly areas and critical infrastructure; and
- a minimum 50,000-litre firefighting water tank.

Officers reviewed the Fire Management Plan dated August 2026 and confirmed that these requirements had been incorporated. Accordingly, officers recommend that condition 2 be simplified as presented and that condition 3 be reworded to reflect the changes to condition 2.

Condition 8

Condition 8 required the construction of:

- a gravel-standard intersection from Hearle Road to the unconstructed road reserve; and
- the unconstructed road reserve up to and including the crossover to Lot 212.

Site inspections and engineering assessment confirmed that the required works have been completed to the satisfaction of the Shire. Access gates have also been installed by the applicant and will be maintained by the applicant as sole user of the road. Accordingly, officers determined that Condition 8 has been satisfied, however propose additional components to recognise the applicant's responsibilities with reference to the unconstructed road reserve that forms part of the access to their lot.

Amended Conditions

As part of the SAT proceedings, the parties negotiated amendments to Conditions 1, 2, 3, 5, 7, 8 and 9. The amendments provide greater clarity regarding plantation setbacks, access arrangements, fire management obligations and future harvesting requirements.

Officers consider the revised conditions to be reasonable, enforceable and consistent with orderly and proper planning principles while addressing the concerns raised by the applicant through the SAT process. Changes to setback distances have been discussed with DWER and DBCA and are considered to maintain protection for native vegetation and waterways.

Conclusion

In reconsidering the approval, officers have reviewed the issues raised through the SAT proceedings, submissions from relevant stakeholders and advice from referral agencies and internal service areas. The proposed amended conditions reflect the outcomes of mediation and provide a balanced approach to managing environmental, fire management and transport-related impacts associated with the plantation.

Officers are satisfied that the revised conditions remain consistent with the principles of orderly and proper planning and continue to protect the interests of the wider community. It is therefore recommended that Council reconsider its previous decision and amend the conditions of approval as set out in the Executive Recommendation.

COUNCIL RESOLUTION:	157/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

A. In accordance with section 31 of the *State Administrative Tribunal Act 2004*, and pursuant to clause 68(2)(b) of Schedule 2 (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, resolves to amend Conditions 1, 2, 3, 5, 7, 8 and 9 of Development Approval P25070 for a Pine Plantation on Lot 212 Hearle Road, Mumballup, approved under Council Resolution 35/03-26 on 25 March 2026, as follows:

- 1. The layout of the lot, firebreaks, exclusion, and planting areas to be in accordance with the Forest Management Plan (Attachment 9.1.1(2)) and Development Application Plan dated July 2026 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. The Fire Management Plan dated August 2026 shall form part of this development approval and must be implemented and maintained to the reasonable satisfaction of the Shire.**
- 3. The applicant shall ensure that a copy of the single page Fire and Emergency Plan 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 reasonable satisfaction of the Shire.
- 5. Setbacks:**

- a) A minimum setback of 6 metres shall be maintained from all native vegetation and from both sides of the watercourse. The setback from native vegetation is to be measured from the outer edge of the tree canopy dripline, where applicable, as it exists at the date of this approval. Unless otherwise required by a Bushfire Notice under the Bush Fires Act 1954 or other written law, firebreaks and vehicle accessways may encroach up to 3 metres into the required 6-metre setback provided a minimum separation distance of 3 metres is always maintained from the tree canopy dripline or watercourse.
 - b) 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.
- 7. At least eighteen (18) months prior to the commencement of any harvesting activities, a Harvesting Plan shall be submitted to and approved by the Shire. The Plan shall be referred to relevant authorities, including Main Roads Western Australia, the Public Transport Authority (PTA), and the Department of Biodiversity, Conservation and Attractions (DBCA), and shall detail the proposed traffic management arrangements associated with the harvesting operation. This includes any required gravel resheeting, or road upgrades or other works necessary to accommodate haulage vehicles if Restricted Access Vehicle (RAV) approval is required. No harvesting activities shall commence until the Harvesting Plan has been approved to the reasonable satisfaction of the Shire. All harvesting activities shall thereafter be undertaken in accordance with the approved Harvesting Plan.
- 8. Prior to the commencement of any planting works, the applicant shall to the reasonable satisfaction of the Shire:
 - i. construct and thereafter maintain, to the reasonable satisfaction of the Shire, a gravel crossover from Lot 212 to the unconstructed road fronting Lot 212;
 - ii. construct and thereafter maintain, to the reasonable satisfaction of the Shire, the unconstructed road reserve from the crossover to the Hearle Road intersection, including any drainage culverts, to a gravel standard;
 - iii. install and maintain an access gate across the constructed road at a location that is as close as reasonably practicable to the Hearle Road intersection while enabling all vehicles to be fully contained within the constructed road before access to or after egress from Hearle Road; and
 - iv. install reflective signage on the access gate and near the Hearle Road intersection to clearly delineate to those travelling south that the constructed road is not the continuation of Hearle Road.
- 9. The two dams within compartments 4 and 7 be decommissioned to the reasonable satisfaction of the Shire within eight (8) months of the date of this approval. Any future

recommissioning of these dams shall require engineering drawings and certification by a suitably qualified engineer to the reasonable satisfaction of the Shire.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.1.2 Request to Close Unconstructed Road Parcels ID 3627482 and ID 3627483, Balingup

Report Details:

Prepared by: Principal Planner

Manager: Manager Development Services

Location: Unconstructed road parcels ID 3627482 and ID 3627483

File Reference: A1496 (Lot 7)

Voting Requirement: Simple Majority

Attachment(s):

9.1.2(1) Submissions

Executive Recommendation

That Council:

1. Pursuant to *Section 58 of the Land Administration Act 1997* and *regulation 9A. Modified requirements for certain requests by local government for closure of road*, resolves to:
 - a. Authorise the Chief Executive Officer to request the Minister for Planning and Lands to close the subject road reserves as depicted on the location plan, figure 1 (IDs 3627482 (A) and 3627483 (B)), subject to the following comments and conditions:
 - i. **Compliance with Regulation 9A**

The proposal satisfies the requirements of regulation 9A, as:

 1. The road reserves have been reserved, declared or dedicated as roads and are shown as “No Zone” under Local Planning Scheme No. 7; and
 2. The road reserves are currently unconstructed and are not identified for future construction within the Shire’s Works and Services Program.
 - ii. **Environmental Approvals**

Any future works associated with the construction of an access driveway, clearing of vegetation (including portions of the Melaleuca plantation within road reserve (B)), construction of a watercourse crossing within road reserve (A), installation of drainage infrastructure, or any other improvements within the closed road reserve shall be the responsibility of the new landowner and undertaken at the new landowner's expense and be subject to all relevant approvals and permits from the Department of Water and Environmental Regulation (DWER).
 - iii. **Watercourse Crossing Design**

Prior to the construction of any access crossing over the watercourse, the new landowner shall ensure that the crossing is designed by a suitably qualified professional and addresses all relevant environmental, hydraulic, drainage and engineering considerations, in consultation with Department of Water and Environmental Regulation (DWER).

iv. Ongoing Maintenance Responsibility

The new landowner shall be responsible for all costs associated with the construction and maintenance of the access driveway or other improvements located within the former road reserve.

v. Protection of Existing Services

Any existing utility infrastructure and associated access rights benefiting service authorities shall be protected to the satisfaction of the relevant service provider. Ongoing access shall be maintained for the purposes of inspection, maintenance, repair and replacement of infrastructure.

vi. Costs of Closure and Disposal

All costs associated with the road closure and disposal process, including surveying, valuation, plan preparation, Landgate fees and any other associated costs, shall be met by the new landowner.

vii. Access Arrangements

Prior to the transfer of any portion of the closed road reserve to adjoining landowners, satisfactory legal access shall be maintained for all affected lots. The owners of Lot 2367 have expressed an interest in purchasing the northern half of the road reserve should the road closure proceed. This arrangement would retain a 10-metre-wide battleaxe leg that would be able to provide legal access to Lot 7 and another legal access arrangement would be required to benefit Lot 2366. This would be able to be established by the affected landowners through the appropriate process or legal mechanism prior to the completion of any land transfer arising from the road closure.

2. Authorise the Chief Executive Officer to advise the Department of Planning, Lands and Heritage that Council supports the closure of the subject road reserves as per the application received from the owner of Lot 7 subject to the above comments and conditions and any other requirements deemed necessary by the Minister for Planning and Lands.

Strategic Alignment

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

- Outcome:** 6 - The built environment is responsibly planned and well maintained.
- Objective:** 6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
- Item:** Nil.

Executive Summary

The purpose of this report is for Council to consider a request to close two portions of unconstructed road to facilitate private acquisition by an adjoining landowner.

Road closure requests are administered by local governments in accordance with the *Land Administration Act 1997* (LAA) and *Land Administration Regulations 1998* (LAR), and are subsequently referred to the Minister for Planning and Lands for determination.

The Shire has undertaken a preliminary assessment of the proposal and has not identified any significant issues that would prevent the request from progressing.

It is recommended that the request proceed in accordance with the provisions of the LAA and LAR and, be forwarded to the Minister for Planning and Lands for approval.

Background

Proposal

The Shire has received a request from the landowner of Lot 7 (129) Grimwade Road, Balingup to close two portions of unconstructed road reserve to enable their private acquisition. The proposal would provide legal access to Lot 7 and Lot 2366, owned by a relative.

The subject road reserves extend from Russells Road, Balingup, and are depicted on the location plan, figure 1 (IDs 3627482 (A) and 3627483 (B)).

The road reserves are currently unconstructed and are not identified within the Shire's Works and Services Program for future construction. Historically, Lot 7 benefited from a legal easement over Lot 2258; however, that easement has since been extinguished. As a result, the owner of Lot 7 is seeking to secure legal access through acquisition of the road reserve.

Should the applicant successfully acquire the road reserve, they are proposing to allow an easement to be granted over the land in favour of Lot 2366 to provide ongoing legal access. Lot 2366 does not currently have independent legal access and, consequently, is unable to support future residential development until legal access is established.



Figure 1 – Location Plan

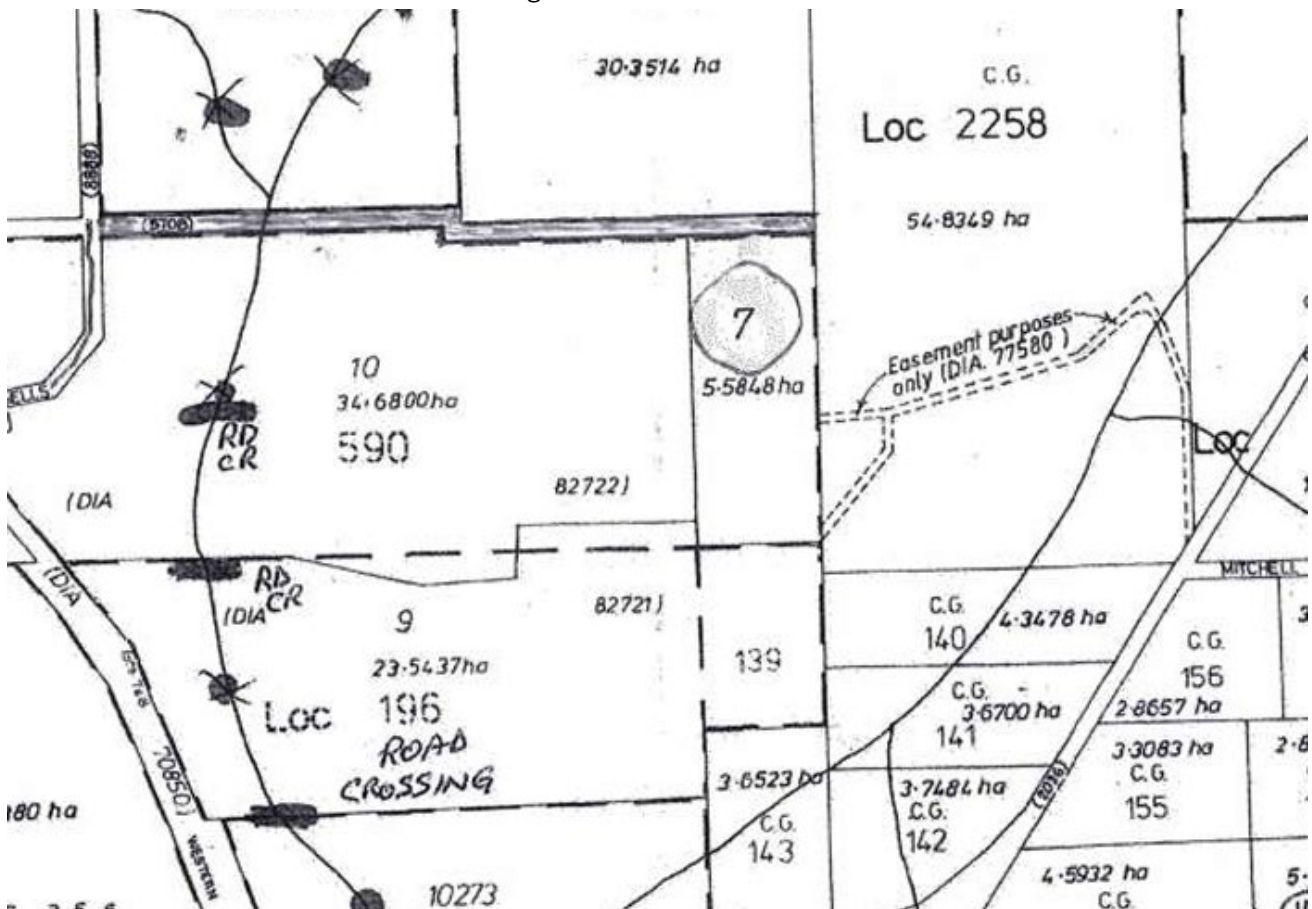


Figure 2 – Shows the now extinguished easement access to Lot 7

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Insignificant	Low (3)
Risk Description:	Construction of a driveway in the unconstructed road reserve would require a crossing over a creek line. Earthworks and heavy machinery operations associated with the construction of the crossing may result in soil disturbance, erosion, and sediment mobilisation, particularly during periods of heavy rainfall. This could lead to sediment or other contaminants entering the watercourse, adversely affecting water quality, aquatic habitat, and downstream environmental values.		
Mitigation:	The risk can be effectively managed by scheduling construction works during the drier months to minimise the potential for runoff, sediment transport, and erosion. The detailed design and construction of the creek crossing should be undertaken with input from suitably qualified engineering and environmental specialists to ensure appropriate sediment and erosion control measures are incorporated and implemented. All works should comply with relevant environmental and waterway management requirements, with disturbance limited to the minimum extent necessary. As Shire approval is not required for the construction of a driveway, it is the responsibility of the landowner to ensure that all necessary permits and licences, including any approvals required from the Department of Water and Environmental Regulation (DWER) for clearing activities or creek crossings, are obtained prior to the commencement of works.		

Financial Implications

There are no financial implications for the Shire arising from this proposal. The applicant has paid the applicable fee associated with the road closure application.

The applicant has also been advised that, should Council support the proposal, the Shire's recommendation will be forwarded to the Department of Planning, Lands and Heritage (DPLH) for further assessment and determination by the Minister for Planning and Lands. The applicant will be responsible for all costs associated with the road closure and land acquisition process, including (but not limited to) advertising, surveying, plan and document preparation, valuation fees, Landgate fees, and the purchase price of the land.

Policy Compliance

Local Planning Policy 9.9 Road Closure (LPP 9.9) outlines the following parameters relevant to a request of this nature:

1. Council will not support the closure of any gazetted public road which has any possibility whatsoever of being utilised. There is a general presumption against the closing of roads.
2. Council will however consider the closure of a gazetted road where it will have no impact upon legal practical access to any property and will result primarily in the rationalisation of land and roads within the Shire.

3. *In the event that Council supports the closure of a road the proponent will be liable for all costs involved with the road closure.*

A review of the proposal confirms that the request meets the requirements of LPP 9.9 and can be considered by Council.

Statutory Compliance

Requests to permanently close a road are made under section 58 of the *Land Administration Act 1997* (LAA). Local governments are required to comply with the relevant provisions of the LAA and the *Land Administration Regulations 1998* (LAR) when preparing and submitting a road closure request to the Minister for Planning and Lands.

Regulation 9A of the *Land Administration Regulations 1998* provides a modified process for certain road closure requests made under section 58 of the LAA. Regulation 9A applies where the land:

- Has been reserved, declared, or dedicated as a road; and
- Has never been used as a road or had a road constructed upon it.

The subject road reserves have been dedicated as road reserve with “No Zone” on the Scheme Maps under LPS7 and have never been constructed or used as public roads. Accordingly, the proposal is considered to satisfy the criteria of Regulation 9A.

As Regulation 9A applies, the Shire is not required to undertake the public advertising and submission process prescribed by Regulation 9 prior to requesting the closure of the road. Instead, the request to the Minister must include:

- Written confirmation that the subject land is of the type described in Regulation 9A and that the requirements of Regulation 9 have not been undertaken because Regulation 9A applies;
- Confirmation of the Council resolution requesting the road closure;
- Sketch plans showing the location of the road reserve and the proposed future disposition of the land; and
- Any other information considered relevant to the Minister's consideration of the request.

Regulation 9A was introduced in 2024 to provide a streamlined process for the closure of road reserves that have never been constructed or used as roads. The proposal is consistent with the intent and requirements of this provision.

Consultation

As the proposal relates to the closure of an unconstructed road reserve that has never been used as a public road, the modified requirements under Regulation 9A of the *Land Administration Regulations 1998* apply. Accordingly, public advertising is not required.

Notwithstanding, Department of Planning Lands and Heritage (DPLH) was consulted to ensure that the Council report addressed all relevant matters prior to finalisation. In response, Department of Planning Lands and Heritage advised that it has no in-principle objection to the proposal provided that the road

closure does not adversely affect surrounding landowners and that adjoining properties retain legal access.

Although the Shire may be exempt from undertaking the standard advertising process under Regulation 9A of the *Land Administration Regulations*, Department of Planning Lands and Heritage advised that the owners of Lots 2367 and 11 should be consulted before the proposal progresses further.

Subsequently, the Shire contacted the owners of the affected lots. The owners of Lot 11 advised that they support the proposed road closure, as it would facilitate the creation of a private access road. The owners of Lot 2367 indicated that they would be interested in purchasing the northern half of the road reserve should the closure proceed. This arrangement would leave the owners of Lots 7 and 2366 with a 10-metre-wide battleaxe leg to provide legal access to their properties.

DPLH also provided the following comments:

Topic	Officer Comment
<ul style="list-style-type: none"> Environmental Approvals and Water Crossing Design <p>DPLH agreed that environmental approvals and a suitable water crossing design would be necessary. However, it noted that these requirements may place a significant burden on the landowner. DPLH recommended that the Shire and/or landowner undertake further consultation with the Department of Water and Environmental Regulation (DWER) regarding the proposed access route, including the design plans, scope of works, potential impacts on the waterway, and any clearing required before progressing the road closure.</p> <p>DPLH further noted that there is a high likelihood that the underlying site conditions may not support a primary access route capable of providing reliable year-round access. Should year-round access not be achievable,</p>	<p>During the site inspection, the applicant identified a number of existing creek crossings located to the south of the subject site. These crossings are man-made structures that provide access across the waterway.</p> <p>It is considered that it is the new landowner's responsibility to obtain any approvals, licences, permits, and clearances required for the construction of the proposed access driveway, including any approvals associated with creek crossings and native vegetation clearing, where applicable. Any necessary consultation with the Department of Water and Environmental Regulation (DWER) and other relevant agencies should be undertaken by the new landowner prior to commencing works.</p> <p>It is also acknowledged that the preparation of detailed engineering plans and supporting documentation for DWER assessment may</p>

Topic	Officer Comment
consideration would need to be given to whether the proposal complies with applicable State and local bushfire planning requirements.	involve considerable cost. In this regard, it would be unreasonable to expect the new landowner to incur these costs before there is certainty that the road reserve closure will proceed and that the underlying land can be acquired. Accordingly, it is considered appropriate that the applicant first establish whether the land acquisition can be achieved before investing in the preparation of detailed designs and obtaining the necessary approvals.
<ul style="list-style-type: none"> • Access Arrangements <p>DPLH advised that once the road reserve is closed and transferred to private ownership, it becomes freehold land. Accordingly, any easement or alternative access arrangement required to benefit Lot 2366 would need to be established under the <i>Transfer of Land Act 1893</i>. DPLH confirmed that it would have no further requirements or comments regarding such private access arrangements.</p>	<p>The intention of the owner of Lot 7 to establish and register an easement to provide access to Lot 2366 is noted. While DPLH's comments regarding future access arrangements are acknowledged, any easement or other access right benefiting Lot 2366 would be a private matter between the owners of Lots 7 and 2366.</p> <p>Should the road closure proceed and the land be transferred into private ownership, the creation of an easement could be facilitated through the relevant process.</p>

A Dial Before You Dig enquiry identified the presence of infrastructure assets within the vicinity of the subject road reserve. The proposal was subsequently referred to relevant service authorities and government agencies, including:

- Western Power;
- Telstra;
- Water Corporation; and
- Department of Water and Environmental Regulation (DWER).

No objections to the proposed road closure were received, refer ([Attachment 9.1.1\(1\)](#))

Western Power requested that ongoing access to its network infrastructure be maintained. It is not anticipated that the future construction of a private access driveway within the former road reserve would impede Western Power's ability to access, operate, or maintain its assets.

DWER advised that, should the proposal be modified in a manner that may affect environmental values, water resources, or waterway management, the Department should be notified to allow further assessment.

The Shire's Works and Services team supports the proposal on the basis that the land will become privately owned and that any access road or associated infrastructure constructed on the land will be the sole responsibility of the new landowner. It is noted that any future access driveway is likely to cross a watercourse and areas of seasonally wet land. Accordingly, the new landowner will need to ensure that the design and construction of the crossing appropriately addresses environmental, drainage, and engineering considerations.

The matters raised by the referral agencies and the Shire's Works and Services team are not considered to preclude the proposed road closure. However, these matters should be brought to the attention of the new landowners, as it will be their responsibility to address and consider any relevant requirements, approvals, or constraints prior to the commencement of works.

Officer Comment

Road reserves are Crown land and are generally vested in the care, control and management of the relevant local government, except for roads under the care and control of Main Roads Western Australia.

Where an adjoining landowner seeks to acquire a portion of road reserve, the road must first be formally closed. This process is administered by the local government in accordance with the *Land Administration Act 1997* and the *Land Administration Regulations 1998*, following which a request is submitted to the Minister for Planning and Lands for determination.

The assessment of the proposal has identified the following:

- The subject road reserves are unconstructed and have never been formed or used as public roads.
- The Shire's Works and Services team has advised that there are no current or foreseeable plans to construct roads within these road reserves.
- The proposed road closure is consistent with the objectives and requirements of Local Planning Policy 9.9.
- Lot 7 and Lot 2366 currently do not have legal access to a constructed public road.
- The acquisition of the road reserve by the owner of Lot 7 would provide an opportunity to establish legal access to both Lot 7 and Lot 2366.
- The owner of Lot 7 has indicated a willingness to grant an easement over the land in favour of Lot 2366 to facilitate ongoing legal access.
- Any future access driveway constructed within the former road reserve is likely to require a crossing of a watercourse and areas of seasonally wet land.
- Referral agencies, including Western Power, Telstra, Water Corporation and the Department of Water and Environmental Regulation (DWER), have not raised any objections to the proposed road closure.

Below are photographs of the road reserve taken on 15 July 2026. The western section of the road

reserve is identified as **(A)** and the eastern section is identified as **(B)**.



Figure 3 – Photograph taken from Russells Road looking towards the creek within the western section of the road reserve **(A)**.



Figure 4 – Photograph showing the location within road reserve **(A)** where a creek crossing would need to be constructed.



Figure 5 – Melaleuca plantation within road reserve **(B)** that would need to be removed to facilitate construction of an access driveway.



Figure 6 – Eastern part of reserve (A)

While the proposed road closure raises some environmental and engineering considerations associated with the future construction of a private access driveway, these matters are not considered to warrant refusal of the proposal. Any future works would be subject to all relevant approvals and would be the responsibility of the new landowner.

Accordingly, should Council resolve to support the proposed road closure, it is recommended that the following conditions be recommended to be imposed by the Minister for Planning and Lands:

Environmental Approvals

Any future works associated with the construction of an access driveway, clearing of vegetation such as some of the Melaleuca plantation within road reserve **(B)**, construction of a watercourse crossing

within road reserve (A), installation of drainage infrastructure, or any other improvements within the closed road reserve shall be undertaken at the new landowner's expense and be subject to all relevant approvals, permits and statutory requirements.

Watercourse Crossing Design

Prior to the construction of any access crossing over the watercourse, the new landowner shall ensure that the crossing is designed by a suitably qualified professional and addresses all relevant environmental, hydraulic, drainage and engineering considerations, to the satisfaction and in consultation with the Department of Water and Environmental Regulation (DWER).

Ongoing Maintenance Responsibility

The new landowner shall be responsible for all costs associated with the construction and maintenance of the access driveway or other improvements located within the former road reserve.

Protection of Existing Services

Any existing utility infrastructure and associated access rights benefiting service authorities shall be protected to the satisfaction of the relevant service provider. Ongoing access shall be maintained for the purposes of inspection, maintenance, repair and replacement of infrastructure.

Costs of Closure and Disposal

All costs associated with the road closure and land acquisition process, including surveying, valuation, plan preparation, Landgate fees and any other associated costs, shall be met by the new landowner.

Access Arrangements

The owners of Lot 2367 have expressed an interest in purchasing the northern portion of the road reserve should the proposed road closure proceed. This arrangement would retain a 10-metre-wide battleaxe leg capable of providing legal access to Lot 7. A separate legal access arrangement would be required to benefit Lot 2366.

Such an arrangement could be established by the affected landowners through the appropriate statutory process or legal mechanism prior to the completion of any land transfer resulting from the road closure. Consequently, the proposed road closure is not considered to adversely affect access to the adjoining lots, provided the necessary access arrangements are secured before transfer of the land.

These conditions align with the advice received from referral agencies and the Shire's Works and Services team and will assist in ensuring that environmental, engineering infrastructure and access considerations are appropriately addressed.

The proposal is considered to be reasonable, supported, and it is therefore recommended that Council endorse the request and refer the matter to the Minister for Planning and Lands for consideration under section 58 of the *Land Administration Act 1997*.

COUNCIL RESOLUTION: 158/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council:

1. Pursuant to *Section 58 of the Land Administration Act 1997 and regulation 9A. Modified requirements for certain requests by local government for closure of road*, resolves to:

- a. Authorise the Chief Executive Officer to request the Minister for Planning and Lands to close the subject road reserves as depicted on the location plan, figure 1 (IDs 3627482 (A) and 3627483 (B)), subject to the following comments and conditions:

- i. **Compliance with Regulation 9A**

The proposal satisfies the requirements of regulation 9A, as:

1. The road reserves have been reserved, declared or dedicated as roads and are shown as “No Zone” under Local Planning Scheme No. 7; and
 2. The road reserves are currently unconstructed and are not identified for future construction within the Shire’s Works and Services Program.

- ii. **Environmental Approvals**

Any future works associated with the construction of an access driveway, clearing of vegetation (including portions of the Melaleuca plantation within road reserve (B)), construction of a watercourse crossing within road reserve (A), installation of drainage infrastructure, or any other improvements within the closed road reserve shall be the responsibility of the new landowner and undertaken at the new landowner's expense and be subject to all relevant approvals and permits from the Department of Water and Environmental Regulation (DWER).

- iii. **Watercourse Crossing Design**

Prior to the construction of any access crossing over the watercourse, the new landowner shall ensure that the crossing is designed by a suitably qualified professional and addresses all relevant environmental, hydraulic, drainage and engineering considerations, in consultation with Department of Water and Environmental Regulation (DWER).

- iv. **Ongoing Maintenance Responsibility**

The new landowner shall be responsible for all costs associated with the construction and maintenance of the access driveway or other improvements located within the former road reserve.

- v. **Protection of Existing Services**

Any existing utility infrastructure and associated access rights benefiting service authorities shall be protected to the satisfaction of the relevant service provider.

Ongoing access shall be maintained for the purposes of inspection, maintenance, repair and replacement of infrastructure.

vi. Costs of Closure and Disposal

All costs associated with the road closure and disposal process, including surveying, valuation, plan preparation, Landgate fees and any other associated costs, shall be met by the new landowner.

vii. Access Arrangements

Prior to the transfer of any portion of the closed road reserve to adjoining landowners, satisfactory legal access shall be maintained for all affected lots. The owners of Lot 2367 have expressed an interest in purchasing the northern half of the road reserve should the road closure proceed. This arrangement would retain a 10-metre-wide battleaxe leg that would be able to provide legal access to Lot 7 and another legal access arrangement would be required to benefit Lot 2366. This would be able to be established by the affected landowners through the appropriate process or legal mechanism prior to the completion of any land transfer arising from the road closure.

2. Authorise the Chief Executive Officer to advise the Department of Planning, Lands and Heritage that Council supports the closure of the subject road reserves as per the application received from the owner of Lot 7 subject to the above comments and conditions and any other requirements deemed necessary by the Minister for Planning and Lands.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

9.1.3 Dark Down South Open Air Festival – Event Application

Report Details:

Prepared by: Manager Development Services

Manager: Director Operations

Applicant: Music on Murray Street

Location: Jim McDonald Oval, Kirup

Monarch: **Voting Requirement:** Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.1.3(1) Site plan

Executive Recommendation

That Council:

1. In accordance with Council Policy COMD/CP-6 Events considers the event application, Dark Down South Open Air Festival, as temporary works and use and therefore exempt from development approval under clause 61(1)(a)(17) and 61(2)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Approves the event, Dark Down South Open Air Festival, proposed to be held at Jim McDonald Oval Kirup on 20 and 21 November 2026, with setup from 16 November 2026 and pack down completed by 24 November 2026 and authorises the Chief Executive Officer to issue a certificate of approval under section 178(1) of the *Health (Miscellaneous Provisions) Act 1911* subject to the following:

Management Plans:

- a. All commitments and undertakings provided for in the application to be complied with. Should there be any discrepancies between the documents and these conditions, the condition prevail to the extent of the inconsistency;
- b. Subject to review by the Chief Health Officer of the Department of Health, a maximum accommodation of 500 people on site at any one time (that includes event staff, vendors and volunteers) applies to this event;

Access and Traffic Management:

- c. Applicant to submit a Traffic Management Plan (TMP) prepared by an appropriately qualified person, showing temporary warning signs and method of traffic management to control traffic integration with South West Highway;
- d. TMP and any proposed event signage will require separate approval from Main Roads WA, prior to commencement of the event. Written evidence of Main Roads WA approval required to be submitted at least 14 days prior to the event;

- e. An accredited traffic management provider must be in control of all Traffic Management for the duration of the event. All aspects of the TMP must be adhered to at all times. Traffic controllers must be fully accredited for the tasks that they are undertaking;

Risk Management:

- f. Fires, fireworks or any other pyrotechnic display are not permitted for the duration of the event;
- g. Event organiser to provide evidence of minimum \$20 million public liability insurance for any one event for all proposed activities to the satisfaction of the Shire. Evidence of insurance to be provided at least 14 days prior to the event date;
- h. All electrical equipment is to be tested and tagged by an appropriately qualified person;
- i. All temporary generator installations must be earthed in accordance with Australian Standards, as appropriate. A Form 5 "Certificate of Electrical Compliance" is required to be submitted by a licensed electrical contractor for all temporary power installations prior to commencement of the event;
- j. A minimum of ten (10) temporary toilets comprising four (4) male toilets, five (5) female toilets and one (1) unisex accessible toilet and associated hand basins are to be provided for the event use. They are to be placed so that they are within 90 metres of any camp site;
- k. All toilets are to be serviceable for the duration of the event and located in a manner to facilitate servicing/replenishment for the duration of the event;
- l. Event and camp grounds are to have adequate lighting after dark;
- m. Lighting, to achieve a minimum of 40 Lux, to be provided in or above temporary toilets to facilitate safe use after dark;
- n. All temporary structures (including gazebos, tents and camping structures) must be suitably secured to prevent movement in wind gusts and must not be used if winds will exceed manufacturer specified rating;
- o. For the stage and any tent or marquee greater than 55m² the event organiser is to provide a Certificate of Structural Adequacy from a practising structural engineer or authorised installer, confirming structural adequacy of temporary structures installed. Certificate of Structural Adequacy is required to be completed by an authorised installer or structural engineer and submitted prior to commencement of the event;
- p. Camping for event attendees is permitted for two (2) nights and for event organisers a total of eight (8) nights and subject to separate written approval from the Shire;
- q. Event organiser to submit a list of all food vendors to the Shire for separate approval. The following information, for each food vendor, is also required to be submitted:
 - a. A copy of the vendors 'Food Business Registration Certificate (Food Act 2008)' from their "home" Shire (if not from the Shire of Donnybrook Balingup); and;
 - b. A copy of the vendors Certificate of Currency product and public liability insurance, providing minimum cover of \$10 million;
- r. A first aid post with a minimum of two qualified first aid officers is required to be provided and adequately sign posted for the duration of the event;

- s. The event organiser is to ensure there are sufficient waste receptacles provided to ensure all waste generated by the event is disposed of thoughtfully without any rubbish or debris being deposited on neighbouring properties or left on site following the event;

Noise

- t. Separate approval under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to be obtained from the Shire Chief Executive Officer;
- u. The application required under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to include:
 - a. A Noise Management Plan;
 - b. Notification to residents within 2km of the oval grounds is to be undertaken by the Shire, at the applicant's cost

Debrief

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

Advice note:

Due to crowds, including children, food safety and animal welfare concerns, the Shire's Ranger Services recommends that dogs are not permitted within the event grounds.

Strategic Alignment

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

- Outcome:** 2 - A sense of identity and belonging through culture, heritage and the arts.
- Objective:** 2.2 - Facilitate, encourage and support a diverse range of festivals, community events, arts and cultural activities.
- Outcome:** 9 - A thriving economy.
- Objective:** 9.2 - Encourage more people to stop, shop and experience the Shire of Donnybrook Balingup.

Executive Summary

The Shire is in receipt of an event application for Dark Down South Open Air Festival (the event) to be held at Jim McDonald Oval in Kirup on 20 and 21 November 2026. The applicant describes this event as "family friendly, camp on site 2-day heavy metal music festival". The applicant held this event at this venue over the weekends of 22 and 23 November 2024 and 21 and 22 November 2025 under their former business name of "JamArt Sound Lounge".

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

Background

A two-day music festival "Dark Down South Open Air Festival" has been proposed to be held at Jim McDonald Oval on the 20 and 21 of November 2026, with stage and marquee set up to commence

from 16 November and pack down to be completed by 24 November. It will be a public, ticketed event with a cap of 400 audience members. There is anticipated to be 75 band members and 25 support/vendor staff. It is proposed that live music will play from 2:00pm until 11:00pm on both days of the festival in 45 minute intervals. There will be recorded music between live performances with sound checks from 12:30pm each day. Food will be provided via food trucks. It is proposed to be a BYO alcohol event with camping available on site.

Along with their completed event application form the applicant has provided:

- A site plan (refer Attachment 9.1.3(1))
- Application for approval of non-complying event (including a noise management plan and example neighbour notification letter)
- Risk Management Plan
- Fire Management Plan
- Application to consume liquor on a park/reserve (BYO only)
- A temporary camping application with camping management plan
- Police notification

In their event application they have committed to providing:

- Temporary toilets to cater for their audience;
- Provision for disability access, including the opportunity to install a hearing loop if required
- First aid with two senior first aiders
- Cleaning and waste removal
- Temporary fencing
- Lighting towers
- Provision of professional security for the duration of the event
- A traffic management plan and accredited traffic controllers

The proposed event is outside the Shire's established high bushfire threat period.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Moderate (9)
Risk Description:	Negative community experience; risk to attendants.		
Mitigation:	Applications are assessed on a case-by-case basis, through an internal, multi-disciplinary approach. The application outcome is considered with a resultant recommendation determined using a risk based approach. Feedback from the two previous events held at this venue by the same applicant was positive.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Catastrophic	High (15)
Risk Description:	Injury to participant on Shire land leads to insurance claim for financial damage.		

Mitigation:	The applicant is required to hold appropriate insurance to mitigate this risk to the Shire.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Possible	Moderate	Moderate (9)
Risk Description:	Negative community experience; risk to attendants.		
Mitigation:	The building infrastructure at the Jim McDonald Oval is not fit for purpose and is not being made available to the applicant for this event. The applicant will need to bring in temporary facilities including toilets, structures, lighting towers and generators to facilitate their event.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Catastrophic	High (10)
Risk Description:	Injury to attendees from fire risks, crowd behaviour and temporary facilities.		
Mitigation:	The event is occurring outside of the established high threat period, fires will not be permitted, mobile/temporary food businesses are required to be registered and the applicant has committed to crowd control, first aiders and bringing in appropriate facilities.		

Financial Implications

The event assessment process is a collaborative effort between Shire staff across the Operations Directorate, who each provide recommendations specific to their area of expertise. Application fees are not intended to fully recover the costs associated with the event assessment process.

This event attracts the following fees (as per Council's adopted fees and charges):

Item	Rate
Event application fee	\$277
Application Fee Temporary Camping	\$100
Oval Hire 16-24/11/2026	\$126/day (\$1008)
Application fee Regulation 18	\$1,000
Notification letters	To be determined as per Council's Fees & Charges schedule

Policy Compliance

As this event is a multi day event and requires consideration of approval of a non-complying noise event, under Policy COMD/CP-6 Events, this event application requires Council determination. The duration of the event and set up/pack down dates meets the criteria for an exemption from Development Approval under item 4 of Policy COMD/CP-6 Events.

Statutory Compliance

Under clause 61(1)(a)(17) and 61(2)(f) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, events can be considered as exempted development where they meet the definition of "temporary works". Temporary works are defined as "the works are

in existence for less than 48 hours, or a longer period agreed by the local government, in any 12-month period”.

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

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

The proposed event meets the exempted development criteria.

Events in Western Australia are assessed under the following legislation:

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

Due to the premises being accessed from a declared road, Traffic Management will need to be referred to Main Roads for their specific approval under the provisions of the *Main Roads Act 1930*.

Consultation

Due to the temporary nature of an event, community engagement regarding events is routinely limited to informing the community rather than seeking their feedback for consideration prior to approving an event. As with last year, it is proposed that a mailout is conducted, at the applicant’s cost, to residents within a 2 kilometre radius, notifying them of this event. This notification will include start and finish times as well as 24 hour contact information to assist with any complaint management.

There are currently 131 properties located within 2 kilometres of the oval. If Council wanted to increase the notification to a 5 kilometre radius, this would be a total of 218 properties.

The applicant intends to promote the event using social media, radio, newspapers, posters and flyers. Last year, in the lead up to the event, a complaint was received during the sound check. With the resident’s permission, their contact information was provided to the applicant. As with the 2024 event all feedback after the 2025 event was positive and no formal incidents or complaints were received.

Officer Comment

Noise

Noise emitted from any premises must comply with the provisions of the *Environmental Protection (Noise) Regulations 1997*. The Regulations reference assigned levels, when received at a receiving premises. Regulation 18 allows the Chief Executive Officer of the local government to approve an event

if satisfied that “its noise emissions would exceed the assigned noise levels but would lose its character or usefulness if it had to meet the assigned levels”.

It is widely accepted that music festivals would lose its character if it had to meet the assigned levels. Similar to the last two events, the applicant has committed to the following within their proposed Noise Management Plan:

- Placing a dB meter at the boundary line of closest adjacent residential properties so that noise levels can be monitored in real time.
- Setting the stage up in front of the existing building on site to provide additional barrier between the stage and the main residential area of town.
- Directing speakers away from nearby residential properties.
- Monitoring the level at the oval entrance during sound check and at least 3 times during the event to understand any impacts from weather conditions on how the sound is travelling
- Changeover/interval music between sets will be quieter than the live bands.
- Each band playing for a maximum of 45 minutes
- Campers will be provided with clear guidelines and etiquette regarding noise after the bands end for the night.
- Key personnel/event organisers will be on site to monitor camper’s activities after the bands end for the night and take corrective actions if necessary.
- Publication of an onsite contact number for residents to contact regarding any aspect of the event. Enables adjustment of noise levels if necessary.

In relation to noise, the Department of Health’s “Guidelines for concerts, events and organised gatherings” includes the following:

Noise management plans should consider measures that will reduce the event’s noise impact on the community, such as maximum sound levels at the mixing desk and noise sensitive premises. Outdoor music concerts and festivals need to operate at sound levels of at least 95 dB(A) at the mixing desk to achieve an acceptable atmosphere. The sound mixing operators for many of the artists may wish to operate at higher levels, typically up to 105 dB(A) at the mixing desk. In most cases, this is unnecessary and a limit of 100 dB(A) at the desk is acceptable. Noise levels are measured as 1-minute LAeq (average) sound levels.

Time and duration of the event

Control over the start and finish times and duration of the event will reduce the noise impact on noise sensitive occupiers. Events should generally be held at reasonable hours of the day such as from 9.00 am to 11.00 pm. Event duration should not exceed 6 hours. Sound check, or practice times should also be limited to no more than 1 to 2 hours and not before 9.00 am or after 10.00 pm. Longer event duration and later hours may be acceptable if it is demonstrated the community does not object or specific noise amelioration measures are implemented.

The applicant proposes 95 dB(A) at the mixing desk. While each day’s live music element exceeds the recommended 6 hour duration (i.e. 9 hours), there will be breaks between each live performance with live music to finish at 11:00pm. The event is proposed for a Friday and Saturday night which are

generally more socially acceptable nights for later events. Sufficient advance notice of the event enables those residents with sensitivities to be aware of the event and its intended duration.

Fire

The event is located within a bushfire prone area as illustrated in Figure 1. The event date is proposed to occur within the Shire's restricted burning period (1 November – 14 December) and outside of the Standardised "High Threat Period" (HTP) for the Lower Southwest being, the second Thursday in December until the last Thursday in March.



Figure 1 - Map of Bush Fire Prone Areas (marked pink)

The event grounds are flat with multiple emergency egress points available if required. In addition, the proximity to an established townsite further reduces the risk of fire, as well as affording areas of refuge, should a fire occur. On balance, the site is considered suitable for an event at this time of year. Conditional approval is therefore recommended.

COUNCIL RESOLUTION:	159/09-26	
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council:

1. In accordance with Council Policy COMD/CP-6 Events considers the event application, Dark Down South Open Air Festival, as temporary works and use and therefore exempt from development approval under clause 61(1)(a)(17) and 61(2)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. Approves the event, Dark Down South Open Air Festival, proposed to be held at Jim McDonald Oval Kirup on 20 and 21 November 2026, with setup from 16 November 2026

and pack down completed by 24 November 2026 and authorises the Chief Executive Officer to issue a certificate of approval under section 178(1) of the *Health (Miscellaneous Provisions) Act 1911* subject to the following:

Management Plans:

- a. All commitments and undertakings provided for in the application to be complied with. Should there be any discrepancies between the documents and these conditions, the condition prevail to the extent of the inconsistency;
- b. Subject to review by the Chief Health Officer of the Department of Health, a maximum accommodation of 500 people on site at any one time (that includes event staff, vendors and volunteers) applies to this event;

Access and Traffic Management:

- c. Applicant to submit a Traffic Management Plan (TMP) prepared by an appropriately qualified person, showing temporary warning signs and method of traffic management to control traffic integration with South West Highway;
- d. TMP and any proposed event signage will require separate approval from Main Roads WA, prior to commencement of the event. Written evidence of Main Roads WA approval required to be submitted at least 14 days prior to the event;
- e. An accredited traffic management provider must be in control of all Traffic Management for the duration of the event. All aspects of the TMP must be adhered to at all times. Traffic controllers must be fully accredited for the tasks that they are undertaking;

Risk Management:

- f. Fires, fireworks or any other pyrotechnic display are not permitted for the duration of the event;
- g. Event organiser to provide evidence of minimum \$20 million public liability insurance for any one event for all proposed activities to the satisfaction of the Shire. Evidence of insurance to be provided at least 14 days prior to the event date;
- h. All electrical equipment is to be tested and tagged by an appropriately qualified person;
- i. All temporary generator installations must be earthed in accordance with Australian Standards, as appropriate. A Form 5 "Certificate of Electrical Compliance" is required to be submitted by a licensed electrical contractor for all temporary power installations prior to commencement of the event;
- j. A minimum of ten (10) temporary toilets comprising four (4) male toilets, five (5) female toilets and one (1) unisex accessible toilet and associated hand basins are to be provided for the event use. They are to be placed so that they are within 90 metres of any camp site;
- k. All toilets are to be serviceable for the duration of the event and located in a manner to facilitate servicing/replenishment for the duration of the event;
- l. Event and camp grounds are to have adequate lighting after dark;
- m. Lighting, to achieve a minimum of 40 Lux, to be provided in or above temporary toilets to facilitate safe use after dark;

- n. All temporary structures (including gazebos, tents and camping structures) must be suitably secured to prevent movement in wind gusts and must not be used if winds will exceed manufacturer specified rating;
- o. For the stage and any tent or marquee greater than 55m² the event organiser is to provide a Certificate of Structural Adequacy from a practising structural engineer or authorised installer, confirming structural adequacy of temporary structures installed. Certificate of Structural Adequacy is required to be completed by an authorised installer or structural engineer and submitted prior to commencement of the event;
- p. Camping for event attendees is permitted for two (2) nights and for event organisers a total of eight (8) nights and subject to separate written approval from the Shire;
- q. Event organiser to submit a list of all food vendors to the Shire for separate approval. The following information, for each food vendor, is also required to be submitted:
 - a. A copy of the vendors 'Food Business Registration Certificate (Food Act 2008)' from their "home" Shire (if not from the Shire of Donnybrook Balingup); and;
 - b. A copy of the vendors Certificate of Currency product and public liability insurance, providing minimum cover of \$10 million;
- r. A first aid post with a minimum of two qualified first aid officers is required to be provided and adequately sign posted for the duration of the event;
- s. The event organiser is to ensure there are sufficient waste receptacles provided to ensure all waste generated by the event is disposed of thoughtfully without any rubbish or debris being deposited on neighbouring properties or left on site following the event;

Noise

- t. Separate approval under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to be obtained from the Shire Chief Executive Officer;
- u. The application required under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* is to include:
 - a. A Noise Management Plan;
 - b. Notification to residents within 2km of the oval grounds is to be undertaken by the Shire, at the applicant's cost

Debrief

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

Advice note:

Due to crowds, including children, food safety and animal welfare concerns, the Shire's Ranger Services recommends that dogs are not permitted within the event grounds.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.1.4 New Policy - Installation of Public Memorial Seat

Report Details:

Prepared by: Manager Works and Services

Manager: Director Operations

Monarch:

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name:

Type: Nil.

Attachment(s):

9.1.4(1) Draft Policy - Installation of Public Memorial Seat (WRKS/CP-5)

Executive Recommendation

That Council:

1. **Adopt Council Policy WRKS/CP-5 Installation of Public Memorial Seat** (Attachment 9.1.4(1))

Strategic Alignment

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

Outcome: 7 - Attractive and welcoming public places.

Objective: 7.1 - Create vibrant, attractive and welcoming towns and public places.

Executive Summary

The purpose of this report is to present the draft Council Policy, Installation of Public Memorial Seat, for Council's consideration and adoption.

The policy establishes a consistent framework for assessing requests from community members wishing to commemorate deceased persons through the installation of memorial seats and plaques within public open spaces owned or managed by the Shire. The policy outlines eligibility requirements, approval processes, design standards, cost responsibilities, maintenance arrangements, and asset life expectations.

The adoption of the policy will improve transparency and consistency in decision-making, ensure equitable treatment of applications, support effective asset management practices, and protect the amenity and long-term functionality of public open spaces.

Background

The Shire periodically receives requests from community members seeking to install memorial seats and plaques within parks, reserves, trails, and other public open spaces to commemorate deceased family members, friends, or notable local residents.

Historically, requests have been assessed on a case-by-case basis. While this approach has provided flexibility, it has also highlighted the need for a formal policy to provide clear guidance for applicants and officers and to ensure consistent decision-making.

The draft policy has been developed to establish eligibility criteria and standards for the installation and management of public memorial seats. It recognises the community value of memorialisation while balancing the Shire's responsibilities in relation to public asset management, maintenance obligations, safety, accessibility, and the preservation of public space character.

The policy applies to all applications for memorial seats and associated plaques on land owned or managed by the Shire and provides delegated authority for compliant applications to be determined administratively by the Chief Executive Officer or their authorised delegate.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Minor	Moderate (8)
Risk Description:	Members of the public being upset due to a lack of process for them to formally recognize or honor another person		
Mitigation:	Development of a Shire policy providing guidance to staff as to how these requests are to be processed.		

Financial Implications

The policy itself does not create a direct financial impact on the Shire. Applicants are responsible for the costs associated with the purchase, installation, and plaque inscription of memorial seats. Any routine maintenance undertaken by the Shire will be accommodated within existing operational maintenance activities.

Policy Compliance

In accordance with the Shire's Policy Framework (EXE/CP-8).

Statutory Compliance

Local Government Act 1995

Consultation

Internal consultation was undertaken during the development of the draft policy with officers from Works and Services and Corporate Services.

Officer Comment

The draft policy establishes a balanced approach to memorialisation within public open spaces. It recognises the importance of providing community members with opportunities to commemorate deceased persons while ensuring that public spaces remain functional, accessible, visually appropriate, and manageable from an asset maintenance perspective.

The policy introduces clear assessment criteria, defines applicant responsibilities, and provides certainty regarding the lifespan, maintenance, renewal, and removal of memorial seats. Adoption of the policy will improve transparency, consistency, and administrative efficiency in the management of future requests. Accordingly, officers recommend that Council adopt the policy as presented.

COUNCIL RESOLUTION: 160/09-26	
MOVED BY: Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council:

- 1. Adopt Council Policy WRKS/CP-5 Installation of Public Memorial Seat** (Attachment 9.1.4(1)).

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.1.5 Rescindment of Council Policies EMERG/CP-1 Fireworks Events and EMERG/CP-2 Permits for Road Verge Burning

Report Details:

Prepared by: Community Emergency Services Manager

Manager: Director Operations

Monarch: MONARCH-1594159990-202,
1594159990-201

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.1.5(1) Council Policy - Fireworks Events (EMERG/CP-1)

9.1.5(2) Council Policy - Permits for Road Verge Burning (EMERG/CP-2)

Executive Recommendation

That Council:

1. Rescinds Council Policy EMERG/CP-1 Fireworks Events; and
2. Rescinds Council Policy EMERG/CP-2 Permits for Road Verge Burning; and
3. Notes its intent and content are now fully addressed in the Shire's operational procedures.

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

The purpose of this report is to seek Council approval to rescind policy EMERG/CP-1 Fireworks Events and policy EMERG/CP-2 Permits for Road Verge Burning.

As part of the Shire's policy review process, it was identified that both documents contain predominantly operational and administrative requirements rather than matters requiring Council policy direction. To ensure a clear distinction between governance and operational functions, the requirements currently contained within these policies will be incorporated into internal Operational Procedures. This will allow administration to efficiently manage legislative and operational requirements while maintaining appropriate controls and consistency in decision making.

The rescission of these policies will streamline the Shire's policy register and align with contemporary local government governance practices.

Background

The Shire currently maintains policy EMERG/CP-1 Fireworks Events and policy EMERG/CP-2 Permits for Road Verge Burning.

Policy EMERG/CP-1 Fireworks Events was originally adopted by Council on 23 May 2001 and was most recently revised on 21 December 2021 (Resolution 213/21).

Policy EMERG/CP-2 Permits for Road Verge Burning was originally adopted by Council on 23 January 2008 and was subsequently reviewed on 21 December 2021 (Resolution 213/21) and 9 January 2024 (Resolution 148/23).

As part of an ongoing review of Council policies, these documents have been assessed to determine whether they provide strategic direction requiring Council endorsement or whether they are operational in nature.

The review determined that both policies primarily prescribe administrative processes, assessment requirements and operational actions undertaken by staff in the management of fireworks events and road verge burning activities. As such, they do not establish strategic positions, principles or governance direction requiring ongoing Council policy status.

To ensure operational requirements continue to be applied consistently, the content of both policies will be transitioned into internal Operational Procedures. This approach will maintain effective operational management while reducing unnecessary policies within the Council policy register.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Likely	Moderate	High (12)
Risk Description:	The public undertaking the outlined activities on Shire or private land with no control mechanisms for staff to apply consistency in the assessment and or approval of requests		
Mitigation:	Development of operational procedures to guide staff in the assessment and approval of these types of requests		

Financial Implications

There are no direct financial implications associated with the rescission of these policies. Any operational requirements will continue to be managed within existing budget allocations and staff resources.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework (cl 4.10) the policy provides Council with clarity and consistency in decision making in this area.

The recommendation supports the Shire's commitment to maintaining a contemporary and effective policy framework by ensuring Council policies focus on strategic governance matters, while operational matters are managed through administrative procedures.

Statutory Compliance

There are no statutory requirements mandating that the matters addressed in Policy EMERG/CP-1 Fireworks Events or Policy EMERG/CP-2 Permits for Road Verge Burning be maintained as Council policies. Relevant legislative obligations and regulatory requirements will continue to be administered through operational procedures and applicable legislation.

Consultation

Consultation has been undertaken internally with relevant officers:

- Director Operations.
- Community Emergency Services Manager.

Officer Comment

Rescinding these policies will simplify the Shire's policy framework, reduce unnecessary policy maintenance and reinforce the distinction between Council's strategic governance role and Administration's operational responsibilities.

Accordingly, officers recommend that Council rescind Policy EMERG/CP-1 Fireworks Events and Policy EMERG/CP-2 Permits for Road Verge Burning.

COUNCIL RESOLUTION:		161/09-26	
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

1. Rescinds Council Policy EMERG/CP-1 Fireworks Events; and
2. Rescinds Council Policy EMERG/CP-2 Permits for Road Verge Burning; and
3. Notes its intent and content are now fully addressed in the Shire's operational procedures.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.2. Director Finance and Community

9.2.1 Schedule of Accounts Paid as at 31 August 2026

Report Details:

Prepared by: Finance Officer

Manager: Manager Financial Services

Monarch:

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name:

Type: Nil.

Attachment(s):

Nil.

Executive Recommendation

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

Executive Summary

Council is requested to receive the Schedule of Accounts Paid for the period 1 to 31 August 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 \$1,196,397.90.

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. Included in this month's schedule is a direct debit payment of \$10,008.76 for WA Treasury Corporation Loan Guarantee Fees (Loans 90, 93 and 94), relating to July 2026 and reported in August due to timing.

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
CREDIT CARD				
	29/06/2026	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	RENEWAL OF BUILDING SURVEYOR PRACTITIONER REGISTRATION	1,200.00
	01/07/2026	SYNERGY	ELECTRICITY PAYMENT FOR VACANT UNIT 10 SHARP STREET	95.93
	03/07/2026	AUSTRALIA POST	VERIFICATION OF IDENTITY	49.00
	03/07/2026	SENDGRID	MONTHLY AUTOMATED EMAIL SERVICE, LINKED TO ENVIBE	134.14
	09/07/2026	MICROSOFT	AZURE USAGE CHARGES	261.22
	24/07/2026	MAILCHIMP	MONTHLY MARKETING SUBSCRIPTION	38.27
	30/07/2026	BENDIGO BANK	CARD FEES	20.00
DD29306.1	14/08/2026		TOTAL: CREDIT CARD PAYMENTS	1,798.56
EFT PAYMENTS				
EFT33545A	06/08/2026	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 08.08.26	170,146.85
EFT33546	13/08/2026	AUSTRALIA POST - ACCOUNTS	SHIRE POSTAGE	5,683.45
EFT33547	13/08/2026	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	55.00
EFT33548	13/08/2026	AUSTRALIAN COMMUNICATIONS & MEDIA AUTHORITY	DBK FIXED POINT TO POINT 26/27	376.00
EFT33549	13/08/2026	ANIMAL HEALTH CENTRE	DBK POUND - CONSULTATION	305.90
EFT33550	13/08/2026	WINC AUSTRALIA PTY LTD - ACCOUNTS	STATIONERY SUPPLIES	90.98
EFT33551	13/08/2026	ABLE SALES	VCMP - LATCH DOOR KEYS	35.00
EFT33552	13/08/2026	AQUA COOLER PTY LTD	WATER COOLERS PARTS	417.00
EFT33553	13/08/2026	ABLE TRAILERS	FLAT TOP TIPPER	8,792.00
EFT33554	13/08/2026	ALCHERINGA FARM	REIMBURSEMENT 50% OF INVOICE FOR BLACKBERRY CONTROL	2,804.30
EFT33555	13/08/2026	J ALBERTS	REFUND OVERPAYMENT ON SUNDRY DEBTOR	1,269.60
EFT33556	13/08/2026	BOC LIMITED	FORKLIFT GAS BOTTLES	186.44
EFT33557	13/08/2026	BDA TREE LOPPING	TREE PRUNING	18,227.00
EFT33558	13/08/2026	BUNBURY & BUSSELTON AIR	ADMIN - REPAIR AIRCON UNIT, DBK REC CTR - REPAIR POOL HEATER	360.00
EFT33559	13/08/2026	BALINGUP LIQUOR & GENERAL STORE	BFB - BATTERIES	61.00
EFT33560	13/08/2026	BOYANUP BOTANICAL	DBK TOWNSITE - PLANTS	96.36
EFT33561	13/08/2026	BETTER TELCO SOLUTIONS PTY LTD - PHONE ACCOUNT	MONTHLY ACCESS FEE & SIP CHARGES	935.40
EFT33562	13/08/2026	BRIGHTMARK GROUP PTY LTD	CLEANING - JUL 26, TRANSIT PARK - AMENITY CLEANING, DBK REC CTR - CARPET CLEANING	18,958.63
EFT33563	13/08/2026	A BANNISTER	REIMBURSE - FIRE EXTINGUISHER - RANGER UTE	33.25
EFT33564	13/08/2026	CITY & REGIONAL FUELS	PURCHASES ON FUEL CARDS & BULK FUEL - JUL 26	16,565.10
EFT33565	13/08/2026	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	277.89

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

EFT33566	13/08/2026	BIDFOOD BUNBURY	DBK REC CTR - KIOSK STOCK	99.26
EFT33567	13/08/2026	COMBINED TEAM SERVICES	HSR COURSE - CATERING FEE	60.00
EFT33568	13/08/2026	CRS ELECTRICAL	BLN PUBLIC HALL - ATTEND TO LIGHTING ISSUES	148.00
EFT33569	13/08/2026	CORSIGN WA	GALVANISED POST FOR SIGNAGE	2,238.50
EFT33570	13/08/2026	DONNYBROOK TENNIS CLUB	VCMP - PAVILION 2 - SPACETOCO BOOKINGS - COLLECTED ON BEHALF OF CLUB - JUN 26	262.67
EFT33571	13/08/2026	DONNYBROOK & DISTRICTS PLUMBING SERVICE	REPLACE URINAL, UNBLOCK TOILETS, REPAIR TAP, REPLACE BROKEN TOILET SEAT	1,342.00
EFT33572	13/08/2026	TYRES AND MORE DONNYBROOK	REPLACEMENT TYRES, PUNCTURE REPAIR	1,670.00
EFT33573	13/08/2026	DONNYBROOK DISTRICT HIGH SCHOOL	DBK LBRY - ELECTRICITY, WATER, POSTAGE, STATIONERY, GROCERIES, CLEANING CONSUMABLES, GRANT FUNDED PURCHASES	3,675.38
EFT33574	13/08/2026	DONNYBROOK FARM SERVICE	POOL CHEMICALS. CEMENT, RETIC COMPONENTS, TREE TIES, STAKES, WIRE CONNECTOR	1,600.27
EFT33575	13/08/2026	DONNYBROOK FOOTBALL & SPORTING CLUB (INC)	VCMP - PAVILION 1 SPACETOCO BOOKINGS - COLLECTED ON BEHALF OF THE CLUB - JUN 26	1,083.32
EFT33576	13/08/2026	DATA#3 LIMITED	ADOBE RENEWAL	9,882.05
EFT33577	13/08/2026	DONNYBROOK FAMILY DOCTORS	PRE-EMPLOYMENT MEDICALS	350.00
EFT33578	13/08/2026	DONNYBROOK ACCIDENT REPAIR CENTRE	VEHICLE DENT REPAIR	250.00
EFT33579	13/08/2026	ERGOLINK	OFFICE CHAIR	616.35
EFT33580	13/08/2026	ESAFETY SUPPLIES	BOOT CLEANERS	922.68
EFT33581	13/08/2026	FAIRTEL PTY LTD	DBK SES - PHONE AND NBN SERVICE	159.97
EFT33582	13/08/2026	HARLEY DYKSTRA	EGAN PARK DONNYBROOK - FEATURE & CONTOUR SURVEY	7,579.00
EFT33583	13/08/2026	HASTIE WASTE PTY LTD	DBK WMF, BLN TRANS STATION - MANAGEMENT, SERVICING OF FRONTLINE BINS, PROCESSING OF MATTRESSES	43,387.46
EFT33584	13/08/2026	IT VISION	SYNERGYSOFT FRONT COUNTER - ONLINE TRAINING SESSION	495.00
EFT33585	13/08/2026	INDUSTRIAL AUTOMATION GROUP PTY LTD	REMOTE ACCESS OPERATIONAL CHARGES 2026/27	2,329.80
EFT33586	13/08/2026	JACKSON MCDONALD	LEGAL ADVICE	3,709.20
EFT33587	13/08/2026	LIVING SPRINGS WATER PTY LTD	BOTTLED WATER	28.00
EFT33588	13/08/2026	MCDONALD FENCING	DBK OLD DEPOT - FENCING REPAIR	7,326.00
EFT33589	13/08/2026	MICROSOFT REGIONAL SALES CORPORATION	MICROSOFT BUSINESS PREMIUM & EXCHANGE ONLINE PLANS	2,589.29
EFT33590	13/08/2026	T MCCOSKER	REFUND OF OVERPAYMENT OF SWIMMING LESSONS	137.52
EFT33591	13/08/2026	NESPRESSO AUSTRALIA	COFFEE	440.00
EFT33592	13/08/2026	A NIETRZEBKA	REIMBURSE 50% OF INVOICE FOR BLACKBERRY CONTROL	359.50
EFT33593	13/08/2026	OFFICEWORKS	STATIONERY SUPPLIES	157.99
EFT33594	13/08/2026	N O'CONNOR	REIMBURSE - PROFESSIONAL DEVELOPMENT	4,246.68

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

EFT33595	13/08/2026	PRESTON VALLEY MAINTENANCE	DBK CEMETERY - REPAIR & PAINT DAMAGED WALLS TO TOILET BLOCK	537.90
EFT33596	13/08/2026	PRESTON POWER EQUIPMENT	CHAINS & CHAIN SHARPEN FILE SET, MOWING HEAD AUTOCUT	230.00
EFT33597	13/08/2026	PROGRAMMED PROPERTY SERVICES	PRESTON VILLAGE - UNIT - REFURBISHMENT	27,500.00
EFT33598	13/08/2026	D PISCIONERI	REIMBURSE 50% OF INVOICE FOR BLACKBERRY CONTROL	421.60
EFT33599	13/08/2026	QUANTIFIED TREE RISK ASSESSMENT	QTRA TRAINING & ANNUAL USER LICENCE	1,078.00
EFT33600	13/08/2026	ROYAL LIFE SAVING SOCIETY WA INC.	POOL LIFEGUARD LICENCE RENEWAL	187.00
EFT33601	13/08/2026	WREN OIL	DBK WMF - EMPTYING OF WASTE OIL RECEPTACLE	1,038.95
EFT33602	13/08/2026	REDFISH TECHNOLOGIES PTY LTD	COUNCIL CHAMBER - AV SERVICE & SUPPORT AGREEMENT - 2026/27	5,025.64
EFT33603	13/08/2026	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	2,545.45
EFT33604	13/08/2026	SPENCER SIGNS	DBK TRANSIT PARK - CCTV SIGNAGE, AUTHORISED ACCESS SIGN	984.50
EFT33605	13/08/2026	SOUTHERN LOCK & SECURITY	DBK REC CTR - INVESTIGATE ALARM SIREN & REPAIR EVACUATION BUTTON	325.00
EFT33606	13/08/2026	SURVCON PTY LTD	SURVEYING OF CLAY & GRAVEL STOCKPILES	3,410.00
EFT33607	13/08/2026	SEEK LIMITED	ADVERTISEMENT - STAFF VACANCY	500.50
EFT33608	13/08/2026	SHRED-X PTY LTD & AUSTRALIAN PAPER RECYCLING	SECURE BIN PICK UP & DISPOSAL	220.02
EFT33609	13/08/2026	SCOPE BUSINESS IMAGING	DBK SES - PREVENTATIVE SERVICE PLAN FOR PRINTER/COPIER	11.78
EFT33610	13/08/2026	SYKES ENGINEERING PTY LTD TRADING AS SOUTHWEST ELECTRICAL & COMMUNICATION	LANGLEY VILLAS - CALLOUT POWER OUTTAGE, PRESTON RIVER - REPAIR BBQ, SUPPLY & INSTALL CABLE FOR VEHICLE CHARGER	2,157.10
EFT33611	13/08/2026	SOUTH WEST PROPERTY MANAGEMENT	RENTAL SUBSIDY FOR CHILDCARE WORKER	869.05
EFT33612	13/08/2026	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	1,622.25
EFT33613	13/08/2026	TREEHOUSE CHILDCARE CENTRE INC.	CHILDCARE WORKER - REIMBURSE FIRST AID TRAINING	2,145.00
EFT33614	13/08/2026	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	245.81
EFT33615	13/08/2026	TELAIR PTY LTD	NBN SERVICES	687.90
EFT33616	13/08/2026	TELAIR PTY LTD	MOBILE DEVICE PLANS	79.99
EFT33617	13/08/2026	UNIVERSAL COFFEE TECH	REPAIRS TO COFFEE MACHINE	308.00
EFT33618	13/08/2026	LANDGATE - VALUATION SERVICES	INTERIM VALUATIONS	590.98
EFT33619	13/08/2026	VOLUNTEERS SOUTH WEST	EVENTS TRAILER	2,200.00
EFT33620	13/08/2026	VOCUS	MONTHLY IP LINE, STANDARD ACCESS & FAST FIBRE	1,304.60
EFT33621	13/08/2026	WATER CORPORATION - ACCOUNTS	WATER & SEWERAGE CHARGES	3,408.99
EFT33622	13/08/2026	SYNERGY	ELECTRICITY CHARGES	25,316.55

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

EFT33623	13/08/2026	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	WALGA SUBSCRIPTIONS 2026-27 - ASSOCIATION, EMPLOYEE RELATIONS, TAX SERVICES, PROCUREMENT SERVICES, GOVERNANCE, LOCAL LAWS, SOUTH WEST COUNTRY ZONE - ANNUAL SUBSCRIPTION	31,562.30
EFT33624	13/08/2026	WORK CLOBBER	W&S - PPC	1,038.55
EFT33625	13/08/2026	WML CONSULTANTS PTY LTD	PRESTON RIVER STAIRCASE DESIGN	6,891.50
EFT33626	13/08/2026	WURTH AUSTRALIA PTY LTD	PROTECTIVE CLOTHING - GLOVES, EARPLUGS, SIGNAGE	317.98
EFT33627	13/08/2026	THE WARREN BLACKWOOD ALLIANCE OF COUNCILS (INC)	WBAC PROJECTS COSTS, WBAC TRAILS DEVELOPMENT, SOUTHERN FORESTS & VALLEYS TOURISM PROJECT, WBAC REGIONAL TRAIL MASTER PLAN	35,540.52
EFT33628	13/08/2026	WA COUNTRY HEALTH SERVICE	MEDICAL CTR QRTLTY ELECTRICAL CHARGES	2,631.84
EFT33629	13/08/2026	L WORSFOLD	REMIBURSE - WORK BOOTS & JACKET	248.99
EFT33629A	20/08/2026	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR THE PERIOD ENDING 19.08.26	166,448.47
EFT33630	27/08/2026	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH	EMPLOYEE UNION DEDUCTIONS	55.00
EFT33631	27/08/2026	AMITY SIGNS	REPLACEMENT ROAD SIGN & RURAL ROAD NUMBER PLATES	256.85
EFT33632	27/08/2026	ALL TECH PLUMBING	DBK REC CTR - INVESTIGATE AND FIX BLOCKED TOILETS	913.00
EFT33633	27/08/2026	AUSRECORD PTY LTD	FOLDER FILES	224.40
EFT33634	27/08/2026	AFGRI EQUIPMENT AUSTRALIA PTY LTD	TRANSPORT GRADER - FILTERS	291.97
EFT33635	27/08/2026	P ANASTASAKIS	ARIC MEETING ATTENDANCE FEE	2,430.00
EFT33636	27/08/2026	BUNBURY & BUSSELTON AIR	DBK REC CTR - SUPPLY & INSTALL NEW IO BOARD ON POOL HEATER	1,815.00
EFT33637	27/08/2026	BOYANUP BOTANICAL	DBK TOWNSITE & PRESTON RIVER FORESHORE - PLANTS	4,000.49
EFT33638	27/08/2026	BLUE FORCE PTY LTD	PRESTON VILLAGE - MONTHLY EMERGENCY HELP MONITORING	433.29
EFT33639	27/08/2026	BRIGHTMARK GROUP PTY LTD	CLEANING CONSUMABLES, DBK & BLN HALL CLEANS	1,627.21
EFT33640	27/08/2026	BLUE STEEL ROOFING	NEWLANDS HALL - ROOF COVER REPLACEMENT PROJECT, BLN REC CTR - RECTIFY CEILING WATER DAMAGE	32,413.85
EFT33641	27/08/2026	COATES HIRE OPERATIONS PTY LTD - BUNBURY BRANCH	HIRE OF MULTI TYRE ROLLER	6,973.32
EFT33642	27/08/2026	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT	PAYROLL DEDUCTIONS	323.20
EFT33643	27/08/2026	CLEANAWAY OPERATIONS PTY LTD.	BLN TRANSFER STATION - RECYCLING	882.96
EFT33644	27/08/2026	CRS ELECTRICAL	EGAN PARK - PHNEUMATIC TIMER	398.50
EFT33645	27/08/2026	CLEANAWAY	KERBSIDE BIN COLLECTION	64,692.47
EFT33646	27/08/2026	CROSS SECURITY SERVICES	DBK TRANSIT PARK - SUPPLY & INSTALL TOILET & SHOWER ACCESS CONTROL, WMS SOFTWARE MAINTENANCE AGREEMENT	15,290.00

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

EFT33647	27/08/2026	CAFE 48	BEERLERUP FIRE STATION - CATERING	1,030.00
EFT33648	27/08/2026	CONNECT CALL CENTRE SERVICES	AFTERHOURS CALL CENTRE - W&S, P&G, RANGERS	97.90
EFT33649	27/08/2026	CLEANAWAY PTY LTD	DBK WMF - RECYCLING BIN TRANSFER/PROCESSING - JUL 26	1,272.57
EFT33650	27/08/2026	CLEANAWAY OPERATIONS PTY LTD	BLN TRANSFER STATION - GENERAL WASTE	5,549.15
EFT33651	27/08/2026	CHOOKY'S LAWNS & MORE	COMMUNITY HOUSING - GROUND MAINTENANCE	858.00
EFT33652	27/08/2026	D CRIBB	REIMBURSEMENT POLICE CLEARANCE	64.90
EFT33653	27/08/2026	DONNYBROOK HARDWARE & GARDEN	HEATERS, EAR PLUGS, DEFENDERS, BOLTS, NUTS, WASHERS, FERTILISER, PLANTS, SPRAY PAINT, TREE STAKES, POTTING MIX, GALVANISED CHAIN, SPRAYER, KWIKSET, BIN SWING TOP	900.80
EFT33654	27/08/2026	TYRES AND MORE DONNYBROOK	REPLACEMENT TYRES	3,697.00
EFT33655	27/08/2026	DONNYBROOK DISTRICT HIGH SCHOOL	DBK LBRY - CLEANING, SUBSCRIPTIONS, STATIONERY, CRAFT ITEMS, GRANT FUNDED PURCHASES, ELECTRICITY, WATER	8,313.50
EFT33656	27/08/2026	DONNYBROOK FRESH SUPA IGA	ADMIN, DBK REC CTR, W&S - GROCERIES, COUNCIL WORKSHOP - REFRESHMENTS, CITIZENSHIP CEREMONY - PLANTS, BFB PRESENTATION REFRESHMENTS, DBK POUND - DOG FOOD	780.11
EFT33657	27/08/2026	DATA#3 LIMITED	ADOBE EDITOR LICENCES	1,135.83
EFT33658	27/08/2026	DELL FINANCIAL SERVICES PTY LTD	LEASE PAYMENTS FOR DELL PCS	3,106.38
EFT33659	27/08/2026	DBCEC (WA) PTY LTD	INSTALL JUNCTION PIT	6,607.26
EFT33660	27/08/2026	DONNYBROOK FAMILY DOCTORS	PRE-EMPLOYMENT MEDICAL	175.00
EFT33661	27/08/2026	DE ROSA FARM MACHINERY PTY LTD	COMPRESSOR BELT	27.60
EFT33662	27/08/2026	ENVIRONMENTAL AND AGRICULTURAL TESTING SERVICES	VC MITCHELL - WATER LEVEL MONITORING SUPPORT	180.00
EFT33663	27/08/2026	HERSEY'S SAFETY PTY LTD	AIR FRESHENERS, HYDRALITE STICKS, CLEANING CLOTHS	836.55
EFT33664	27/08/2026	INFIELD SERVICES PTY LTD	BFB - SERVICE & REPAIR GENERATOR	603.24
EFT33665	27/08/2026	SOUTH WEST ISUZU	BRAKE LIGHT LENS COVER	37.16
EFT33666	27/08/2026	R KENNEDY	REIMBURSE - CAR PARKING	20.26
EFT33667	27/08/2026	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	2026-27 ANNUAL MEMBERSHIP FEES	560.00
EFT33668	27/08/2026	LGISWA	LGIS EMPLOYEE ASSISTANCE PROGRAM	6,352.50
EFT33669	27/08/2026	LIGHTBASE BATTERIES PTY LTD	BFB - BATTERIES	150.00
EFT33670	27/08/2026	MALATESTA ROAD PAVING & HOTMIX	EMULSION	720.00
EFT33671	27/08/2026	CEMETERIES & CREMATORIA ASSOCIATION OF WESTERN AUSTRALIA	CEMETERIES & CREMATORIA ASSOC - ORDINARY MEMBERSHIP 2026-27	130.00
EFT33672	27/08/2026	MCLEODS BARRISTERS & SOLICITORS	LEGAL ADVICE & REPRESENTATION	1,207.80
EFT33673	27/08/2026	MANJIMUP FREIGHT DISTRIBUTORS & BMI LOGISTICS	FREIGHT CHARGES	30.86

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

EFT33674	27/08/2026	C MCQUADE	REFUND STANDPIPE WATER CREDIT & CARD	53.65
EFT33675	27/08/2026	NOLAN DRAFTING	DESIGN WORKS - ROAD UPGRADE	1,094.92
EFT33676	27/08/2026	OBAN GROUP PTY LTD	DBK REC CTR - CHANGING ROOM UPGRADES, RESOLVE BLOCKED DRAIN, REPAIR WIRING IN CHANGING ROOM	53,768.50
EFT33677	27/08/2026	OTIUM PLANNING GROUP PTY LTD	BALINGUP RECREATIONAL AND SPORTING MASTER PLAN	24,112.00
EFT33678	27/08/2026	PRESTON PRESS	FIRE PREVENTION, BUSH FIRE CONTROL OFFICERS - 2026-27, PRESTON PRESS - AUG 26	1,750.00
EFT33679	27/08/2026	PARKS & LEISURE AUSTRALIA	CORPORATE ANNUAL SUBSCRIPTION	869.00
EFT33680	27/08/2026	PRESTON VALLEY MAINTENANCE	BLN TRANSIT PARK - REPAIR & PAINT ABLUTION BLOCK DOORS, APEX PARK TOILETS - PAINT OVER GRAFFITI, DBK REC CTR - REMOVE FOOT PATH HANDRAIL, BLN PUBLIC TOILETS - LOCATE SEPTIC TANKS, DBK COMMUNITY CTR - ASSESS WATER INGRESS	1,441.00
EFT33681	27/08/2026	PRIME INDUSTRIAL PRODUCTS	DBK DEPOT - BENCH WIRE & STONE WHEELS, BLOWPIPE CUTTING HANDLE	120.63
EFT33682	27/08/2026	G PATRICK	COUNCILLOR TRAVEL ALLOWANCE	722.28
EFT33683	27/08/2026	ROYAL LIFE SAVING SOCIETY WA INC.	POOL LIFEGUARD LICENCE RENEWAL	1,309.00
EFT33684	27/08/2026	REPCO - DONNYBROOK	P&G MOWER - IMPACT SOCKET	17.11
EFT33685	27/08/2026	RECRUITWEST PTY LTD	CASUAL LABOUR HIRE	5,626.24
EFT33686	27/08/2026	SOUTHERN LOCK & SECURITY	BLN TRANSIT PARK - SUPPLY LOCK & BARRELS	162.73
EFT33687	27/08/2026	SOS OFFICE EQUIPMENT	MONTHLY PRINTER METER READS	920.67
EFT33688	27/08/2026	J SCHUIJLING	REIMBURSE - FIRST AID COURSE	180.00
EFT33689	27/08/2026	SIGMA TELFORD GROUP	DBK REC CTR - POOL CHEMICAL TESTING TABLETS	1,087.13
EFT33690	27/08/2026	SOUTHWEST SURFACING PTY LTD	BALINGUP - NANNUP RD - ASPHALT FOOTPATH REINSTATEMENT	5,060.00
EFT33691	27/08/2026	SOUTH WEST PROPERTY MANAGEMENT	RENTAL SUBSIDY CHILDCARE WORKER	869.05
EFT33692	27/08/2026	SUPAGAS	DBK LIBRARY - GAS SUPPLY	50.60
EFT33693	27/08/2026	S&D NELSON AUTOMOTIVE	VEHICLE SERVICE	392.50
EFT33694	27/08/2026	SOUTH WEST SEPTICS	EMPTY SEPTIC TANKS	3,768.50
EFT33695	27/08/2026	J SOUTHCOTT	REFUND OVERPAYMENT OF RATES	806.50
EFT33696	27/08/2026	SOUTH WEST AUTISM NETWORK INC	SENSORY TENT FOR BALINGUP MEDIEVAL CARNIVALE	1,200.00
EFT33697	27/08/2026	K SCALLY-CHADWICK	REFUND SWIMMING LESSONS	153.27
EFT33698	27/08/2026	TELSTRA - MELBOURNE ACCOUNTS	TELEPHONE, MOBILE & INTERNET CHARGES	1,419.52
EFT33699	27/08/2026	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	40.90
EFT33700	27/08/2026	TENDERLINK	ADVERTISING - TENDERS	541.20
EFT33701	27/08/2026	TOTALLY WORKWEAR BUNBURY	STAFF UNIFORMS	1,225.47
EFT33702	27/08/2026	WATER CORPORATION - ACCOUNTS	WATER & SEWERAGE CHARGES	11,603.13
EFT33703	27/08/2026	SYNERGY	ELECTRICITY CHARGES	18,104.68

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

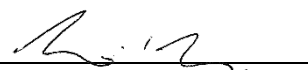
EFT33704	27/08/2026	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	2026 WALGA CONVENTION, WALGA TRAINING - STRATEGIC DECISION MAKING, POLICY DEVELOPMENT	4,785.00
EFT33705	27/08/2026	WA LASER ENGRAVING	NAME PLAQUES FOR COUNCIL CHAMBERS	1,099.56
EFT33706	27/08/2026	EVENTS WEST WA	MEDIEVAL FESTIVAL - TOILET, LIGHTING & GENERATOR HIRE	1,534.50
EFT33707	27/08/2026	ZIPFORM	PRINT & SUPPLY FIRE PREVENTATION BROCHURES & DL FIRE PREVENTION FLYER	3,164.32
			TOTAL: EFT PAYMENTS	998,975.19
CHEQUES				
53859	04/08/2026	DEPARTMENT OF TRANSPORT	CUSTOMER PURCHASE OF SHIRE LOGO NUMBER PLATES	450.00
53860	05/08/2026	DEPARTMENT OF TRANSPORT	CUSTOMER PURCHASE OF SHIRE LOGO NUMBER PLATE	225.00
53861	05/08/2026	SHIRE OF DONNYBROOK BALINGUP	2026-27 - SHIRE RATES	12,228.00
53862	19/08/2026	DEPARTMENT OF TRANSPORT	CUSTOMER PURCHASE OF SHIRE LOGO NUMBER PLATE	225.00
			TOTAL: CHEQUES	13,128.00
BANK FEES				
	31/08/2026	BENDIGO	BANK FEES	436.31
	31/08/2026	COMMONWEALTH	BANK FEES	275.21
	31/08/2026	TYRO	BANK FEES	924.18
	31/08/2026	PAYPAL	TRANSACTION FEES	0.71
	31/08/2026	EZIDEBIT	TRANSACTION FEES	4.27
	31/08/2026	SPACETOCO	TRANSACTION FEES	1,313.18
			TOTAL: BANK FEES	2,953.86
DIRECT DEBITS				
DD29312.1	23/07/2026	WA TREASURY CORPORATION	LOAN 90, 93, 94 - GUARANTEE FEES - JUL 26	10,008.76
DD29293.1	05/08/2026	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	23,680.25
DD29293.2	05/08/2026	GESB SUPER SCHEME	EMPLOYEE SUPER DEDUCTIONS	437.87
DD29293.3	05/08/2026	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	411.55
DD29293.4	05/08/2026	HOSTPLUS	EMPLOYEE SUPER DEDUCTIONS	447.92
DD29293.5	05/08/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	355.95
DD29293.6	05/08/2026	HESTA SUPER FUND	EMPLOYEE SUPER DEDUCTIONS	335.23
DD29293.7	05/08/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	344.65
DD29293.8	05/08/2026	UNISUPER	EMPLOYEE SUPER DEDUCTIONS	396.92
DD29293.9	05/08/2026	IOOF PORTFOLIO SUPERANNUATION FUND	EMPLOYEE SUPER DEDUCTIONS	52.40
DD29293.10	05/08/2026	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	1,040.17
DD29293.11	05/08/2026	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	5,476.30
DD29293.12	05/08/2026	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	1,192.35
DD29293.13	05/08/2026	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	956.41
DD29293.14	05/08/2026	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	778.20
DD29293.15	05/08/2026	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	473.73
DD29293.16	05/08/2026	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	417.67
DD29293.17	05/08/2026	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	381.89
DD29308.1	15/08/2026	SG FLEET AUSTRALIA PTY LIMITED	CESM - VEHICLE LEASE PAYMENT	1,018.60
DD29315.1	19/08/2026	AWARE SUPER	EMPLOYEE SUPER DEDUCTIONS	22,373.77

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENT FROM 1 AUGUST TO 31 AUGUST 2026

DD29315.2	19/08/2026	BRIGHTER SUPER	EMPLOYEE SUPER DEDUCTIONS	357.70
DD29315.3	19/08/2026	GESB SUPER SCHEME	EMPLOYEE SUPER DEDUCTIONS	451.75
DD29315.4	19/08/2026	ONEPATH MASTERFUND	EMPLOYEE SUPER DEDUCTIONS	338.40
DD29315.5	19/08/2026	HOSTPLUS	EMPLOYEE SUPER DEDUCTIONS	487.92
DD29315.6	19/08/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	343.23
DD29315.7	19/08/2026	HESTA SUPER FUND	EMPLOYEE SUPER DEDUCTIONS	412.01
DD29315.8	19/08/2026	AUSTRALIAN RETIREMENT TRUST	EMPLOYEE SUPER DEDUCTIONS	366.24
DD29315.9	19/08/2026	UNISUPER	EMPLOYEE SUPER DEDUCTIONS	399.32
DD29315.10	19/08/2026	IOOF PORTFOLIO SUPERANNUATION FUND	EMPLOYEE SUPER DEDUCTIONS	52.40
DD29315.11	19/08/2026	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER	EMPLOYEE SUPER DEDUCTIONS	982.95
DD29315.12	19/08/2026	VANGUARD SUPER	EMPLOYEE SUPER DEDUCTIONS	464.54
DD29315.13	19/08/2026	REST SUPERANNUATION	EMPLOYEE SUPER DEDUCTIONS	1,565.76
DD29315.14	19/08/2026	AUSTRALIAN SUPER	EMPLOYEE SUPER DEDUCTIONS	4,321.97
DD29315.15	19/08/2026	AMP LIFE LIMITED	EMPLOYEE SUPER DEDUCTIONS	465.93
DD29315.16	19/08/2026	MERCER SUPER TRUST	EMPLOYEE SUPER DEDUCTIONS	796.44
DD29315.17	19/08/2026	MLC PLUM SUPER	EMPLOYEE SUPER DEDUCTIONS	857.27
DD29315.18	19/08/2026	CBUS SUPER	EMPLOYEE SUPER DEDUCTIONS	417.67
DD29329.1	17/08/2026	SUMMIT FLEET LEASING AND MANAGEMENT	CESM - VEHICLE LEASE PAYMENT	2,386.10
DD29330.1	06/08/2026	AUSTRALIAN TAX OFFICE	PAYG PE: 05.08.26	48,529.00
DD29330.2	20/08/2026	AUSTRALIAN TAX OFFICE	PAYG PE: 19.08.26	44,766.00
DD29333.1	28/08/2026	MAGISTRATES COURT OF WESTERN AUSTRALIA	COURT HEARING NOTICE LODGEMENT	199.10
			TOTAL: DIRECT DEBITS	179,542.29
			TOTAL: PAYMENTS MADE FROM MUNICIPAL ACCOUNT	1,196,397.90

CERTIFICATION BY CHIEF EXECUTIVE OFFICER

This Schedule of Accounts Paid is submitted to the Council Meeting on 23 September 2026 in accordance with the *Local Government (Financial Management) Regulations 1996* Section 13. These accounts have been checked and are fully supported by vouchers and invoices, which have been duly certified as to the receipts of goods and the rendition of services and as to prices, computations and costings.


 Chief Executive Officer

COUNCIL RESOLUTION:	162/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council receive the schedule of accounts paid as detailed in the report for the period ending 31 August 2026.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.2.2 Monthly Financial Report for the period ending 31 July and 31 August 2026

Report Details:

Prepared by: Manager Financial Services

Manager: Director Finance & Community

Monarch:

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name:

Type: Nil.

Attachment(s):

9.2.2(1) Monthly Financial Report for the period ending 31 July 2026

9.2.2(2) Monthly Financial Report for the period ending 31 August 2026

Executive Recommendation

That Council receive the Monthly Financial Report for the period ending 31 of July and 31 August 2026 as per Attachment 9.2.2(1) and Attachment 9.2.2(2).

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

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 31 July and 31 August 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 the 15 July 2026, it was recommended Council adopt the following material variance reporting thresholds for the 2026/27 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:	Failure to adhere to adopted budget.		
Mitigation:	Prepare and review Monthly Financial Report.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Unlikely	Minor	Low (4)
Risk Description:	Not complying with legislative requirements		
Mitigation:	Monthly reporting that aligns with legislative requirements.		

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

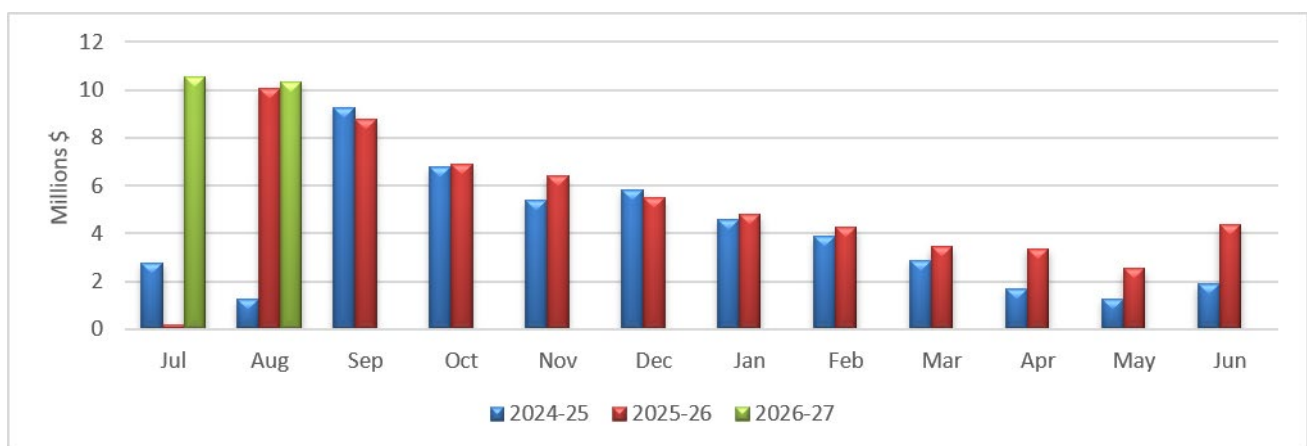
The Shire's Executive Team, Department Managers and Finance staff monitor the Shire's monthly revenue and expenditure.

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 2026/27 Adopted Original Budget. They are provided in an interim state, as several transactions are still being processed for the current financial year and the 2025/26 financial year. These include but are not limited to committed expenditure relating to outstanding creditor invoices, journal adjustments for employee provisions, accrued income and amortisation entries, stock survey results, finalisation of reserve transfers, and additions to the asset register. These adjustments are necessary to ensure accurate representation of the Shire's financial position prior to audit and final adoption of the 2025/26 Annual Financial Statements.

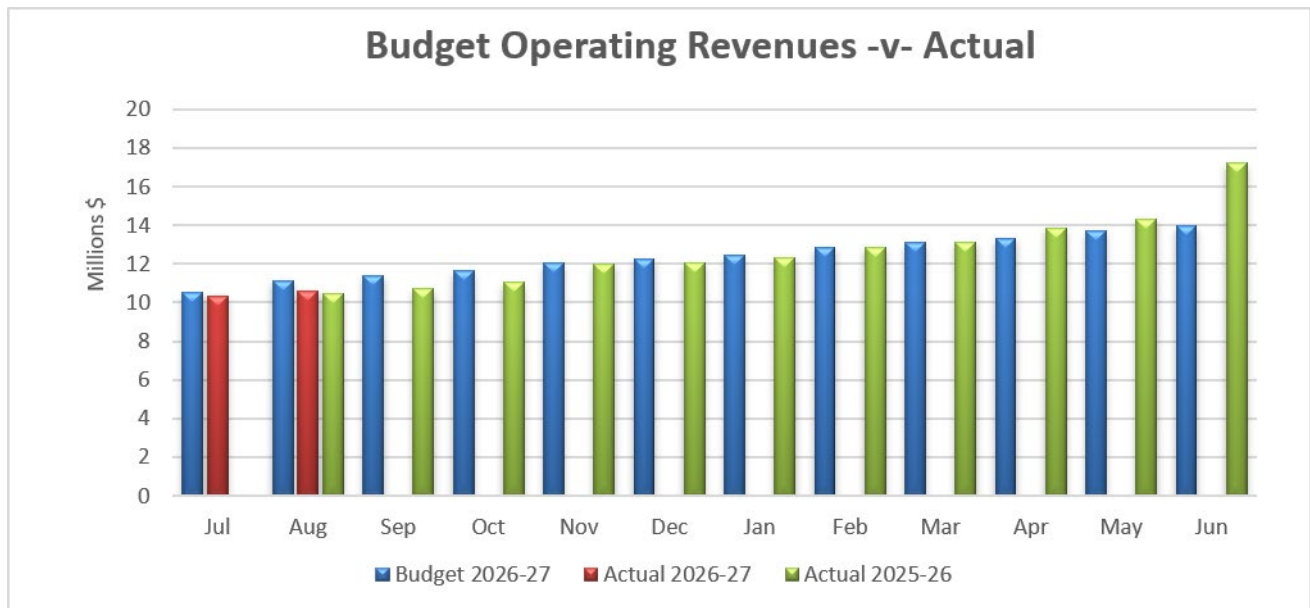
The Shire's surplus after imposition of rates was \$10,348,959, with July showing it was substantially greater than 2024/25 & 2025/26 due directly to the earlier raising of rates.



Operating Activities

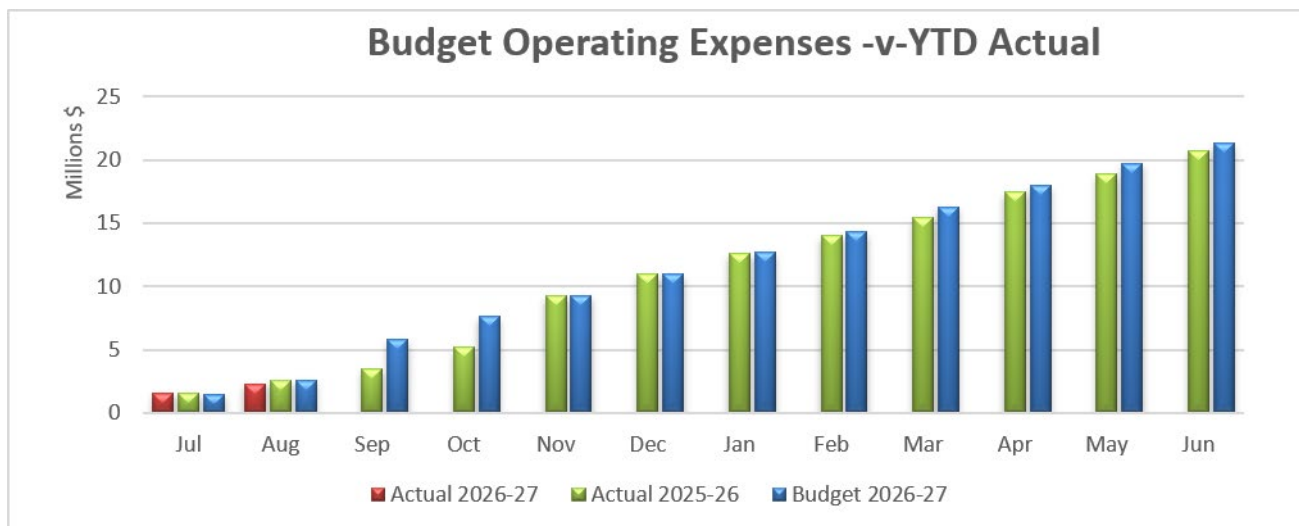
Revenue was \$10,602,856 which is less than the budget estimate of \$11,130,365. Key areas include:

- Operating grants, subsidies, and contributions is 73% under budget estimates, predominantly due to the timing of;
 - Mainroads Direct Grant, \$247,000
 - ESL Operating Grants, \$68,260
- Interest is under budget, \$73,395 due to not being brought to account as yet for the 2026/27 financial year.
- Profit on Disposal of assets is under budget, \$106,232 due to the timing of assets disposal.



Expenditure was \$2,305,451 being 10.44% below budget estimates. Key areas include:

- Materials and contracts 19.82% under budget, driven predominantly by the following favourable variances, that are all relating to timing;
 - Regional Alliances, \$30,000
 - Consultant Expenditure, \$84,000
 - ICT Expenditure, \$26,000
- Finance costs above budget due to accrual of interest charges that were completed as part of year end processing, \$57,961.
- Profit on Sale of Assets under budget by \$106,232 due to the timing of asset disposals.

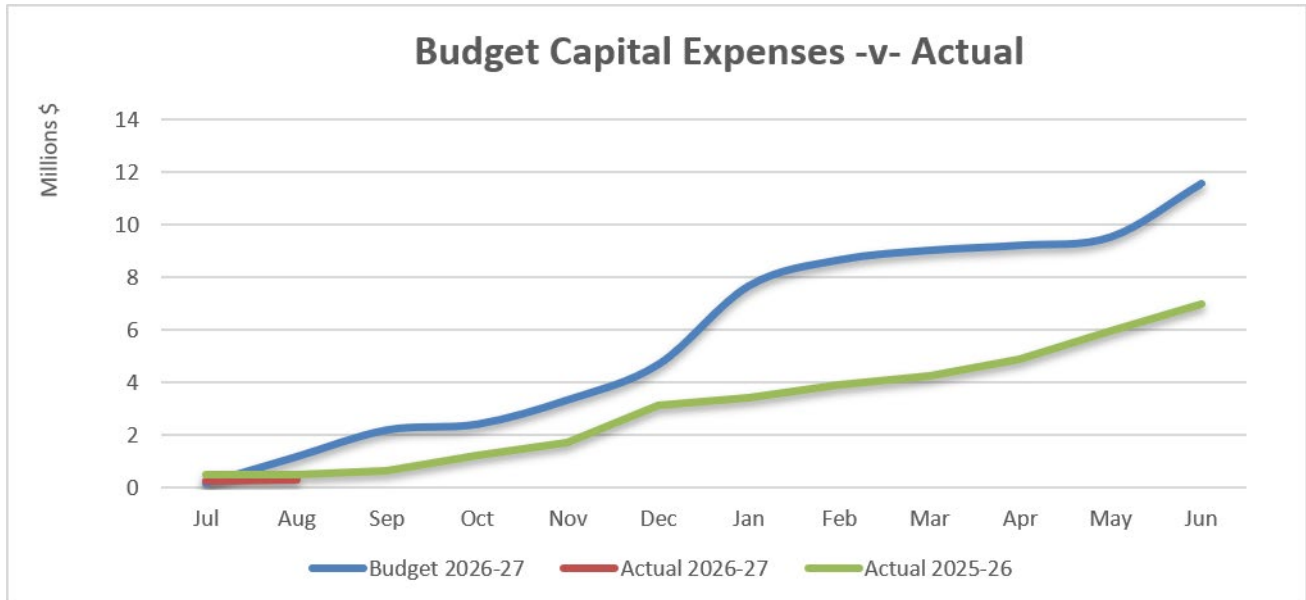


Acquisition of Assets

Capital expenditure on assets is below budget predominantly due to the items disclosed below;

- Argle/Irishtown BFB Building, \$508,000 due to the timing of payments associated with the earthworks.

- Donnybrook Recreation Centre, \$109,000, delays to the construction have resulted in delayed payment compared to budgeted payment.
- MC Mitchell Park, \$158,000, (timing)
- Roads construction under budget \$210,000, (timing).



COUNCIL RESOLUTION: 163/09-26	
MOVED BY: Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council receive the Monthly Financial Report for the period ending 31 of July and 31 August 2026 as per Attachment 9.2.2(1) and Attachment 9.2.2(2).

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.2.3 Rescindment of Council Policy COMD/CP-4- Community Townscape Activities and COMD/CP-5- Tourism in Donnybrook Balingup

Report Details:

Prepared by: Director Finance and Community

Manager: Chief Executive Officer

Monarch: MONARCH-1594159990-145,
1594159990-142

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.2.3(1) Council Policy - Community Townscape Activities (COMD/CP-4)

9.2.3(2) Council Policy - Tourism in Donnybrook Balingup (COMD/CP-5)

Executive Recommendation

That Council:

1. Rescinds Council Policy COMD/CP-4 Community Townscape Activities;
2. Rescinds Council Policy COMD/CP-5 Tourism in Donnybrook Balingup; and
3. Notes the Shire's Economic Development and Tourism Strategy will provide Council's strategic direction.

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

The purpose of this report is to seek Council approval to rescind Council policies COMD/CP-4 Community Townscape Activities and COMD/CP-5 Tourism in Donnybrook Balingup.

As part of the Shire's policy review process, the policies have been assessed for relevance, effectiveness and alignment with current governance practices.

It was identified that COMD/CP-4 no longer reflects the Shire's current practices and does not provide strategic guidance or governance value to Council. Similarly, COMD/CP-5 has outlived its usefulness and is no longer relevant to the current operating environment. Strategic direction for tourism is now more appropriately provided through the Shire's Economic Development and Tourism Strategy.

Background

Council Policy COMD/CP-4 Community Townscape Activities was initially adopted by Council on 28 April 2021 (Resolution 59/21). The policy was developed to provide governance and coordination arrangements for community-led townscape projects undertaken within Donnybrook, Balingup and Kirup. A review of the policy has determined that it no longer reflects the Shire's current practices for delivering and supporting townscape activities and provides limited benefit as a strategic Council policy. The matters addressed by the policy are operational in nature and are managed through existing administrative processes, asset management planning and budget considerations.

Council Policy COMD/CP-5 Tourism in Donnybrook Balingup was inherited from an earlier policy framework and was renumbered as COMD/CP-5 on 21 December 2021 (Resolution 213/21), with the policy noting that no substantive review was undertaken at that time. The policy established broad objectives for tourism development and promotion within the Shire. However, the policy no longer reflects the current strategic environment and has outlived its usefulness as a Council policy. Strategic direction for tourism is now provided through the Shire's to be adopted Economic Development and Tourism Strategy, which will provide a more contemporary and targeted framework for supporting tourism and economic development initiatives. Some items to note are;

- a) Section 2.1, these tourism associations have changed over time.
- b) Section 2.3, is restrictive on Council to support organisations and events after the first year.
- c) Section 2.14, currently not being carried out.
- d) It also suggests Council looks at developing additional policies, none of which have been developed.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Moderate	Moderate (5)
Risk Description:	Policies are not adhered to as they are too Restrictive.		
Mitigation:	Rescind the Policy.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Moderate	Moderate (5)
Risk Description:	Poor financial decisions are made to align with the policy.		
Mitigation:	Rescind the Policy.		

Financial Implications

There are no direct financial implications associated with the rescindment of these policies.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework.

Statutory Compliance

Section 2.7(2)(b) of the *Local Government Act 1995* provides that the role of Council includes determining the policies of the local government.

The Act also enables Council to amend or rescind policies where they are no longer required or considered appropriate.

Consultation

Consultation has been undertaken internally with relevant officers:

- Senior Community Development Officer
- Manager Community Services
- Chief Executive Officer
- Senior Management

Officer Comment

Following review, it has been determined that:

COMD/CP-4 Community Townscape Activities

The policy no longer reflects the manner in which community townscape activities are managed and delivered by the Shire. The policy does not provide meaningful guidance to Council and has limited practical application within current operations.

COMD/CP-5 Tourism in Donnybrook Balingup

The policy has outlived its usefulness and no longer reflects the Shire's approach to tourism development. The policy was developed in a different context and has since been overtaken by more contemporary strategic planning documents. The Economic Development and Tourism Strategy provides a clear and current framework for guiding tourism priorities, initiatives and investment decisions.

COUNCIL RESOLUTION:	164/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

1. **Rescinds Council Policy COMD/CP-4 Community Townscape Activities;**
2. **Rescinds Council Policy COMD/CP-5 Tourism in Donnybrook Balingup; and**
3. **Notes the Shire's Economic Development and Tourism Strategy will provide Council's strategic direction.**

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

COUNCIL RESOLUTION: 165/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Alex Purich

That Council adjourn the meeting for a 5 minute break.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

The meeting was adjourned at 6:47pm.

COUNCIL RESOLUTION: 166/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Alex Purich

That Council re-convene the meeting.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

Council re-convened the meeting at 6:53pm.

9.2.4. Policy Review – HR/CP-4 Temporary Employment or Appointment of CEO

Report Details:

Prepared by: Director Finance and Community

Manager: Chief Executive Officer

Monarch: MONARCH-1594159990-131

Voting Requirement: Absolute Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.2.4(1) Reviewed Policy - HR/CP-4 Temporary Employment or Appointment of CEO

Executive Recommendation

That Council:

- 1. Notes the review and adopts the revised Council Policy HR/CP-4 Temporary Employment or Appointment of CEO, as contained in Attachment 9.2.4(1).**

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

Council Policy HR/CP-4 Temporary Employment or Appointment of CEO has been reviewed and is presented to Council for consideration and adoption.

The policy establishes the framework for the appointment of Acting and Temporary Chief Executive Officers during periods of planned or unplanned absence of the substantive CEO and during any vacancy in the position.

No substantive changes to the intent of the policy are proposed.

Background

Council adopted HR/CP-4 Temporary Employment or Appointment of CEO on 24 November 2021. The review considered the requirements of the *Local Government Act 1995*, current administrative practices, and organisational structure.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Unlikely	Minor	Low (4)
Risk Description:	Appointment does not meet statutory requirements.		
Mitigation:	Comply with the presented policy.		

Financial Implications

Nil.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework the policy provides Council with clarity and consistency in decision making in this area.

Statutory Compliance

The policy reviews have been undertaken with consideration of the *Local Government Act 1995*, associated regulations and relevant governance and auditing best practice requirements.

Consultation

Consultation has been undertaken internally with relevant officers:

- Chief Executive Officer
- Executive Manager Corporate
- Governance Coordinator

Officer Comment

Proposed changes include:

- Transfer to the current Council policy template.
- Updating references to legislative requirements.
- Clarifying appointment processes for Acting and Temporary CEOs.
- Updating position titles and administrative responsibilities where required.
- Minor formatting and wording amendments to improve readability and interpretation.

The objective and intent of the policy remain unchanged.

The proposed amendments are considered minor and administrative in nature. The changes improve the accuracy and usability of the policies while ensuring alignment with current practices and audit recommendations. Adoption of the reviewed policies will support the Shire's commitment to sound governance and continuous improvement.

COUNCIL RESOLUTION: 167/09-26		
MOVED BY:	Cr Tyler Hall	SECONDED BY: Cr Reggie Keown

That Council:

- 1. Notes the review and adopts the revised Council Policy HR/CP-4 Temporary Employment or Appointment of CEO, as contained in** Attachment 9.2.4(1).

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by absolute majority vote

9.2.5 Review of Council Policies – FIN/CP-3-Debt, FIN/CP-5- Regional Price Preference and FIN/CP-7 – Purchasing Card

Report Details:

Prepared by: Director Finance and Community

Manager: Chief Executive Officer

Monarch: MONARCH-1594159990-153,
1594159990-155, 1594159990-160

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

- 9.2.5(1) Current Council Policy – Debt (FIN/CP-3)
- 9.2.5(2) Reviewed Council Policy – Debt (FIN/CP-3)
- 9.2.5(3) Reviewed Council Policy – Regional Price Preference (FIN/CP-5) – Tracked Changes
- 9.2.5(4) Reviewed Council Policy – Purchasing Card (FIN/CP-7) – Tracked Changes

Executive Recommendation

That Council:

1. **Notes the review and adopts the revised FIN/CP-3 Debt Policy** (Attachment 9.2.5(2);
2. **Notes the review and adopts the revised FIN/CP-5 Regional Price Preference Policy** (Attachment 9.2.5(3);
3. **Notes the review and adopts the revised FIN/CP-7 Purchasing Card Policy** (Attachment 9.2.5(4)).

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

As part of the ongoing policy review program, three finance-related Council Policies have been reviewed to ensure they remain relevant, current and aligned with applicable legislation, auditing recommendations and operational practices.

The proposed amendments are primarily administrative and do not materially alter the intent of the policies. The review has identified opportunities to remove obsolete provisions, update terminology and improve policy clarity.

Background

FIN/CP-3 Debt Policy

The Debt Policy was initially adopted by Council on 26 June 2013 and was subsequently renumbered and reaffirmed on 21 December 2021 (Resolution 213/21) as part of a broader policy review process.

FIN/CP-5 Regional Price Preference Policy

The Regional Price Preference Policy was originally adopted on 9 August 2006 and was last reviewed by Council on 21 December 2021 (Resolution 213/21).

FIN/CP-7 Credit Card Policy

The Credit Card Policy was initially adopted on 26 June 2013 and was renumbered on 21 December 2021 (Resolution 213/21) from former Policy 3.7 Use of Corporate Credit Cards. A comprehensive review was subsequently undertaken on 27 November 2024 (Resolution 214/11-24).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Moderate	Moderate (9)
Risk Description:	Outdated policy settings may result in ineffective debt recovery, procurement practices or purchasing card controls, increasing the risk of financial loss or inefficiencies.		
Mitigation:	Implement the revised policies, provide staff guidance, and monitor compliance through periodic audits and reporting.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Major	High (10)
Risk Description:	Poor decisions are made when seeking to Borrow Funds.		
Mitigation:	Ensure Policy FIN/CP-3 Debt Policy is applied to all borrowings.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Unlikely	Moderate	Moderate (6)
Risk Description:	Delayed adoption may result in policies not reflecting current legislative, regulatory or best practice requirements.		
Mitigation:	Adopt the revised policies and undertake periodic reviews to ensure ongoing compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Unlikely	Minor	Low (4)
Risk Description:	Delays in adopting updated policies may create uncertainty in operational processes, resulting in inconsistent decision-making and service delivery.		
Mitigation:	Communicate policy changes to relevant staff and ensure procedures and delegations align with the adopted policies.		

Financial Implications

There are no direct financial implications arising from the proposed policy amendments.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework the policy provides Council with clarity and consistency in decision making in this area.

Statutory Compliance

The policy reviews have been undertaken with consideration of the *Local Government Act 1995*, associated regulations and relevant governance and auditing best practice requirements.

Consultation

Consultation has been undertaken internally with relevant officers:

- Manager Financial Services
- Senior Finance Officer
- Chief Executive Officer
- Senior Managers

Officer Comment

FIN/CP-3 Debt Policy

The current review has identified that the sections relating to Structure of Borrowings and Breaches are either no longer required within the policy framework or are adequately addressed through legislative requirements and internal operational controls. Changes to note are;

- Made wording clearer under leading Agreements to ensure the policy covers Lending Facilities and is not Limited to Western Australian Treasury Corporation.
- Removed Reference to Delegated Authority under Borrowing Arrangements as this is now covered by Council policy EXE/CP-2- Documentation Execution and Application of Common Seal.
- Removed the entire Structure of Borrowings Section as it is unnecessary as all loans are approved and considered Council either during the budget process or as an individual motion of Council.
- Condensed sections under Repayments
- Removed the Breaches section, if the policy is followed breaches should not be possible or acceptable to occur.

FIN/CP-5 Regional Price Preference Policy

The current review proposes a single amendment, being the removal of Boyup Brook from the definition of a local/regional supplier.

FIN/CP-7 Credit Card Policy

The current review proposes changing the policy name from Credit Card Policy to Purchasing Card Policy to align with terminology recommended by the Office of the Auditor General and recognised best-practice procurement controls. Additional minor administrative amendments have also been made to improve readability, consistency and policy clarity which align with improvements recommended in the Regulation 17 audit carried out in December 2024 that sets out what documentation is required to justify and reconcile purchases.

The proposed amendments are considered minor and administrative in nature. The changes improve the accuracy and usability of the policies while ensuring alignment with current practices and audit recommendations. Adoption of the reviewed policies will support the Shire's commitment to sound governance and continuous improvement.

COUNCIL RESOLUTION: 168/09-26	
MOVED BY: Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council:

- 1. Notes the review and adopts the revised FIN/CP-3 Debt Policy** (Attachment 9.2.5(2);
- 2. Notes the review and adopts the revised FIN/CP-5 Regional Price Preference Policy** (Attachment 9.2.5(3);
- 3. Notes the review and adopts the revised FIN/CP-7 Purchasing Card Policy** (Attachment 9.2.5(4)).

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.3. Chief Executive Officer

9.3.2 Lot 597 (2) Collins St (Good Shed), Donnybrook – Further Lease Extension Request

Report Details:

Prepared by:	Executive Manager Corporate		
Manager:	Chief Executive Officer		
Applicant:	Mac and Wood Pty Ltd		
Location:	Lot 597 (2) Collins Street (Goods Shed), Donnybrook		
Monarch:	MONARCH-175587964-117	Voting Requirement:	Simple Majority
Disclosure of Interests and Gifts:			
Name:		Type:	Nil.
Attachment(s):			
9.3.2(1)	Mac and Wood Pty Ltd - Further Lease Extension Request		

Executive Recommendation

That Council:

- 1. Notes the request (Attachment 9.3.2 (1)) from Mac and Wood Pty Ltd for a further extension of the current holdover arrangement for the lease of Lot 597 (2) Collins Street, Donnybrook (Goods Shed);**
- 2. Notes that Council previously approved a short-term holdover arrangement to facilitate continued occupation while outstanding matters were addressed and Council considered the long-term use and management of the facility; and**
- 3. Approves a further extension of the holdover arrangement until 31 December 2026 on the existing terms and conditions.**

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

Mac and Wood Pty Ltd has requested a further extension, expiring 31 December 2026, to the current holdover arrangement relating to the Goods Shed at Lot 597 (2) Collins Street, Donnybrook.

Council previously resolved to support a short-term holdover arrangement following the expiry of the lease, recognising the existence of outstanding matters requiring resolution, the ongoing operation of the facility, and the need for Council to consider the long-term use and management of the Goods Shed. Council is now requested to determine whether a further extension should be granted.

Background

At its meeting held 24 June 2026, Council considered the status of the lease and resolved to support a short-term holdover arrangement. In doing so, Council noted:

- The expiry of the lease;
- The existence of outstanding matters requiring resolution; and
- The ongoing operation of the facility and its role within the community.

Council further resolved that the short-term arrangement would:

- Enable continued occupation of the Goods Shed on a strictly time-limited basis;
- Provide an opportunity for outstanding matters to be addressed in a structured and collaborative manner; and
- Allow Council sufficient time to consider the long-term use and management of the facility.

The Chief Executive Officer was authorised to negotiate and implement the holdover arrangement, including appropriate safeguards and conditions, with the express intention that the arrangement would be time-limited and would not create any presumption of an ongoing lease.

Subsequently, correspondence was received from Mac and Wood Pty Ltd requesting a further extension of the holdover arrangement. A copy of the request is provided ([Confidential Attachment 9.3.2\(1\)](#)).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Moderate	Moderate (9)
Risk Description:	Repeated extensions may be perceived as inconsistent with Council's original intention that the holdover arrangement be strictly temporary and not create an expectation of an ongoing lease.		
Mitigation:	Clearly document reasons for the extension and maintain a fixed end date with no expectation of further renewal.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Moderate	Moderate (9)
Risk Description:	Ongoing occupation may increase Council's exposure to unpaid rent, arrears or unrecovered costs if the tenant's financial position deteriorates.		
Mitigation:	Continue regular monitoring of payments, enforce existing lease obligations and pursue arrears in accordance with the lease.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Unlikely	Minor	Moderate (6)
Risk Description:	Deferral of a long-term decision may delay strategic planning, maintenance and future use of the Goods Shed facility.		
Mitigation:	Progress assessment of future leasing and management options during the extension period.		
Risk:	Likelihood:	Consequence:	Risk Rating:

Reputational	Possible	Minor	Moderate (6)
Risk Description:	Extensions may create a perception of preferential treatment or indecision if Council does not demonstrate progress towards a long-term outcome.		
Mitigation:	Communicate that the extension is temporary and required to finalize outstanding matters and determine future use.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Community	Unlikely	Moderate	Low (4)
Risk Description:	If matters remain unresolved at the end of the extension, future disruption to facility operations or community expectations may occur.		
Mitigation:	Use the extension period to work towards a sustainable long-term arrangement and contingency planning.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Moderate (9)
Risk Description:	Continued reliance on holdover arrangements delays Council's strategic determination regarding the long-term use and management of the facility.		
Mitigation:	Establish a clear timeline and milestones for bringing a long-term recommendation back to Council.		

Financial Implications

The current holdover arrangement generates rental income of approximately \$23,541 per annum. Approval of the extension will maintain this revenue stream until 31 December 2026 while allowing Council additional time to consider the long-term use and management of the facility. The recommendation avoids potential vacancy costs and loss of rental income that may arise if the tenancy ceases before Council has determined its preferred future direction for the Goods Shed.

Policy Compliance

Nil.

Statutory Compliance

Nil.

Consultation

Internal consultation:

- Chief Executive Officer
- Executive Manager Corporate
- Governance Coordinator

External consultation:

- Mac and Wood Pty Ltd

Officer Comment

Council previously approved a short-term holdover arrangement to enable the continued operation of the Goods Shed while outstanding matters were addressed and Council considered the long-term use and management of the facility. Since that time, the directors of Mac and Wood Pty Ltd have been progressing personal and financial separation arrangements which remain unresolved and have taken longer than initially anticipated. Officers have been advised that one of the parties wishes to continue operating the business from the premises, however the future ownership and operating structure of the business has not yet been finalised.

Officers consider that, in the current circumstances, a further short-term extension provides a practical mechanism to maintain continuity of operations while these matters are resolved. The recommended extension is not intended to defer Council's decision-making indefinitely, but rather to provide a finite period for the parties to finalise their arrangements whilst allowing Council to continue assessing future options for the facility.

The risks associated with extending the arrangement are mitigated through the retention of the existing holdover terms and conditions, ongoing monitoring of the tenant's compliance with its obligations, active management of outstanding matters by officers, and the establishment of a fixed end date. The recommended extension remains temporary in nature and does not create any entitlement, expectation or presumption of a future lease. Any proposal for a new lease or longer-term occupation arrangement would be subject to a separate assessment and formal consideration by Council.

Accordingly, officers recommend that Council approve the extension of the existing holdover arrangement until 31 December 2026 on the current terms and conditions.

Cr Hall put the following motion to Council.

COUNCIL RESOLUTION: 169/09-26	
MOVED BY: Cr Tyler Hall	SECONDED BY: Cr Reggie Keown

That Council:

- 1. Notes the request (Attachment 9.3.2 (1)) from Mac and Wood Pty Ltd for a further extension of the current holdover arrangement for the lease of Lot 597 (2) Collins Street, Donnybrook (Goods Shed);**
- 2. Notes that Council previously approved a short-term holdover arrangement to facilitate continued occupation while outstanding matters were addressed and Council considered the long-term use and management of the facility; and**
- 3. Approves a further extension of the holdover arrangement until 31 December 2026 on the existing terms and conditions.**

4. Requires a representative of the lessee, as a condition of this holdover arrangement, to nominate an authorised representative to attend a monthly in-person meeting with the Shire administration, for the duration of this extension. The purpose of which is for the lessee to provide an update of the proposed resolution of the tenancy arrangements and arrears.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

9.3.3 Policy Review - EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers

Report Details:

Prepared by: Governance Coordinator

Manager: Executive Manager Corporate

Monarch: MONARCH-1594159990-101

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.3.3(1) EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers

Executive Recommendation

That Council:

- Notes the review and adopts the revised policy EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers** (Attachment 9.3.3(1)).

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

This report presents a revised version of Council Policy EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers following a scheduled policy review. The proposed amendments improve clarity, reflect legislative and governance requirements, and expand the application of the policy to include Shire volunteers. Council is requested to adopt the revised policy.

Background

Council Policy EM/CP-3 Legal Representation for Elected Members and Employees has been reviewed twice since its adoption in 2021. This review was part of the regular cycle of policy review undertaken by Shire officers.

The review forms part of Council's ongoing policy review program and has identified several amendments to improve clarity, reflect legislative changes, strengthen governance requirements, and extend the application of the policy to include Shire volunteers.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Insignificant	Low (3)

Risk Description:	The current policy does not require Elected Members to declare interests when Council considers an application, creating a risk of perceived or actual conflicts of interest.		
Mitigation:	Adopt the revised policy, including the proposed disclosure requirements.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Minor	Moderate (6)
Risk Description:	The policy may not adequately reflect current legislative, governance and operational requirements, resulting in inconsistent application.		
Mitigation:	Adopt the revised policy and undertake periodic reviews.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Possible	Minor	Moderate (6)
Risk Description:	If urgent legal representation assistance is required and the CEO is unable to approve limited financial assistance, the Shire may need to convene an urgent Special Council Meeting to consider the request, creating administrative burden, delays and potential prejudice to the applicant's legal position.		
Mitigation:	Retain the CEO's ability to approve urgent assistance within a defined financial limit, with subsequent reporting to Council.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Unlikely	Minor	Low (4)
Risk Description:	Failure to extend the policy to volunteers may result in inconsistent treatment of individuals acting on behalf of the Shire and create perceptions of inequity.		
Mitigation:	Extend the policy to include Shire volunteers.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Possible	Minor	Moderate (6)
Risk Description:	Council may be required to make funding decisions without a clear framework for staged consideration of ongoing legal costs where legal proceedings are prolonged.		
Mitigation:	Clarify Council's ability to consider subsequent applications on their merits where previously approved limits are reached.		

Financial Implications

Nil.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework (cl 4.10) the policy provides Council with clarity and consistency in decision making in this area.

Statutory Compliance

Local Government Act 1995

- Section 2.7(2)(b) of the Act prescribes one of the roles of Council as being to determine the local government's policies.
- Section 5.41(c) of the Act prescribes that a function of the Chief Executive Officer is to cause Council's decisions to be implemented, and this includes giving effect to Council's adopted policies.

Consultation

Internal:

Internal consultation with relevant Executive staff was undertaken.

External:

A review of comparable policies adopted by other local governments was undertaken as part of the policy review process and informed the development of the proposed amendments to ensure the policy reflects contemporary governance practices.

Officer Comment

Council Policy EM/CP-3 Legal Representation for Elected Members and Employees has been reviewed as part of Council's ongoing policy review program. The review identified a number of opportunities to strengthen governance provisions, improve clarity, align the policy with current legislative requirements and extend its application to Shire volunteers.

The most significant amendment is the expansion of the policy to include Shire volunteers, recognising that volunteers act on behalf of the Shire, are subject to the Shire's Code of Conduct, and are expected to meet standards of behaviour consistent with those applying to Elected Members and employees. As a result, the policy title has also been amended to reflect its broader application.

The proposed amendments further strengthen governance by requiring Elected Members to disclose any interest in an application considered under the policy. The review also clarifies that where Council approves financial assistance subject to a funding limit, an applicant may make a further application should that limit be reached. This enables Council to consider ongoing support requests on a case-by-case basis, particularly where legal proceedings are lengthy or complex, while retaining full discretion over any subsequent application.

In addition, a financial limit of \$3,000 has been introduced for urgent matters where the CEO is authorised to approve financial assistance without first referring the matter to Council. This amendment reflects good governance practice identified through benchmarking with other local governments and provides an appropriate balance between responsiveness and financial oversight. Minor administrative and legislative updates have also been incorporated to improve the readability and operation of the policy.

The proposed amendments will provide greater clarity regarding the application of the policy, strengthen governance controls and ensure Council has a contemporary framework for considering requests for legal representation assistance. Tracked changes are provided in [Attachment 9.3.3\(1\)](#) for Council's reference.

COUNCIL RESOLUTION:	170/09-26	
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council:

- 1. Notes the review and adopts the revised policy EM/CP-3 Legal Representation for Elected Members, Employees and Volunteers** (Attachment 9.3.3(1)).

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.3.4 New Policy – EXE/CP-19 Information Breach Management

Report Details:

Prepared by: Community Housing Officer

Manager: Executive Manager Corporate

Monarch: MONARCH-1594159990-194

Voting Requirement: Simple Majority

Attachment(s):

9.3.4(1) EXE/CP-19-Information Breach Management

Executive Recommendation

That Council:

1. **Adopts the Information Breach Management Policy (EXE/CP-19) (Attachment 9.3.4(1) in accordance with the requirements of the *Privacy and Responsible Information Sharing Act 2024 (WA)*.**
2. **Notes the Information Breach Register and Information Breach Response Plan as supporting internal operational documents; and**
3. **Notes that the implementation of the policy and supporting compliance framework will be undertaken by the Shire.**

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

Council is requested to consider the adoption of a new policy EXE/CP-19-Information Breach Management, in response to the requirements of the *Privacy and Responsible Information Sharing Act 2024 (WA)* (PRIS Act).

The Policy supports the Shire's staged implementation of the *Privacy and Responsible Information Sharing Act 2024 (WA)* and is intended to operate with supporting internal documents, including the Information Breach Register and Information Breach Response Plan.

Background

The *Privacy and Responsible Information Sharing Act 2024 (WA)* introduces a new privacy and responsible information sharing framework for Western Australian public sector entities, including local governments.

The State Government's PRIS Readiness Guidance identifies the development and publication of an information breach policy as a key readiness action. The guidance describes an information breach

policy as a public-facing document that outlines how an agency identifies, responds to and manages information breaches.

An information breach is defined under the PRIS Act as unauthorised access to, unauthorised disclosure of, or loss of information. Information breaches may involve digital or physical records and may arise through human error, system failure, malicious activity, physical loss or unauthorised access.

The Shire has prepared the new policy to establish a clear governance position for suspected or actual information breaches, supported by an Information Breach Register and an Information Breach Response Plan, which will assist officers to record, assess, respond to and review incidents in a consistent manner.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Major	High (12)
Risk Description:	Failure to establish governance arrangements for identifying, managing and recording information breaches may result in non-compliance with PRIS requirements and reduced organisational readiness.		
Mitigation:	Adopt the Policy, maintain supporting response documentation and register, and progressively implement training, reporting and review processes.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Major	High (12)
Risk Description:	Poor handling of a suspected or actual information breach may reduce public trust and confidence in the Shire's information handling practices.		
Mitigation:	Use a clear breach management framework, timely escalation, consistent record keeping, appropriate notifications and post-incident review.		

Financial Implications

Implementation of the policy will require the introduction of Microsoft Purview at an estimated cost of approximately \$12,600 per annum. Microsoft Purview will assist the Shire to manage privacy and information security obligations by providing enhanced controls to reduce the risk of information breaches, particularly those resulting from human error.

The annual subscription cost will be incorporated into future ICT operational budgets.

In addition, officer resources are currently being dedicated to broader PRIS Act implementation activities, including staff training, awareness programs, induction updates, development of supporting procedures and operational processes, and ongoing compliance activities. These implementation activities are being undertaken as part of the Shire's overall privacy and information management program and are not dependent on the adoption of the policy.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework (cl 4.10) the policy provides Council with clarity and consistency in decision making in this area.

In accordance with Council Policy EXECP-18-Privacy-and-Responsible-Information-Sharing

Statutory Compliance

Privacy and Responsible Information Sharing Act 2024 (WA)

Establishes the new privacy and responsible information sharing framework and introduces Information Privacy Principles, governance obligations and information breach requirements relevant to public sector entities, including local governments.

Local Government Act 1995

- Requires the local government to ensure proper governance, accountability and administration of its operations, including adopting policies that guide responsible decision-making and organisational practices.
- Section 2.7(2)(b) provides Council with the function of determining policies for the local government, and Section 5.41(g) requires the Chief Executive Officer to implement Council decisions, including adopted policies.
- The adoption of this Policy does not fall within any category requiring an absolute majority decision under the *Local Government Act 1995*.

State Records Act 2000 (WA)

Requires appropriate creation, management, retention and disposal of State records, including records that may contain personal or sensitive information.

Freedom of Information Act 1992 (WA)

Provides for access to documents while protecting personal and exempt information in accordance with statutory processes.

Consultation

Internal Consultation:

- Executive Leadership Team
- Corporate Services / Governance

External Consultation:

State Government's PRIS readiness training and guidelines.

Officer Comment

The Information Breach Management Policy provides Council with a clear governance position on how the Shire will approach suspected or actual information breaches. It is deliberately high-level and public facing, with operational detail contained in supporting internal documents.

The policy establishes the Shire's commitment to protecting information, reporting suspected breaches promptly, containing incidents, assessing risk, mitigating harm, recording decisions and applying lessons learned. These principles are consistent with the approach recommended in the State Government's PRIS readiness material.

The Information Breach Register will provide an internal record of suspected and confirmed breaches, actions taken, notifications made, corrective actions and lessons learned. This will support accountability, trend monitoring and continuous improvement.

The Information Breach Response Plan will provide practical internal guidance for officers, including immediate reporting steps, containment actions, risk assessment, escalation, mitigation, notification assessment and post-incident review.

Adoption of this policy is recommended to support the Shire's staged and risk-based implementation of PRIS obligations and to demonstrate a proactive approach to responsible information management.

COUNCIL RESOLUTION:	171/09-26	
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

That Council:

- 1. Adopts the Information Breach Management Policy (EXE/CP-19) (Attachment 9.3.4(1) in accordance with the requirements of the *Privacy and Responsible Information Sharing Act 2024 (WA)*.**
- 2. Notes the Information Breach Register and Information Breach Response Plan as supporting internal operational documents; and**
- 3. Notes that the implementation of the policy and supporting compliance framework will be undertaken by the Shire.**

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0 by en-bloc resolution 151/09-26

9.3.5 Review of Council Policies ADM/CP-1 Records Management, EM/CP-4 Honorary Freeman and EXE/CP-8 Policy Framework

Report Details:

Prepared by: Executive Manager Corporate

Manager: Chief Executive Officer

Monarch: MONARCH-1594159990-138,
1594159990-140, 1594159990-93

Voting Requirement: Simple Majority

Disclosure of Interests and Gifts:

Name: **Type:** Nil.

Attachment(s):

9.3.5(1) Reviewed Policy – ADM/CP-1 Records Management

9.3.5(2) EM/CP-4 Honorary Freeman

9.3.5(3) EXE/CP-8 Policy Framework Tracked Changes

Executive Recommendation

That Council:

1. **Notes the review and adopts the revised Council Policy ADM/CP-1 Records Management, (Attachment 9.3.5(1); and**
2. **Notes the review and adopts the revised Council Policy EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup (Attachment 9.3.5(2); and**
3. **Notes the review and adopts the revised Council Policy EXE/CP-8 Policy Management (Attachment 9.3.5(3).**

Strategic Alignment

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

Outcome: 10 - Effective governance and partnerships.

Objective: 10.1 - Provide strategically focused, open and accountable governance.

Executive Summary

This report presents three Council policies that have been reviewed as part of the Shire's ongoing policy review program:

- ADM/CP-1 Records Management;
- EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup; and
- EXE/CP-8 Policy Management.

Adoption of the revised policies will ensure the Shire's policy framework remains contemporary, clear and aligned with current legislation, governance requirements and organisational practices.

Background

The Shire undertakes periodic reviews of Council policies to ensure they remain current, relevant and consistent with applicable legislation, Council's strategic direction and the Shire's operating environment.

The three policies presented through this report have been reviewed as part of this program. While each policy addresses a separate governance area, the reviews share the common objective of improving clarity, accuracy and alignment with current Shire practices.

ADM/CP-1 Records Management

The Shire is required to create, maintain and manage records in accordance with the *State Records Act 2000* and its approved Recordkeeping Plan. Records are important corporate assets that support accountability, transparency, decision-making, service delivery and compliance with statutory obligations.

ADM/CP-1 Records Management was last substantively reviewed in December 2021. Since that time, significant changes have occurred in the Shire's information management environment, including:

- implementation of the Monarch Electronic Document and Records Management System;
- commencement of the Privacy and Responsible Information Sharing Act 2024;
- development of additional privacy and information governance frameworks; and
- increased reliance on corporate electronic systems for creating, capturing and managing records.

The policy has therefore been reviewed to ensure that it accurately reflects current legislative obligations, information governance requirements and contemporary electronic recordkeeping practices.

EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup

EM/CP-4 establishes the framework for the nomination, assessment and conferral of the title of Honorary Freeman of the Shire of Donnybrook Balingup, including applicable eligibility criteria, nomination requirements and entitlements.

The policy became due for review under its existing three-year review cycle. As part of the review, the policy was assessed for currency, relevance and consistency with the Shire's current Council policy template.

The review confirmed that the policy remains relevant and appropriate.

EXE/CP-8 Policy Management

EXE/CP-8 establishes Council's approach to the creation, classification, review and administration of policies. The policy was first adopted by Council in September 2021 and was due for review in 2024.

The policy identifies when Council may consider establishing a policy, outlines the application of Council policies, assigns responsibilities for policy development and administration, and describes the categories of policies used by the Shire.

The review identified opportunities to clarify the policy's objective, recognise its application to Shire volunteers where appropriate, better explain the circumstances in which a Council policy response may be warranted, and improve administrative wording and usability.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Possible	Minor	Moderate (6)
Risk Description:	Council policies become outdated, inconsistent or misaligned with current legislative, governance and operational requirements.		
Mitigation:	Regular policy reviews are undertaken to ensure Council policies remain current, compliant and aligned with organisational requirements. Adoption of the reviewed policies will strengthen governance, information management and policy administration practices		

Financial Implications

Nil.

Policy Compliance

In accordance with Council Policy EXE/CP-8 Policy Framework (cl 4.10) the policy provides Council with clarity and consistency in decision making in this area.

Statutory Compliance

Relevant legislation includes:

- *Local Government Act 1995*
- *State Records Act 2000*
- *Freedom of Information Act 1992*
- *Privacy and Responsible Information Sharing Act 2024*
- *Electronic Transactions Act 2011*

Consultation

Internal Consultation

Internal consultation was undertaken with officers responsible for governance, records management, information governance and policy administration. The Chief Executive Officer was also consulted in relation to the review of EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup.

External Consultation

External public consultation was not undertaken. The proposed amendments primarily relate to legislative alignment, governance requirements, administrative clarification and the operation of the Shire's internal policy framework. The reviews do not propose material changes requiring broader community consultation

Officer Comment

ADM/CP-1 Records Management

ADM/CP-1 has been reviewed to support improvements in information governance associated with the implementation of the Monarch Electronic Document and Records Management System (EDRMS) and to ensure consistency with contemporary legislative and operational requirements relating to records management, privacy, information security and access to information.

The revised policy:

- updates and corrects legislative references;
- incorporates privacy and information governance considerations arising from the *Privacy and Responsible Information Sharing Act 2024*;
- strengthens requirements relating to information security, record capture, access, retention and disposal;
- clarifies the responsibilities of employees, managers, Elected Members and records management personnel;
- aligns recordkeeping requirements with current electronic records management practices and approved corporate systems; and
- updates references to related governance policies and procedures.

The proposed amendments do not substantially alter the intent of the policy. They provide clearer direction regarding the records that must be captured, the responsibilities applying to different users and the requirement to manage Shire information through approved corporate systems. Adoption of the revised policy will support consistent recordkeeping practices, strengthen information governance controls and assist the Shire to meet its statutory and organisational obligations.

EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup

The review confirmed that EM/CP-4 remains relevant and continues to provide an appropriate framework for recognising individuals who have provided distinguished service to the Shire and its community.

The proposed amendments include:

- Defining "Absolute Majority";
- Clarifying that nominees must be living when the honour is conferred;
- Confirming that any person may submit a nomination;
- Requiring nomination approvals and revocations to be determined by Absolute Majority;
- Introducing expected standards of conduct for recipients; and
- Establishing a formal process for revocation of the title where serious misconduct occurs.
- transferring the policy to the current Council policy template;
- renumbering and reorganising provisions;
- updating strategic alignment and governance information;
- refining definitions and administrative wording; and
- extending the review frequency from three years to five years.

The longer review frequency is considered appropriate given the policy's limited and specialised application and the absence of significant legislative or operational change affecting its operation. The policy can still be reviewed earlier should a legislative, governance or organisational need arise.

The policy's objectives, eligibility criteria, nomination process and entitlements remain substantially unchanged. Adoption of the revised policy will ensure it remains contemporary, consistent with the Shire's policy framework and clear to administer.

EXE/CP-8 Policy Management

EXE/CP-8 is an important governance document that establishes the basis on which the Shire's policies are developed, considered, adopted, reviewed and rescinded.

The proposed amendments:

- clarify the objective of the policy;
- clarify the circumstances in which Council may consider establishing a policy;
- recognise that Council policies may apply to Shire volunteers where appropriate;
- improve the explanation of responsibilities for developing, implementing and reviewing policies; and
- make minor administrative and wording changes to improve clarity and usability.

The revised policy supports a clear distinction between matters requiring Council's strategic or governance direction and matters that are more appropriately addressed through operational procedures or administrative processes. This assists in maintaining a focused and manageable Council policy register and reduces the risk of operational detail being unnecessarily elevated into Council policy.

The proposed amendments are minor and administrative in nature and do not materially change the purpose of the framework. Adoption of the revised policy will improve its accuracy and usability while supporting sound governance and continuous improvement.

The three policy reviews have confirmed that each policy remains required, while identifying amendments necessary to improve clarity, legislative alignment, governance consistency and administrative usability.

It is recommended that Council adopt the revised ADM/CP-1 Records Management, EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup and EXE/CP-8 Policy Management policies as presented.

COUNCIL RESOLUTION: 172/09-26		
MOVED BY:	Cr Leanne Wringe	SECONDED BY: Cr Tyler Hall

That Council:

- Notes the review and adopts the revised Council Policy ADM/CP-1 Records Management, (Attachment 9.3.5(1)).**

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe		
Against: Nil.		
		Carried: 8/0

COUNCIL RESOLUTION: 173/09-26		
MOVED BY:	Cr Amanda McNab	SECONDED BY: Cr Anita Lindemann

That Council:

- Notes the review and adopts the revised Council Policy EM/CP-4 Honorary Freeman Shire of Donnybrook Balingup (Attachment 9.3.5(2)).**

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe		
Against: Nil.		
		Carried: 8/0

COUNCIL RESOLUTION: 174/09-26		
MOVED BY:	Cr John Bailey	SECONDED BY: Cr Tyler Hall

That Council:

- Notes the review and adopts the revised Council Policy EXE/CP-8 Policy Management (Attachment 9.3.5(3)).**

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe		
Against: Nil.		
		Carried: 8/0

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 Road Upgrades and Construction Works- RFT2627-375, RFT2627-376 & RFT2627-377

This report is confidential in accordance with Section 5.23(4)(c) and (d) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

- (c) Information contained in a tender received by the local government for a contract to the extent that the information –
 - i. Is a tendered price; or
 - ii. Is a tendered methodology for calculating the price;
- (d) Information in a tender received by the local government for a contract to the extent that –
 - i. The information discloses any technology, or any manufacturing, industrial or trade process, that the tenderer proposes to use in performing the contract; and
 - ii. The information has not previously been made public; and
 - iii. The making public of the information would be likely to have an adverse effect on the tenderer's business interests;

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

COUNCIL RESOLUTION: 175/09-26	
MOVED BY: Cr Vivienne MacCarthy	SECONDED BY: Cr Anita Lindemann

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

12.1.1 Road Upgrades and Construction Works- RFT2627-375, RFT2627-376 & RFT2627-377

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

The meeting was closed to the public at 7:03pm.

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

COUNCIL RESOLUTION: 177/09-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY: Cr Alex Purich

That Council re-open the meeting to the public.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

The meeting re-opened to the public at 7:05pm.

12.2. Public reading of Resolutions that may be made public

COUNCIL RESOLUTION: 176/09-26		
MOVED BY:	Cr Tyler Hall	SECONDED BY: Cr Leanne Wringe

That Council:

1. Endorses the following adjustments to 2026/27 annual Budget, based on it being a net zero impact:

COA/Job Code	Description	Current Budget Allocation	Budget Adjustment (R2R)	Proposed Amended Budget Allocation
C2601	Palmer Steet, Donnybrook	\$550,000	-\$50,000	\$500,000
C2604	Brockman St and Bailey Heights Intersection	\$92,000	+\$50,000	\$142,000

2. Subject to point 1 being endorsed by Council, awards the following Request for Tenders to:

2.1. RFT 2627-375 – Palmer Street, Donnybrook – Road Upgrade, to Carbone Bros Pty Ltd, in accordance with their submitted offer for the defined scope of works.

2.2. RFT 2627-376 – Brookhampton Road, Donnybrook – Road Upgrade, to Carbone Bros Pty Ltd, in accordance with their submitted offer for the defined scope of works

2.3. RFT 2627-377 – Brockman Street, Balingup – Road Upgrade, to Carbone Bros Pty Ltd, in accordance with their submitted offer for the defined scope of work and the optional extra one (1) scope of works.

3. Authorises the Chief Executive Officer to execute all documentation necessary to give effect to the contracts

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich, Cr Wringe
Against: Nil.
Carried: 8/0

13. Closure

The Presiding Member advised that the next Agenda Briefing Session will be held on 21 October 2026 at 5:00PM, in the Shire of Donnybrook Balingup Council Chamber.

The Presiding Member declared the meeting closed at 7:07pm.

9.1.5 Development Application P25071 – Pine Plantation, Noggerup

Report Details:			
Prepared by:	Manager Development Services		
Manager:	Director Operations		
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):			
9.1.5(1) March OCM Agenda Item and Attachments			

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;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:
 - a) 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.
 - b) 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 written approval. 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:
 - i. Planned/Prescribed burns;
 - ii. Boundary fencing;
 - iii. Use of herbicides/insecticides; and
 - iv. 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 *R/VI 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.**

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

At its meeting held on 25 March 2026 (Council Resolution 36/03-26), Council resolved to defer consideration of Item 9.1.2 to obtain further advice regarding the potential impact of the proposed plantation on the groundwater resource relied upon by the Noggerup townsite.

The reason for deferral was that insufficient information had been provided to enable a determination of the application, and that additional opportunity should be given to address this matter. Council also requested that the Chief Executive Officer present a further report for consideration at the May Ordinary Council Meeting.

The applicant was advised of this outcome. On 8 May 2026, correspondence was received by all Councillors from HWLE Lawyers outlining reasons why no further information would be provided and requesting that Council determine the application based on the information currently available.

Officers recommend that Council consider the submission provided by HWLE Lawyers and grant approval, subject to conditions and advice.

Background

Proposal

An item was presented to Council at the March 2026 Ordinary Council Meeting (OCM) (refer Attachment 9.1.X(1)). At the Ordinary Council Meeting held on 25 March 2026 (Council Resolution 36/03-26), Council resolved to:

1. *Defer determination of Item 9.1.2 in order to obtain further advice for the Shire of Donnybrook Balingup regarding:*

- a) The potential impact of the proposed plantation on the groundwater resource relied upon by the Noggerup townsite.
- 2. Note the reason for deferral being that insufficient information had been provided to enable determination of the application, and that further opportunity should be given to address the matters outlined above.
- 3. Request that the Chief Executive Officer present a further report to Council for consideration at the May OCM.

The applicant subsequently responded via correspondence from HWLE Lawyers, advising as follows:
“The Applicant does not propose providing information on groundwater resources and we:
(a) request the Council finally determine the Application at its Ordinary Council Meeting on 27 May 2026;and
(b) consider there is no proper basis for further deferral (as to do so will, in our view, constitute a failure to genuinely attempt to decide the Application on its merits).”

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	High	High (10)
Risk Description:	If the proposal is not approved, it is likely that the applicant will lodge an appeal to the State Administrative Tribunal (SAT), which may require Council to engage legal representation.		
Mitigation:	The Shire has an allocated legal budget to manage such matters. This potential cost should not deter Council from refusing the application if it considers refusal to be warranted on planning grounds.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Possible	Moderate	Moderate (5)
Risk Description:	If access to groundwater is impacted, this could have a significant effect on the health and wellbeing of residents within the Noggerup townsite.		
Mitigation:	Given the size of the lots in Noggerup and the required separation from onsite effluent disposal systems, it is unlikely that groundwater is being used as a primary drinking supply. Aerial photography suggests a prevalence of rainwater tanks in Noggerup, which reduces the likelihood of direct health impact.		

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

Information relating to Shire policy was contained in the previous Agenda item ([refer Attachment 9.1.5\(1\)](#))

Statutory Compliance

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 9.1.5\(1\)](#).

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.*

Provided the development is not exempt, as is in this case, it is open to Council to refuse a P use if its impacts are considered to be unacceptable,

Consultation

Information relating to public submissions, a petition and agency submissions was contained in the Agenda Item refer [Attachment 9.1.5\(1\)](#).

Officer Comment

Concerns were raised during public consultation regarding potential groundwater depletion. Submitters noted that *Pinus radiata* plantations can have relatively high-water uptake and may act as “biological pumps,” potentially lowering the water table. Given the site’s location within the headwaters of the Preston River, concerns were also expressed regarding potential impacts on aquifers and water availability for domestic, agricultural, and firefighting purposes.

Clause 67 of the deemed provisions sets out a list of potentially relevant planning considerations. If a consideration is relevant to a particular application, the Council is required to give it due regard. “Due regard” means to give the matter active, positive consideration. Among the potentially relevant matters listed in clause 67 is “the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource”. It therefore follows that the potential impact of the proposal on groundwater resources can be characterised as a *potentially relevant* consideration.

As outlined in the Officer Comment under the Consultation section, the regulation and management of groundwater resources, including aquifer allocation and water licensing, falls under the jurisdiction of the Department of Water and Environmental Regulation (DWER) pursuant to the *Rights in Water and Irrigation Act 1914* (RIWI Act). Groundwater abstraction (e.g. from licensed bores) requires

approval under this legislation, and DWER is responsible for managing water resources at a catchment scale to ensure sustainable allocation.

DWER have informed that it does not have any data on the aquifer(s) makeup, extent and potential volumes. DWER did confirm that based on the slides provided directly to Council in March by the applicant, that slide three indicates that the geology under the plantation and the Noggerup townsites may be similar so that groundwater system under both the plantation and the townsite *may* be connected. However, the area for this proposal is within a “non-proclaimed” area for ground water under the RIWI Act, therefore DWER does not have any regulatory role in the take and use of the resource. This may suggest that access to groundwater is not a matter of priority from a water resource perspective in this area.

In relation to the site’s location within the Preston River catchment, DWER has provided advice focused on waterway protection measures, including maintaining appropriate buffer distances to waterways, managing erosion and sediment during establishment and harvesting, and ensuring suitable design and approval of any creek crossings. DWER did not identify concerns regarding groundwater depletion impacts on the Noggerup townsite.

It is also noted that concerns regarding groundwater quantity impacts were not supported by specific evidence identifying affected bore users within Noggerup. Review of aerial imagery suggests that many dwellings utilise rainwater tanks, typically located adjacent to buildings, indicating that roof catchment may be the primary source of potable water for a significant proportion of residents. If the groundwater is not relied upon for drinking water, it tends to suggest that the risk of an impact to groundwater in Noggerup is to some extent reduced. As domestic rainwater collection is not regulated, and domestic bores (where present) are generally exempt from licensing under certain thresholds, there is limited available data confirming the extent of groundwater reliance within the locality. This factors into the reasonableness of requiring additional information regarding groundwater impacts.

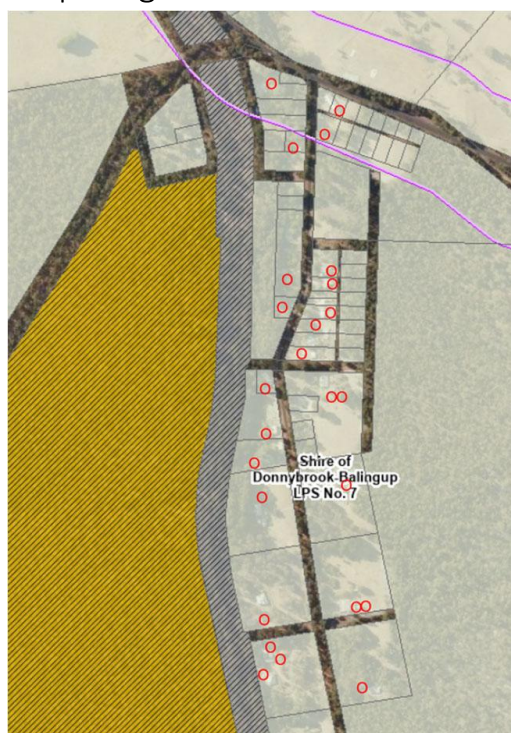


Figure 1 – Location of water tanks in Noggerup, with identified tanks indicated by red circles.

With respect to water quality, available guidance indicates that bore water should not be used for potable purposes without appropriate testing. This is particularly relevant in localities such as Noggerup, where smaller lot sizes and the presence of onsite wastewater systems may increase the risk of contamination.

The applicant's legal representative has advised that the preparation of detailed hydrogeological investigations would be disproportionate to the scale and nature of the proposal, noting the significant cost and time implications. Officers acknowledge that such investigations typically require assessment during peak groundwater periods (generally winter months, between August and October) to provide meaningful data. Given the statutory 90-day timeframe for determination, which has already elapsed, the application may be considered at risk of deemed refusal, thereby providing the applicant with the right to appeal to the State Administrative Tribunal.

Overall, based on the information available, relevant agency advice, and the absence of direct groundwater abstraction associated with the proposal, the potential impacts on groundwater resources are not considered sufficient to warrant refusal of the application. It is therefore considered that Council can discharge its obligation to give due regard to the relevant consideration of the "likely effect of the development on the natural environment or water resources" and may therefore lawfully determine the application.

Conclusion

While the correspondence from the applicant's legal representative does not provide any additional technical information with respect to the potential groundwater impacts, the proposal has been assessed against the provisions of Local Planning Scheme No. 7, the objectives of the General Agriculture zone, relevant State and local planning policies, and advice from government agencies and internal Shire service areas. Public submissions, including concerns relating to bushfire risk, water resources, visual amenity, and community safety, have been considered.

The amended proposal incorporates increased setbacks, including 100 m from Donnybrook–Boyup Brook Road, 20 m from State Forest (DBCA-managed land), and 15 m from all other boundaries, which appropriately mitigate potential impacts.

On balance, and subject to recommended conditions, the proposal is considered consistent with the orderly and proper planning of the locality and the intent of the zone. Approval is therefore recommended.

Cr MacCarthy put the following motion to Council:

MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann
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That Council:

Pursuant to Schedule 2, Part 9, Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* refuse to grant development approval for Application P25071 for the works relating to tree plantation (pine) on Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Road Noggerup for the following reasons:

1. The proposed development is not compatible with the existing and desired future character of the locality, having regard to its proximity to the Noggerup townsite,
2. The development would result in unacceptable impacts on the visual amenity, rural character, and liveability of the Noggerup locality,
3. The proposal presents an unacceptable risk of environmental impact to the adjoining Preston National Park and Preston River, including potential spread of wildings, weeds and dieback, and impacts on riparian values,
4. Insufficient information has been provided to enable proper assessment of the potential impact on groundwater resources, and the local government cannot be satisfied that the proposal will not adversely affect groundwater relied upon by the Noggerup community
5. The proximity of the plantation to the Noggerup townsite may increase bushfire risk and exposure, resulting in an unacceptable planning outcome,
6. The proposal fails to demonstrate safe and appropriate access to Donnybrook–Boyup Brook Road, a high-speed regional road,
7. The local government is not satisfied that the impacts of the development can be appropriately mitigated through conditions, noting the Applicant’s refusal to accept minimum setbacks and access requirements, which are necessary to address site constraints and impacts.
8. Having regard to the cumulative effect of the above matters, the proposal does not represent an orderly and proper planning outcome, and refusal is warranted.

Cr Lindemann put the following amendment to Council:

MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr John Bailey
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That point 2 be removed from the motion.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich
Against: Cr Patrick
Carried: 7/1

Cr Purich put the following amendment to Council:

MOVED BY:	Cr Alex Purich	SECONDED BY:	Cr Tyler Hall
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That point 1, 3 and 6 be removed from the substantive motion.

For: Cr Hall, Cr Keown, Cr Lindemann, Cr McNab, Cr Purich
Against: Cr Bailey, Cr MacCarthy, Cr Patrick
Carried: 5/3

Cr Bailey put the following amendment to Council:

MOVED BY:	Cr John Bailey	SECONDED BY:	Cr Tyler Hall
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That point 8 be removed from the substantive motion.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr McCarthy, Cr Purich
Against: Cr Patrick, Cr McNab
Carried: 6/2

Substantive Motion:

COUNCIL RESOLUTION:	70/05-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

Pursuant to Schedule 2, Part 9, Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* refuse to grant development approval for Application P25071 for the works relating to tree plantation (pine) on Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Road Noggerup for the following reasons:

- 1. Insufficient information has been provided to enable proper assessment of the potential impact on groundwater resources, and the local government cannot be satisfied that the proposal will not adversely affect groundwater relied upon by the Noggerup community
- 2. The proximity of the plantation to the Noggerup townsite may increase bushfire risk and exposure, resulting in an unacceptable planning outcome,
- 3. The local government is not satisfied that the impacts of the development can be appropriately mitigated through conditions, noting the Applicant’s refusal to accept minimum setbacks and access requirements, which are necessary to address site constraints and impacts.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr Purich
Against: Cr McNab, Cr Patrick
Carried:6/2

9.1.5 Development Application P25071 – Pine Plantation, Noggerup

Report Details:			
Prepared by:	Manager Development Services		
Manager:	Director Operations		
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):			
9.1.5(1) March OCM Agenda Item and Attachments			

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;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:
 - a) 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.
 - b) 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 written approval. 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:
 - i. Planned/Prescribed burns;
 - ii. Boundary fencing;
 - iii. Use of herbicides/insecticides; and
 - iv. 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 *R/VI 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.**

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

At its meeting held on 25 March 2026 (Council Resolution 36/03-26), Council resolved to defer consideration of Item 9.1.2 to obtain further advice regarding the potential impact of the proposed plantation on the groundwater resource relied upon by the Noggerup townsite.

The reason for deferral was that insufficient information had been provided to enable a determination of the application, and that additional opportunity should be given to address this matter. Council also requested that the Chief Executive Officer present a further report for consideration at the May Ordinary Council Meeting.

The applicant was advised of this outcome. On 8 May 2026, correspondence was received by all Councillors from HWLE Lawyers outlining reasons why no further information would be provided and requesting that Council determine the application based on the information currently available.

Officers recommend that Council consider the submission provided by HWLE Lawyers and grant approval, subject to conditions and advice.

Background

Proposal

An item was presented to Council at the March 2026 Ordinary Council Meeting (OCM) (refer Attachment 9.1.X(1)). At the Ordinary Council Meeting held on 25 March 2026 (Council Resolution 36/03-26), Council resolved to:

1. *Defer determination of Item 9.1.2 in order to obtain further advice for the Shire of Donnybrook Balingup regarding:*

- a) The potential impact of the proposed plantation on the groundwater resource relied upon by the Noggerup townsite.
- 2. Note the reason for deferral being that insufficient information had been provided to enable determination of the application, and that further opportunity should be given to address the matters outlined above.
- 3. Request that the Chief Executive Officer present a further report to Council for consideration at the May OCM.

The applicant subsequently responded via correspondence from HWLE Lawyers, advising as follows:
“The Applicant does not propose providing information on groundwater resources and we:
(a) request the Council finally determine the Application at its Ordinary Council Meeting on 27 May 2026;and
(b) consider there is no proper basis for further deferral (as to do so will, in our view, constitute a failure to genuinely attempt to decide the Application on its merits).”

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	High	High (10)
Risk Description:	If the proposal is not approved, it is likely that the applicant will lodge an appeal to the State Administrative Tribunal (SAT), which may require Council to engage legal representation.		
Mitigation:	The Shire has an allocated legal budget to manage such matters. This potential cost should not deter Council from refusing the application if it considers refusal to be warranted on planning grounds.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Possible	Moderate	Moderate (5)
Risk Description:	If access to groundwater is impacted, this could have a significant effect on the health and wellbeing of residents within the Noggerup townsite.		
Mitigation:	Given the size of the lots in Noggerup and the required separation from onsite effluent disposal systems, it is unlikely that groundwater is being used as a primary drinking supply. Aerial photography suggests a prevalence of rainwater tanks in Noggerup, which reduces the likelihood of direct health impact.		

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

Information relating to Shire policy was contained in the previous Agenda item ([refer Attachment 9.1.5\(1\)](#))

Statutory Compliance

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 9.1.5\(1\)](#).

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.*

Provided the development is not exempt, as is in this case, it is open to Council to refuse a P use if its impacts are considered to be unacceptable,

Consultation

Information relating to public submissions, a petition and agency submissions was contained in the Agenda Item refer [Attachment 9.1.5\(1\)](#).

Officer Comment

Concerns were raised during public consultation regarding potential groundwater depletion. Submitters noted that *Pinus radiata* plantations can have relatively high-water uptake and may act as “biological pumps,” potentially lowering the water table. Given the site’s location within the headwaters of the Preston River, concerns were also expressed regarding potential impacts on aquifers and water availability for domestic, agricultural, and firefighting purposes.

Clause 67 of the deemed provisions sets out a list of potentially relevant planning considerations. If a consideration is relevant to a particular application, the Council is required to give it due regard. “Due regard” means to give the matter active, positive consideration. Among the potentially relevant matters listed in clause 67 is “the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource”. It therefore follows that the potential impact of the proposal on groundwater resources can be characterised as a *potentially relevant* consideration.

As outlined in the Officer Comment under the Consultation section, the regulation and management of groundwater resources, including aquifer allocation and water licensing, falls under the jurisdiction of the Department of Water and Environmental Regulation (DWER) pursuant to the *Rights in Water and Irrigation Act 1914* (RIWI Act). Groundwater abstraction (e.g. from licensed bores) requires

approval under this legislation, and DWER is responsible for managing water resources at a catchment scale to ensure sustainable allocation.

DWER have informed that it does not have any data on the aquifer(s) makeup, extent and potential volumes. DWER did confirm that based on the slides provided directly to Council in March by the applicant, that slide three indicates that the geology under the plantation and the Noggerup townsites may be similar so that groundwater system under both the plantation and the townsite *may* be connected. However, the area for this proposal is within a “non-proclaimed” area for ground water under the RIWI Act, therefore DWER does not have any regulatory role in the take and use of the resource. This may suggest that access to groundwater is not a matter of priority from a water resource perspective in this area.

In relation to the site’s location within the Preston River catchment, DWER has provided advice focused on waterway protection measures, including maintaining appropriate buffer distances to waterways, managing erosion and sediment during establishment and harvesting, and ensuring suitable design and approval of any creek crossings. DWER did not identify concerns regarding groundwater depletion impacts on the Noggerup townsite.

It is also noted that concerns regarding groundwater quantity impacts were not supported by specific evidence identifying affected bore users within Noggerup. Review of aerial imagery suggests that many dwellings utilise rainwater tanks, typically located adjacent to buildings, indicating that roof catchment may be the primary source of potable water for a significant proportion of residents. If the groundwater is not relied upon for drinking water, it tends to suggest that the risk of an impact to groundwater in Noggerup is to some extent reduced. As domestic rainwater collection is not regulated, and domestic bores (where present) are generally exempt from licensing under certain thresholds, there is limited available data confirming the extent of groundwater reliance within the locality. This factors into the reasonableness of requiring additional information regarding groundwater impacts.

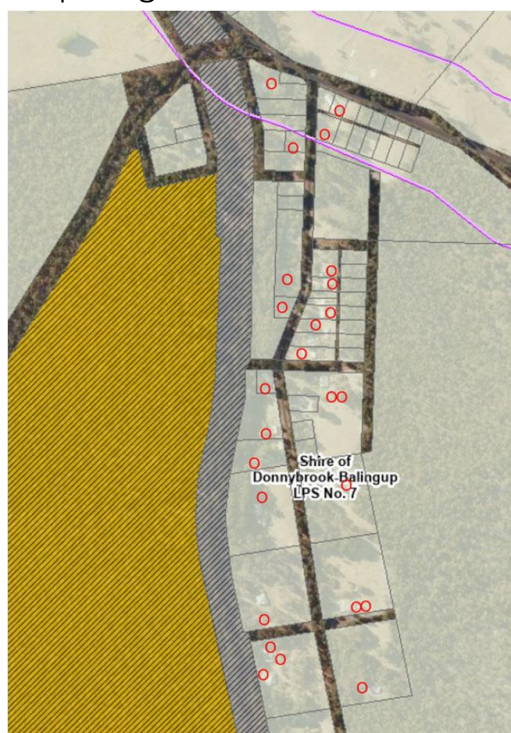


Figure 1 – Location of water tanks in Noggerup, with identified tanks indicated by red circles.

With respect to water quality, available guidance indicates that bore water should not be used for potable purposes without appropriate testing. This is particularly relevant in localities such as Noggerup, where smaller lot sizes and the presence of onsite wastewater systems may increase the risk of contamination.

The applicant's legal representative has advised that the preparation of detailed hydrogeological investigations would be disproportionate to the scale and nature of the proposal, noting the significant cost and time implications. Officers acknowledge that such investigations typically require assessment during peak groundwater periods (generally winter months, between August and October) to provide meaningful data. Given the statutory 90-day timeframe for determination, which has already elapsed, the application may be considered at risk of deemed refusal, thereby providing the applicant with the right to appeal to the State Administrative Tribunal.

Overall, based on the information available, relevant agency advice, and the absence of direct groundwater abstraction associated with the proposal, the potential impacts on groundwater resources are not considered sufficient to warrant refusal of the application. It is therefore considered that Council can discharge its obligation to give due regard to the relevant consideration of the "likely effect of the development on the natural environment or water resources" and may therefore lawfully determine the application.

Conclusion

While the correspondence from the applicant's legal representative does not provide any additional technical information with respect to the potential groundwater impacts, the proposal has been assessed against the provisions of Local Planning Scheme No. 7, the objectives of the General Agriculture zone, relevant State and local planning policies, and advice from government agencies and internal Shire service areas. Public submissions, including concerns relating to bushfire risk, water resources, visual amenity, and community safety, have been considered.

The amended proposal incorporates increased setbacks, including 100 m from Donnybrook–Boyup Brook Road, 20 m from State Forest (DBCA-managed land), and 15 m from all other boundaries, which appropriately mitigate potential impacts.

On balance, and subject to recommended conditions, the proposal is considered consistent with the orderly and proper planning of the locality and the intent of the zone. Approval is therefore recommended.

Cr MacCarthy put the following motion to Council:

MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann
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That Council:

Pursuant to Schedule 2, Part 9, Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* refuse to grant development approval for Application P25071 for the works relating to tree plantation (pine) on Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Road Noggerup for the following reasons:

1. The proposed development is not compatible with the existing and desired future character of the locality, having regard to its proximity to the Noggerup townsite,
2. The development would result in unacceptable impacts on the visual amenity, rural character, and liveability of the Noggerup locality,
3. The proposal presents an unacceptable risk of environmental impact to the adjoining Preston National Park and Preston River, including potential spread of wildings, weeds and dieback, and impacts on riparian values,
4. Insufficient information has been provided to enable proper assessment of the potential impact on groundwater resources, and the local government cannot be satisfied that the proposal will not adversely affect groundwater relied upon by the Noggerup community
5. The proximity of the plantation to the Noggerup townsite may increase bushfire risk and exposure, resulting in an unacceptable planning outcome,
6. The proposal fails to demonstrate safe and appropriate access to Donnybrook–Boyup Brook Road, a high-speed regional road,
7. The local government is not satisfied that the impacts of the development can be appropriately mitigated through conditions, noting the Applicant’s refusal to accept minimum setbacks and access requirements, which are necessary to address site constraints and impacts.
8. Having regard to the cumulative effect of the above matters, the proposal does not represent an orderly and proper planning outcome, and refusal is warranted.

Cr Lindemann put the following amendment to Council:

MOVED BY:	Cr Anita Lindemann	SECONDED BY:	Cr John Bailey
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That point 2 be removed from the motion.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr McNab, Cr Purich
Against: Cr Patrick
Carried: 7/1

Cr Purich put the following amendment to Council:

MOVED BY:	Cr Alex Purich	SECONDED BY:	Cr Tyler Hall
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That point 1, 3 and 6 be removed from the substantive motion.

For: Cr Hall, Cr Keown, Cr Lindemann, Cr McNab, Cr Purich
Against: Cr Bailey, Cr MacCarthy, Cr Patrick
Carried: 5/3

Cr Bailey put the following amendment to Council:

MOVED BY:	Cr John Bailey	SECONDED BY:	Cr Tyler Hall
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That point 8 be removed from the substantive motion.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr McCarthy, Cr Purich
Against: Cr Patrick, Cr McNab
Carried: 6/2

Substantive Motion:

COUNCIL RESOLUTION:	70/05-26		
MOVED BY:	Cr Vivienne MacCarthy	SECONDED BY:	Cr Anita Lindemann

That Council:

Pursuant to Schedule 2, Part 9, Clause 68(2)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* refuse to grant development approval for Application P25071 for the works relating to tree plantation (pine) on Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Road Noggerup for the following reasons:

- 1. Insufficient information has been provided to enable proper assessment of the potential impact on groundwater resources, and the local government cannot be satisfied that the proposal will not adversely affect groundwater relied upon by the Noggerup community
- 2. The proximity of the plantation to the Noggerup townsite may increase bushfire risk and exposure, resulting in an unacceptable planning outcome,
- 3. The local government is not satisfied that the impacts of the development can be appropriately mitigated through conditions, noting the Applicant’s refusal to accept minimum setbacks and access requirements, which are necessary to address site constraints and impacts.

For: Cr Bailey, Cr Hall, Cr Keown, Cr Lindemann, Cr MacCarthy, Cr Purich
Against: Cr McNab, Cr Patrick
Carried:6/2

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 *R/VI 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.

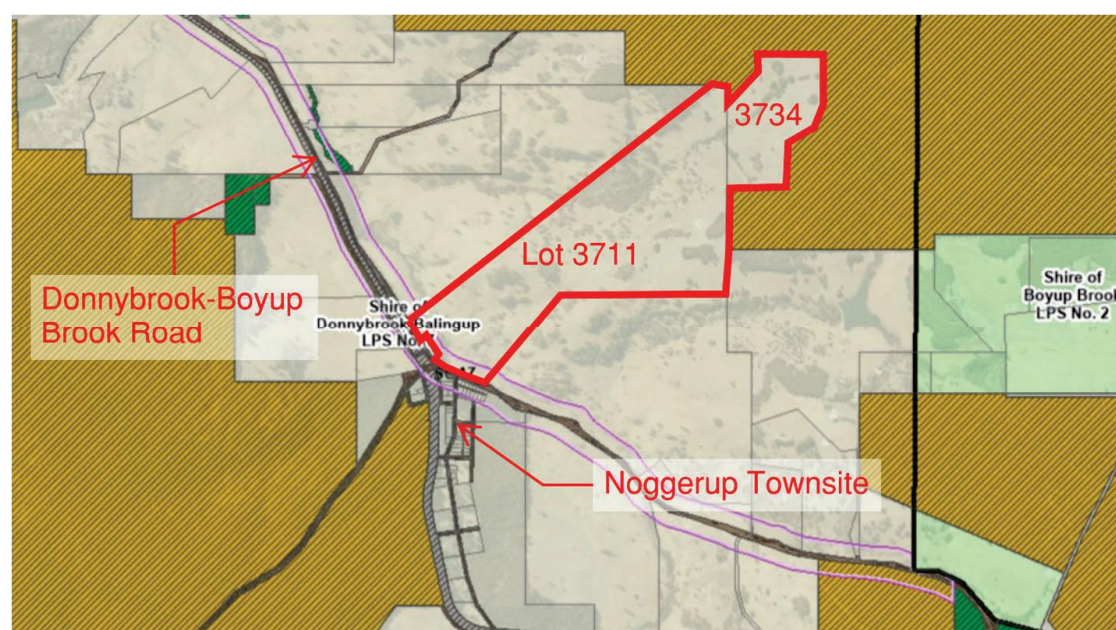
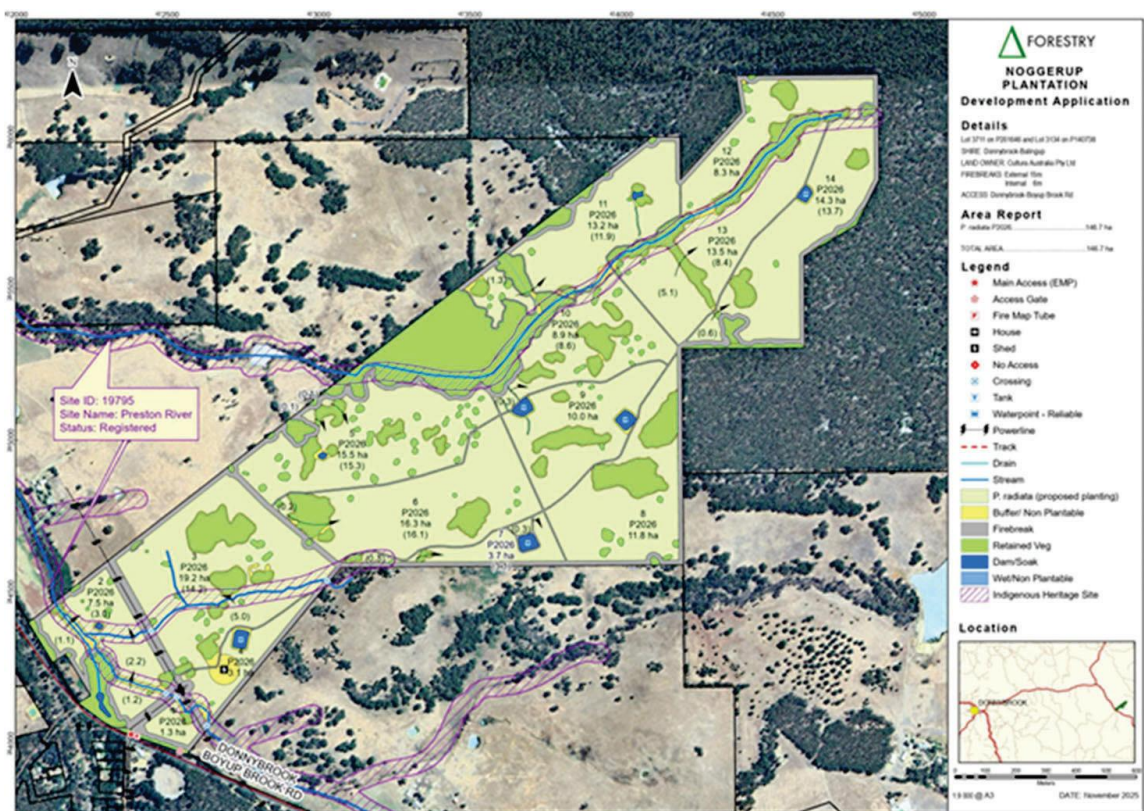


Figure 1 – Location Plan



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).

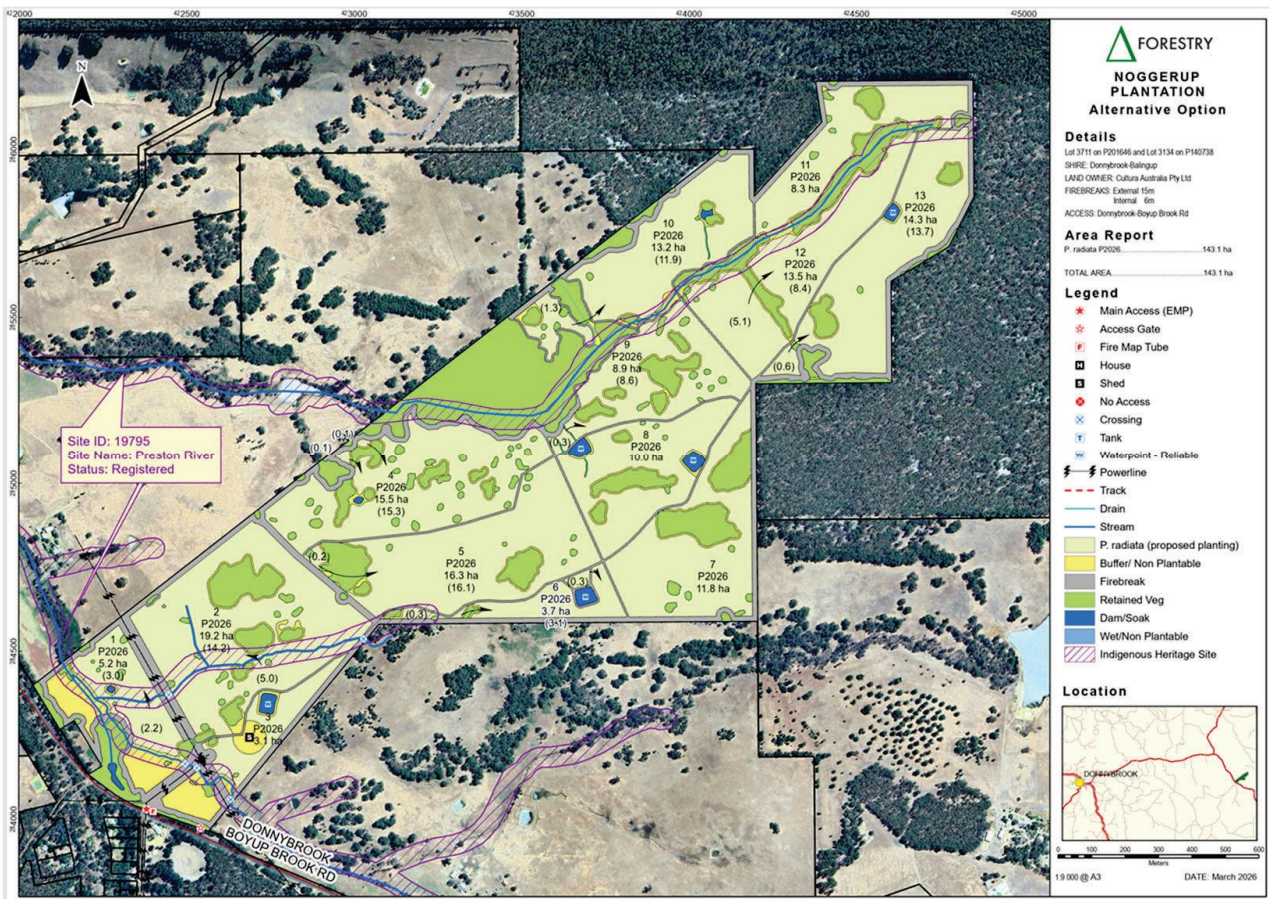


Figure 3 – Revised Development Application Plan received 5 March 2026

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 Pinus radiata 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.	satisfies the required sight line standards before works proceeds. Traffic hazards have been addressed as a condition within the Executive Recommendation.
<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 planation 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>
Public Transport Authority (PTA)	
<p>Conditions</p> <p>1. Six months prior to harvesting activities, a Timber Harvesting Plan is to be submitted and reviewed by the Public Transport Authority.</p> <p>Advice</p> <p>a. The Timber Harvesting Plan should include information regarding traffic management</p>	<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</p> <p>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
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.	
Main Roads WA	
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.	A condition is included in the Executive Recommendation.
Department of Planning Lands and Heritage (DPLH)	
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	An advice note is included in the Executive Recommendation.

Submission	Comment
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> .	
Department of Fire and Emergency Services	
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.	A condition has been included in the Executive Recommendation.
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.	A condition has been included in the Executive Recommendation.
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.	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.
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	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



14 November 2025

Mr Nick O’Connor
Chief Executive Officer
Shire of Donnybrook-Balingup
1 Bentley Street,
Donnybrook WA 6239

(By email to: shire@donnybrook.wa.gov.au)

Dear Nick,

RE: Development Application – Plantation Use

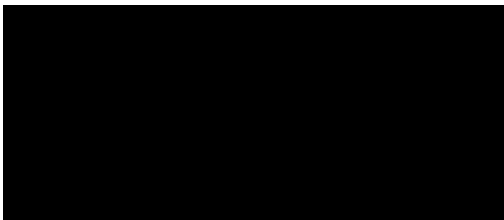
Our client Cultura Australia Pty Ltd (“Cultura”) has entered into a conditional contract to purchase the property listed in the table below. In accordance with the Shire of Donnybrook-Balingup Local Planning Scheme No. 7 (the “Scheme”) Cultura is seeking Donnybrook-Balingup approval for a change of use from Agriculture-extensive to Plantation. Plantation land use is permitted in the General Agriculture Zone and the plantation will be established in accordance with clause 4.11 of the Scheme, the Department of Fire and Emergency Services’ Guidelines for Plantation Fire Protection, and the Code of Practices for Timber Plantations in Western Australia. Furthermore, included in our plans are the establishment of strategic firebreaks and reduced fuel buffers to reduce fire intensity. Combined these will provide defensible positions in the unlikely event fire is within the plantation. Our plans also include the provision of additional resources to the local volunteer fire brigade in the form of a trailerable quick-fill and stand, and access to a 50,000L water tank which can be located either on the property or at the Noggerup Hall after consultation with the appropriate parties. Further property and contact details can be found in the table below.

Property	Lot 3711 on Plan 201646, Certificate of Title Volume 1355, Folio 759 Lot 3734 on Plan 140738, Certificate of Title Volume 219, Folio 190A
Address	3543 Donnybrook-Boyup Brook Road, Noggerup 6225
Owner	Cultural Australia Pty Ltd
Agent	Delta Forestry Pty Ltd
Contact email	[REDACTED]
Contact name	[REDACTED]
[REDACTED]	[REDACTED]
Mailing Address	[REDACTED]

Please do not hesitate to contact us as if you require any further information in addition to the contents of this email and enclosures.

Yours sincerely,

Delta Forestry Pty Ltd
ABN 35 666 153
PO BOX 1885 Busselton WA 6280
www.deltaforestry.com.au



Glen Samsa
Managing Director
Delta Forestry Pty Ltd

Enc.
Development Application
Certificate of Title
Forest Management Plan
Fire Management Plan

1. DETAILS

Forest Management Plan Details			
Name:	Noggerup		
Address	3543 Donnybrook-Boyup Brook Road, Noggerup		
Locality:	Noggerup	Nearest town:	Noggerup
Local Government Authority:	Shire of Donnybrook-Balingup		
Local Fire Brigade:	Mumballup		

Owner's Details			
Name:	Cultura Australia Pty Ltd		
Primary Contact Number:	0493 166 159		
Email:	b.donaldson@greshamhouse.com		
Address:	East 13, Federal Mills Park, 33 Mackey Street, North Geelong		
Postcode:	3215	Country:	Australia

Agent's Details			
Organisation:	Delta Forestry Pty Ltd		
Primary Contact Number:	08 9778 9995		
Email:	admin@deltaforestry.com.au		
Address:	33 Headstay Cove, Geographe		
Postcode:	6280	Country:	Australia

2. CODE OF PRACTICE PROTOCOL COMPLIANCE¹

Protocol Criteria	Recommended Content	Check
Plantation Map:	<p>A map of the plantation should provide the following:</p> <ul style="list-style-type: none"> • plantation manager details; • an area statement showing plantation categories and areas; • a locality plan and access roads; • cadastral information; • known environmental and OHS hazards; • improvements: • buildings; • roads, tracks, firebreaks, bridges, creek crossings; • fences, gates, utilities, water points; • natural features: • watercourses and wetlands; • areas of native vegetation; and • significant values. 	Complies.
Establishment Plan:	<p>This should outline the following topics and how they are to be managed:</p> <ul style="list-style-type: none"> • areas of native vegetation and significant values; • setback distances to watercourses, wetlands, reservoirs and significant values; • statutory setback distances to dwellings and gazetted infrastructure; • management of harvest residue; • control of declared animals, declared plants and other pest plants; • areas to be planted, compartment sizes; • species to be planted; 	Complies.

¹ The Code states “A plantation management plan is prepared to provide relevant information in respect of the way in which plantations are developed and managed, and to demonstrate the means by which the principles of environmental care, cultural, heritage social and economical management objectives are achieved. Plantation management plans are dynamic documents and may change from time to time as a result of new information, new or revised laws, or for strategic or operational imperatives. Plantation management plans are recommended content; however land managers/owners and/or plantation owners may have other requirements.”

	<ul style="list-style-type: none"> • direction of planting lines in relation to contours and natural drainage; • description of soil preparation methods; • pest and weed control prescription; • planting prescription; • access and firebreaks • fertilising prescription; • sensitive neighbours; • sensitive property; and • security management 	
Maintenance Plan:	<p>This should outline the following management activities to be conducted during the rotation of the plantation and how they intend to be managed:</p> <ul style="list-style-type: none"> • native vegetation management; • pruning and thinning regimes; • control of declared animals, declared plants and other pest plants; • weed and pest control prescription; • fertilising prescription; • access and firebreak maintenance; • grazing strategy; • inventory; • bio-security issues; • infrastructure maintenance; and • significant feature management. 	Complies.
Fire Management Plan:	<p>The fire management plan should contain the following details:</p> <ul style="list-style-type: none"> • Plantation manager's telephone numbers; • names and addresses of local fire control agencies; • locality plans showing access roads, firebreaks, water points etc.; • methods of access and firebreak maintenance; • specific measures to protect services (e.g. power lines and gas pipelines); • a fire fighting equipment register for the locality and details of cooperative arrangements; • direction indicators to water points, road signs and other features; • details of coordination and cooperation between plantation managers, local 	Provided separately.

	government authorities, local volunteer fire brigades, State agency in fire prevention, detection and suppression activities.; and <ul style="list-style-type: none">• a fuel reduction program, if applicable.	
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3. PURPOSE

The purpose of this forest management plan (**Plan**) is to outline the key features and characteristics of the property and document the sustainable forest management practices to be utilised in undertaking the development and ongoing management.

4. SCOPE

The Plan has been developed in accordance with the Code of Practice for Timber Plantations in Western Australia (**Code**) and the Department of Fire and Emergency services (DFES) Guidelines for Plantation Fire Protection (**Guidelines**). The Plan is specific for the property and any surrounding areas detailed within. The scope of use shall include but not limited to site preparation, plantation establishment, ongoing management, thinning and clear fell harvest of a softwood *Pinus radiata* pine plantation.

5. PROPOSED DEVELOPMENT

The establishment and harvesting of a *P. radiata* softwood plantation to supply forest products to domestic and international markets. The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) reported in its ‘Australian plantation statistics 2023 update’, that Australia’s total plantation area had decreased by 15% (304,200 hectares) between 2008–09 and 2021–22. Over the same period, Western Australia’s plantation estate decreased by 134,469 hectares (contributing to 44% of the national decrease).

As a result of the reduction in plantation area and the under investment in plantation development reported by ABARES, the Australian Forest Products Association (AFPA) and Master Builders Australia (MBA) are predicting a 250,000

timber house frame supply gap by 2035². Furthermore, in Western Australia, AFPA and MBA are expecting a supply gap of 40,855 timber house frames - the number of house frames to build a city the size of Bunbury. AFPA and MBA predict Australia will need to increase the area of plantations by 400,000 ha to meet the looming national supply deficit. The 400,000 ha represents one tenth of one percent of the land used for agriculture in Australia and is essentially replacing the plantation area which has been recently lost during the period between 2008–09 and 2021–22 reported by ABARES. The development will also contribute to Australia reducing greenhouse gas emissions by 43% below 2005 levels by 2030 and achieving net zero emissions by 2050 by sequestering carbon in trees, soil, and forest products.

6. PROPERTY DESCRIPTION

Planning	
Title Information:	P201646 3711, P140738 3734
Address:	3543 Donnybrook-Boyup Brook Road, Noggerup
Planning Scheme:	Shire of Donnybrook-Balingup Scheme no. 7
Planning Zone:	General Agriculture
Planning Overlays:	SCA7
Existing Land Use:	Grazing livestock
Proposed Use:	Plantation

The plantation is located in the General Agriculture zone in the Shire of Donnybrook-Balingup and is surrounded by other primary production land uses, general grazing, plantations and small vegetated holdings (see Attachment 1&6). The plantation setbacks are designed to minimise the risk of any adverse impact to surrounding land uses. In determining the setbacks in this Plan, we have considered the risk of bushfire, off-site movement in the use of chemicals/fertilisers, and encroachment of machinery into sensitive areas (refer Attachment 2).

Furthermore, there are additional measures which can be taken to minimise the

² https://ausfpa.com.au/wp-content/uploads/2022/08/220804_250000_house_frames_short_by_2035_new_report_confirms_looming_cliff_without_new_plantings_.pdf

risk of bushfire and any adverse impacts to surrounding land uses such as operational planning, standard operating procedures, training and competency assessments, supervision, and buffers.

Plantation Design Setbacks	
Public Roads:	15 m minimum
Title Boundary:	15 m minimum
Compartment Boundary:	6 m minimum
Remnant Vegetation:	6 m minimum
Watercourses:	6 m minimum
Dwellings	100 m minimum
Buildings	50 m minimum
Powerlines	20 m minimum

7. SITE DESCRIPTION

The property lies within a moderate rainfall area which combined with the gentle to moderate slopes and soils found on the property gives the property a moderate erosion risk rating³. Nonetheless, planting and cultivation will be aligned off contour to slow the rate of fall and accumulation of water where required (refer Attachment 7a&b).

Site Features	
Mean Annual Rainfall:	773 mm
Geology:	Granite and gneiss
Land Units:	Balingup moderate slopes, Hester subsystem, Yarragil subsystem, Wilga subsystem
Soils:	Loams to loamy or sandy gravels
Topography:	Gentle to moderate slopes (5-20%)
Catchment	Preston

Biodiversity and Conservation Values

The property has been extensively cleared, and areas with biodiversity and conservation value occur generally along natural drainage lines and an area of

³ 1A Method of Assessing Water Erosion Risk in Land Capability Studies – Swan Coastal Plain and Darling Range. Resource Management Technical Report No.73: 1998. Department of Agriculture Western Australia.

remnant vegetation located on the norther boundary (refer Attachment 3).

The property resides in the Preston River River catchment which has been altered via river straitening near Bunbury and the Glen Mervyn dam. The Preston River has had reducing salinity in recent years potentially due to increased plantation establishment in the catchment reversing the effects of clearing deep-rooted vegetation for agriculture. The establishment of a plantation will continue to improve the water quality of the Preston River.

Biodiversity and Conservation Features	
Vegetation Types:	Medium marri and jarrah forests
Potential Occurrence of Threatened Species ⁴ (CR ⁵ ,VU ⁶ ,EN ⁷):	Western Ring-tail Possum, Forest Red-tailed Black Cockatoo, Carnaby’s Cockatoo, Baudin’s Cockatoo
TEC ⁸ :	Nil
Vegetation Condition:	Good to poor

Water Management

The property resides in the Preston River catchment. Surface water interception and water usage by a deep-rooted, multi-rotation plantation forest (including firebreaks, buffers and setbacks) will be commensurate with the native vegetation which previously occupied the site. The clearing of the land for agriculture has increased the level of surface water that reaches the waterways. While there are some benefits of increased flow rates with land clearing, it comes with trade-offs such as elevation of water tables, salinisation, erosion and the runoff of sediment, nutrients and other pollutants into waterways and rivers. Carefully prepared and managed, the plantation will moderate surface water flow towards waterway systems via drainage or cultivation which will fall at 1:100 or 1% (refer Attachment 4).

⁴ May or may not be found on or near the property (5km radius from property).

⁵ Critical

⁶ Vulnerable

⁷ Endangered

⁸ Threatened ecological community.

Water Management

The use of chemicals on the property are regulated by the Australian Pesticides and Veterinary Medicines Authority. Chemical use is in accordance with the label rates and applied by licenced and appropriately qualified contractors.

Our chemical use within the plantation is generally limited to the first 18 months of the plantation and targeted to the planting strip. For example, for commonly used chemicals in forestry plantations and canola cropping, the plantation use is less than 1% when compared to canola over a full rotation. The setbacks and buffers in the Plan take into consideration the low level of chemical input and the ground-based, targeted nature of their application.

The short rooted annual pasture species on the property are subject to annual inputs of phosphorus and nitrogenous fertilisers. Trees have developed mechanisms quite different to short-rooted annuals to deal with pulses of nutrient availability (e.g., deep roots, internal storage processes for nutrient uptake over and above their requirements, mycorrhizal associations) and nutrient cycling in plantation forests is highly conserved unlike short-rooted annual species found in cropping and pasture systems (i.e., limited export of nutrients off site).

Soil and foliar tests will be undertaken to determine the requirement for any fertiliser applications to remediate any nutrient deficiencies or imbalances. The plantation industry in conjunction with leading forest scientists have developed novel decision support tools to guide nutrition management in plantations. Given the property's most recent history, it is expected there will be limited requirement to use any fertiliser at establishment or during maintenance of the plantation. Nonetheless, the buffers and setbacks set out in in our Plan are designed to minimise the risk of any potential offsite movement, especially to the local waterways. No chemicals or fertilisers will be stored at the property other than for their immediate use.

Cultural Heritage

Cultural Heritage Features	
Representatives:	South West Aboriginal Land and Sea Council
ILUA ⁹ :	Gnaala Karla Booja Indigenous Land Use Agreement
Regional Corporation:	Gnaala Karla Booja Aboriginal Corporation

Cultural Heritage Sites	
Site ID 19795	Preston River

Site 19795 overlays some of the watercourses on the property, and the Owner is aware of their obligations under the *Aboriginal Heritage Act 1972*.

Stakeholders and Land Use

Neighbouring stakeholders are listed below. Delta Forestry maintains a database of neighbours which will be used for the communication and management of sensitive operations (e.g., aerial spraying, vermin control, harvesting). For privacy reasons, names and contact details of private residence have been omitted.

Stakeholders		
Property identification	Contact	Land use
3637 Donnybrook-Boyup Brook Road		Grazing
Lot 1 Donnybrook-Boyup Brook Road		Grazing
Townsite		Rural residential
3472 Donnybrook-Boyup Brook Road		Grazing
3851 Donnybrook-Boyup Brook Road		Grazing
Reserve 47661	DBCA Wellington District (08) 9735 1988	Forest
Reserve 18567	Shire of Donnybrook-Balingup (08) 9780 4200	Recreation

⁹ Indigenous Land Use Agreement

Forest Description

Forest Area Statement (ha)	
Plantation:	147
Native Vegetation:	43
Buffers and Water Courses:	9
Firebreaks and Tracks:	24
Dams:	1
Total:	224

8. SILVICULTURE AND MANAGEMENT REGIME

Regime		
Measure	Un-thinned	Thinned
Type:	Pulp/house frame	House frame
Species:	<i>P. radiata</i>	<i>P. radiata</i>
Initial Stocking:	800 stems/ha	1,250 stems/ha
Thinning Year:	None.	10-14
Clear Fell Year:	25-30	20-30

Many management activities are reactive and therefore not determined by a prescriptive schedule in a long-term forest management plan (as described in the following management plan). To cope with the reactive nature of operations, planning is broken down into the following categories:

- long-term or strategic plans (20+ years horizon);
- tactical plans (3-5 year horizon); and
- operational plans (1 year horizon).

The level of detail in operational planning increases as the planning horizon becomes less. The Plan is considered a long-term or strategic plan and does not have the specificity of an operational plan.

Management schedule		
Activity	Year	Description
Road Infrastructure:	<1	Where possible, existing access points and roads will be used to minimise disturbance. Where required, new access points and roads will be established to allow for the safe access and egress through the plantation.
Weed Management:	<2	Generally, occurs in the first 18 months of plantation establishment, weeds will be managed to minimise competition within the tree crop using appropriately qualified organisations and operators and will comply with the Australian Pesticides and Veterinary Medicines Authority regulations. Firebreaks may be sprayed annually using the same techniques.
Site Preparation:	<1	Planting lines will be designed to follow closely to the contour at 4 m intervals using either rip/mound or straight rip soil amelioration techniques. Site preparation is required to optimise tree growth.
Planting:	<1	Seedlings will be planted by hand using spades or planting tubes during the winter period.
Pest Management:	As required	Undertaken where plantation damage is occurring that will lead to economic loss. Applications will be ground based.
Monitoring:	<6 months weekly and at least quarterly thereafter	Access, hazards, weeds, pests and diseases, survival, firebreaks, and water points.
Nutrition:	As required	Based on precision forestry principles the nutrition status will be monitored and any economic imbalances remedied by the application of fertiliser.
Plant Health:	As required	The movement and cleanliness of plant and equipment will be in accordance with our Biosecurity Management Plan to minimise the risk of spread of weeds, pests and diseases within and outside of the plantation estate.
Road Maintenance:	As required	Roads will be inspected and maintained to ensure access and to minimise any adverse impacts (e.g., erosion, poor drainage).
Firebreak	Annual	Firebreaks will be maintained in accordance

Maintenance:		with this Plan and the relevant firebreak and fuel reduction notice published by the Local Government Authority.
Declared Plants and Animals:	As required	Declared plants and animals will be identified through monitoring and declarations and control will be in accordance with the Biosecurity and Agricultural Management Act 2007 and Biosecurity Management Plan.
Wildling Control:	As required	Volunteer pine seedlings will be monitored and controlled outside of the plantation area.
Inventory:	>10	Undertaken to monitor plantation performance and forward planning.

Standard Prescriptions

Standard Prescriptions	
Pre-Plant Broad Spray:	2-5 L/ha biactive glyphosate (Roundup), 5-15 g/ha metsulfuron methyl (Brush Off) plus suitable wetting agent. Applied to pasture after autumn break.
Site Preparation:	Rip-mound to 1 m, rip only to 1 m, no mound or rip. Prescription tailored to soil and topography. Mounds usually orientated along contour with a 1:100 fall to minimise risk of erosion.
Pre-Plant Strip Spray:	2-5 L/ha biactive glyphosate, 20 g/ha metsulfuron methyl (Brush Off) and/or 3 – 5 kg/ha Atrazine plus suitable wetting agent. Applied to planting strip at least three weeks prior to planting.
Post-Plant Spray:	11-15 L/ha hexazinone (Velpar). Applied to planting strip or broad sprayed one month after planting. Only applied if there is a spring flush of competitive weeds along the strip spray lines.
Establishment Fertiliser:	100-150 g/seedling diammonium phosphate granules or compound blend depending on foliar or soil analysis buried within 10 cm of planted seedling. Generally, not required on fertile ex-pastured sites.
Maintenance Fertiliser:	100-300 kg/ha diammonium phosphate or urea or compound blend depending on foliar or soil analysis. Can occur at anytime not less than 10 years prior to harvest. Generally, not required on fertile ex-pastured sites.
Firebreaks:	2-5 L/ha biactive glyphosate (Roundup), 5-15 g/ha metsulfuron methyl (Brush Off) plus suitable wetting agent. Applied to pasture after autumn break. Mechanical grading.
Pest Control	160 mL/ha alpha-cypermethrin (Dominex)
Vermin Control	Trapping, baiting and professional shooting.
Grazing:	None after establishment.
Fencing:	Internal fencing removed and external fences maintained. Expenses shared with neighbours.
Access and Security:	Permits or licences. Locked gates. Cameras.

Water Supplies and Use

The property is in a proclaimed area under the *Rights and Water Irrigation Act 1914*. The property has several water points strategically located across the land for the purpose of watering livestock. These water points have a combined estimated capacity of 3,000 kilolitres. The Owner's use of the water supply will be restricted to limited quantities for ordinary and domestic purposes (<5,000 L/annum over the life of the plantation), and fire-fighting.

There is no requirement for a water licence for the planned sources and uses of water. There is no requirement for a bed and banks permit to undertake the development.

Harvest

The intent is to deploy a cut-to-length harvest system to produce logs for delivery to local and export markets. Prior to any harvest operations a harvest management plan will be developed for endorsement by the local government authority and communication to stakeholders. The harvest management plan shall include appropriate water, dust and noise management plans to adequately manage potential adverse impacts to the environment and stakeholders.

Around the final clear-felling of the plantation an assessment will be made on the future use of the property including the appropriate management of harvest residue.

9. HAULAGE AND MARKET INFORMATION

The property has direct access to Donnybrook-Balingup Road allowing for the efficient haulage of logs to key markets via the preferred haulage route found in Attachment 8. Prior to any haulage operations a haulage and traffic management plan will be provided to the Local Government Authority and communicated to stakeholders.

Forest Products	Destination
Environmental Credits:	ACCU Scheme, voluntary markets
Fence Posts:	Timber Treaters Bridgetown
Pulplogs:	Laminex Dardanup, Bunbury Port
Sawlogs:	Wespine Dardanup, Local Sawmillers
Power Poles:	Koppers Dardanup

Attachments:

1. District Context Map

2. Plantation Map

3. Native Veg Map

4. Waterways Map

5. Landuse Map

6. Contour Maps

a. With photo

b. No photo

7. Haulage Route Map

8. Cultural Heritage Extract

10. SILVICULTURE AND MANAGEMENT REGIME

Regime		
Measure	Un-thinned	Thinned
Type:	Pulp/house frame	House frame
Species:	<i>P. radiata</i>	<i>P. radiata</i>
Initial Stocking:	800 stems/ha	1,250 stems/ha
Thinning Year:	None.	10-14
Clear Fell Year:	25-30	20-30

Many management activities are reactive and therefore not determined by a prescriptive schedule in a long-term forest management plan (as described in the following management plan). To cope with the reactive nature of operations, planning is broken down into the following categories:

- long-term or strategic plans (20+ years horizon);
- tactical plans (3-5 year horizon); and
- operational plans (1 year horizon).

The level of detail in operational planning increases as the planning horizon becomes less. The Plan is considered a long-term or strategic plan and does not have the specificity of an operational plan.

Management schedule		
Activity	Year	Description
Road Infrastructure:	<1	Where possible, existing access points and roads will be used to minimise disturbance. Where required, new access points and roads will be established to allow for the safe access and egress through the plantation.
Weed Management:	<2	Generally, occurs in the first 18 months of plantation establishment, weeds will be managed to minimise competition within the tree crop using appropriately qualified organisations and operators and will comply with the Australian Pesticides and Veterinary Medicines Authority regulations. Firebreaks may be sprayed annually using the same techniques.
Site Preparation:	<1	Planting lines will be designed to follow closely to the contour at 4 m intervals using either rip/mound or straight rip soil amelioration techniques. Site preparation is required to optimise tree growth.
Planting:	<1	Seedlings will be planted by hand using spades or planting tubes during the winter period.
Pest Management:	As required	Undertaken where plantation damage is occurring that will lead to economic loss. Applications will be ground based.
Monitoring:	<6 months weekly and at least quarterly thereafter	Access, hazards, weeds, pests, plant health, survival, firebreaks, and water points.
Nutrition:	As required	Based on precision forestry principles the nutrition status will be monitored and any economic imbalances remedied by the application of fertiliser.
Plant Health	As required	The movement and cleanliness of plant and equipment will be in accordance with our Biosecurity Management Plan to minimise the risk of spread of weeds, pests and diseases within and outside of the plantation estate.
Road Maintenance:	As required	Roads will be inspected and maintained to ensure access and to minimise any adverse impacts (e.g., erosion, poor drainage).
Firebreak	Annual	Firebreaks will be maintained in accordance

Maintenance:		with this Plan and the relevant firebreak and fuel reduction notice published by the Local Government Authority.
Declared Plants and Animals:	As required	Declared plants and animals will be identified through monitoring and declarations and control will be in accordance with the Biosecurity and Agricultural Management Act 2007 and our Biosecurity Management Plan.
Wildling Control	As required	Volunteer pine seedlings will be monitored and controlled outside of the plantation area,
Inventory:	>10	Undertaken to monitor plantation performance and forward planning.

Standard Prescriptions

Standard Prescriptions	
Pre-Plant Broad Spray:	2-5 L/ha biactive glyphosate (Roundup), 5-15 g/ha metsulfuron methyl (Brush Off) plus suitable wetting agent. Applied to pasture after autumn break.
Site Preparation:	Rip-mound to 1 m, rip only to 1 m, no mound or rip. Prescription tailored to soil and topography. Mounds usually orientated along contour with a 1:100 fall to minimise risk of erosion.
Pre-Plant Strip Spray:	2-5 L/ha biactive glyphosate, 20 g/ha metsulfuron methyl (Brush Off) and/or 3 – 5 kg/ha Atrazine plus suitable wetting agent. Applied to planting strip at least three weeks prior to planting.
Post-Plant Spray:	11-15 L/ha hexazinone (Velpar). Applied to planting strip or broad sprayed one month after planting. Only applied if there is a spring flush of competitive weeds along the strip spray lines.
Establishment Fertiliser:	100-150 g/seedling diammonium phosphate granules or compound blend depending on foliar or soil analysis buried within 10 cm of planted seedling. Generally, not required on fertile ex-pastured sites.
Maintenance Fertiliser:	100-300 kg/ha diammonium phosphate or urea or compound blend depending on foliar or soil analysis. Can occur at anytime not less than 10 years prior to harvest. Generally, not required on fertile ex-pastured sites.
Firebreaks:	2-5 L/ha biactive glyphosate (Roundup), 5-15 g/ha metsulfuron methyl (Brush Off) plus suitable wetting agent. Applied to pasture after autumn break. Mechanical grading.
Pest Control	160 mL/ha alpha-cypermethrin (Dominex)
Vermin Control	Trapping, baiting and professional shooting.
Grazing:	None after establishment.
Fencing:	Internal fencing removed and external fences maintained. Expenses shared with neighbours.
Access and Security:	Permits or licences. Locked gates. Cameras.

Water Supplies and Use

The property is in a proclaimed area under the *Rights and Water Irrigation Act 1914*. The property has several water points strategically located across the land for the purpose of watering livestock. These water points have a combined estimated capacity of 3,000 kilolitres. The Owner's use of the water supply will be restricted to limited quantities for ordinary and domestic purposes (<5,000 L/annum over the life of the plantation), and fire-fighting.

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Harvest

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Power Poles:	Koppers Dardanup

Attachments:

9. District Context Map
10. Plantation Map
11. Native Veg Map
12. Waterways Map
13. Landuse Map
14. Contour Maps

a. With photo

b. No photo
15. Haulage Route Map
16. Cultural Heritage Extract

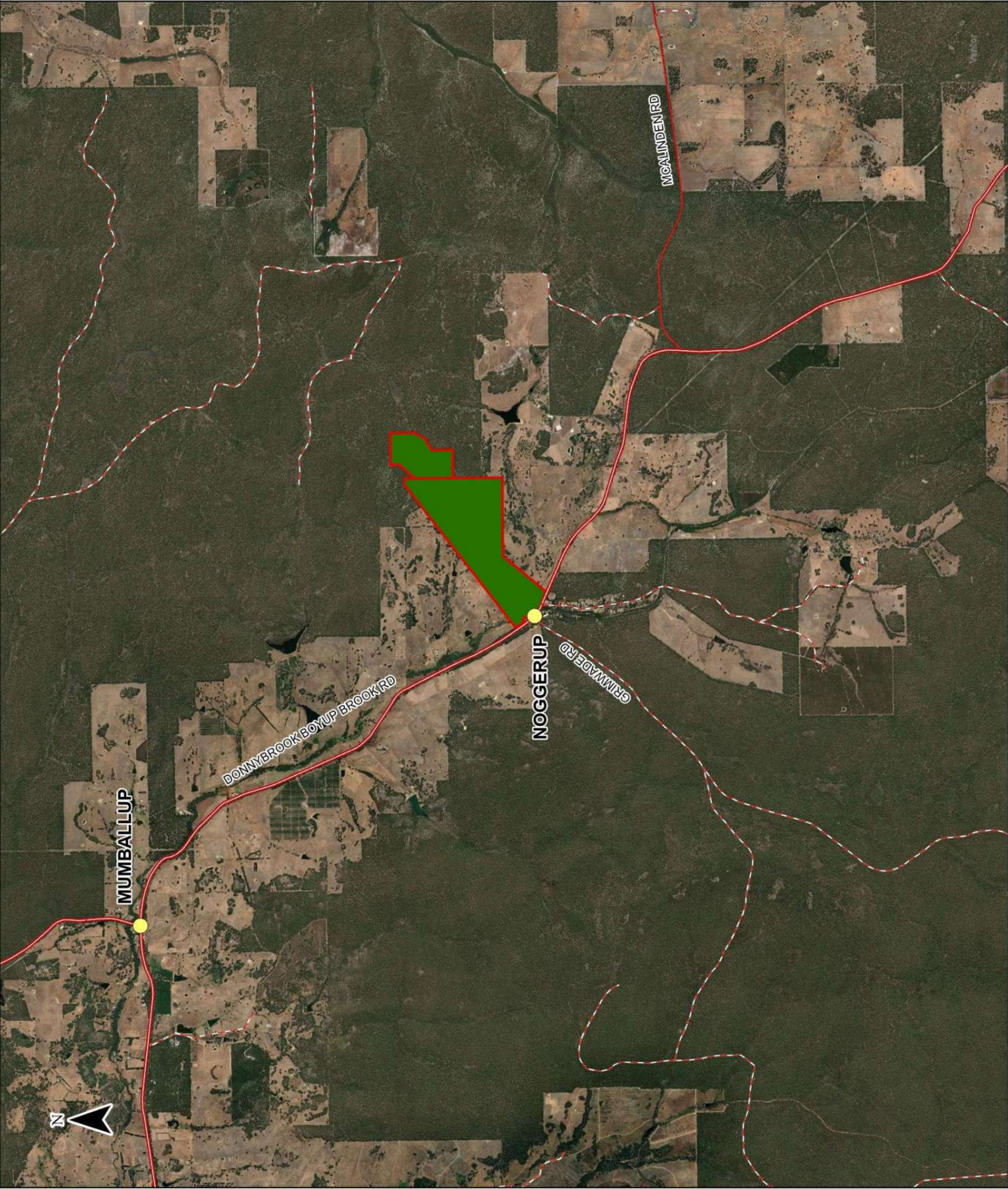
District Context Plan

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Legend

- Town
- Highway/Main Road - Sealed
- Minor Road - Sealed
- Minor Road - Unsealed
- Noggerup Plantation



Search Criteria

Aboriginal Cultural Heritage (ACH) Register ID 19795

Disclaimer

Aboriginal heritage holds significant value to Aboriginal people for their social, spiritual, historical, scientific, or aesthetic importance within Aboriginal traditions, and provides an essential link for Aboriginal people to their past, present and future. In Western Australia Aboriginal heritage is protected under the *Aboriginal Heritage Act 1972*.

All Aboriginal cultural heritage in Western Australia is protected, whether or not the ACH has been reported or exists on the Register.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Planning, Lands and Heritage by third parties. The information is provided solely on the basis that readers will be responsible for making their own assessment as to the accuracy of the information. If you find any errors or omissions in our records, including our maps, it would be appreciated if you provide the details to the Department via <https://achknowledge.dplh.wa.gov.au/ach-enquiry-form> and we will make every effort to rectify it as soon as possible.

South West Settlement ILUA Disclaimer

Your heritage enquiry is on land **within or adjacent to** the following Indigenous Land Use Agreement(s): Gnaala Karla Booja Indigenous Land Use Agreement.

On 8 June 2015, six identical Indigenous Land Use Agreements (ILUAs) were executed across the South West by the Western Australian Government and, respectively, the Yued, Whadjuk People, Gnaala Karla Booja, Ballardong People, South West Boorarah #2 and Wagyl Kaip & Southern Noongar groups, and the South West Aboriginal Land and Sea Council (SWALSC).

The ILUAs bind the parties (including 'the State', which encompasses all State Government Departments and certain State Government agencies) to enter into a Noongar Standard Heritage Agreement (NSHA) when conducting Aboriginal Heritage Surveys in the ILUA areas, unless they have an existing heritage agreement. It is also intended that other State agencies and instrumentalities enter into the NSHA when conducting Aboriginal Heritage Surveys in the ILUA areas. It is recommended a NSHA is entered into, and an 'Activity Notice' issued under the NSHA, if there is a risk that an activity will 'impact' (i.e. by excavating, damaging, destroying or altering in any way) an Aboriginal heritage site. The Aboriginal Heritage Due Diligence Guidelines, which are referenced by the NSHA, provide guidance on how to assess the potential risk to Aboriginal heritage.

Likewise, from 8 June 2015 the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) in granting Mineral, Petroleum and related Access Authority tenures within the South West Settlement ILUA areas, will place a condition on these tenures requiring a heritage agreement or a NSHA before any rights can be exercised.

If you are a State Government Department, Agency or Instrumentality, or have a heritage condition placed on your mineral or petroleum title by DEMIRS, you should seek advice as to the requirement to use the NSHA for your proposed activity. The full ILUA documents, maps of the ILUA areas and the NSHA template can be found at <https://www.wa.gov.au/organisation/departments-of-the-premier-and-cabinet/south-west-native-title-settlement>.

Further advice can also be sought from the Department of Planning, Lands and Heritage via <https://achknowledge.dplh.wa.gov.au/ach-enquiry-form>.

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Terminology

ID: ACH on the Register is assigned a unique ID by the Department of Planning, Lands and Heritage using the format: ACH-000000001. For ACH on the former Register the ID numbers remain unchanged and use the new format. For example the ACH ID of the place Swan River was previously '3536' and is now 'ACH-00003536'.

Access and Restrictions:

- **Boundary Reliable (Yes/No):** Indicates whether to the best knowledge of the Department, the location and extent of the ACH boundary is considered reliable.
- **Boundary Restricted = No:** Represents the actual location of the ACH as understood by the Department..
- **Boundary Restricted = Yes:** To preserve confidentiality the exact location and extent of the place is not displayed on the map. However, the shaded region (generally with an area of at least 4km²) provides a general indication of where the ACH is located. If you are a landowner and wish to find out more about the exact location of the place, please contact the Department of Planning, Lands and Heritage.
- **Culturally Sensitive = No:** Availability of information that the Department of Planning, Lands and Heritage holds in relation to the ACH is not restricted in any way.
- **Culturally Sensitive = Yes:** Some of the information that the Department of Planning, Lands and Heritage holds in relation to the ACH is restricted if it is considered culturally sensitive information. This information will only be made available if the Department of Planning, Lands and Heritage receives written approval from the people who provided the information. To request access please contact via <https://achknowledge.dph.wa.gov.au/ach-enquiry-form>.
- **Culturally Sensitive Nature:**
 - **No Gender / Initiation Restrictions:** Anyone can view the information.
 - **Men only:** Only *males* can view restricted information.
 - **Women only:** Only *females* can view restricted information.

Status:

- **Register:** Aboriginal cultural heritage places that are assessed as meeting Section 5 of the *Aboriginal Heritage Act 1972*.
- **Lodged:** Information which has been received in relation to an Aboriginal cultural heritage place, but is yet to be assessed under Section 5 of the *Aboriginal Heritage Act 1972*.
- **Historic:** Aboriginal heritage places assessed as not meeting the criteria of Section 5 of the *Aboriginal Heritage Act 1972*. Includes places that no longer exist as a result of land use activities with existing approvals.

Place Type: The type of Aboriginal cultural heritage place. For example an artefact scatter place or engravings place.

Legacy ID: This is the former unique number that the former Department of Aboriginal Sites assigned to the place.

Coordinates

Map coordinates are based on the GDA 2020 Datum.

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ID	Name	Boundary Restricted	Boundary Reliable	Culturally Sensitive	Culturally Sensitive Nature	Status	Place Type	Knowledge Holders	Legacy ID
19795	Preston River	No	Yes	No	No Gender / Initiation Restrictions	Register	Creation / Dreaming Narrative	*Registered Knowledge Holder names available from DPLH	



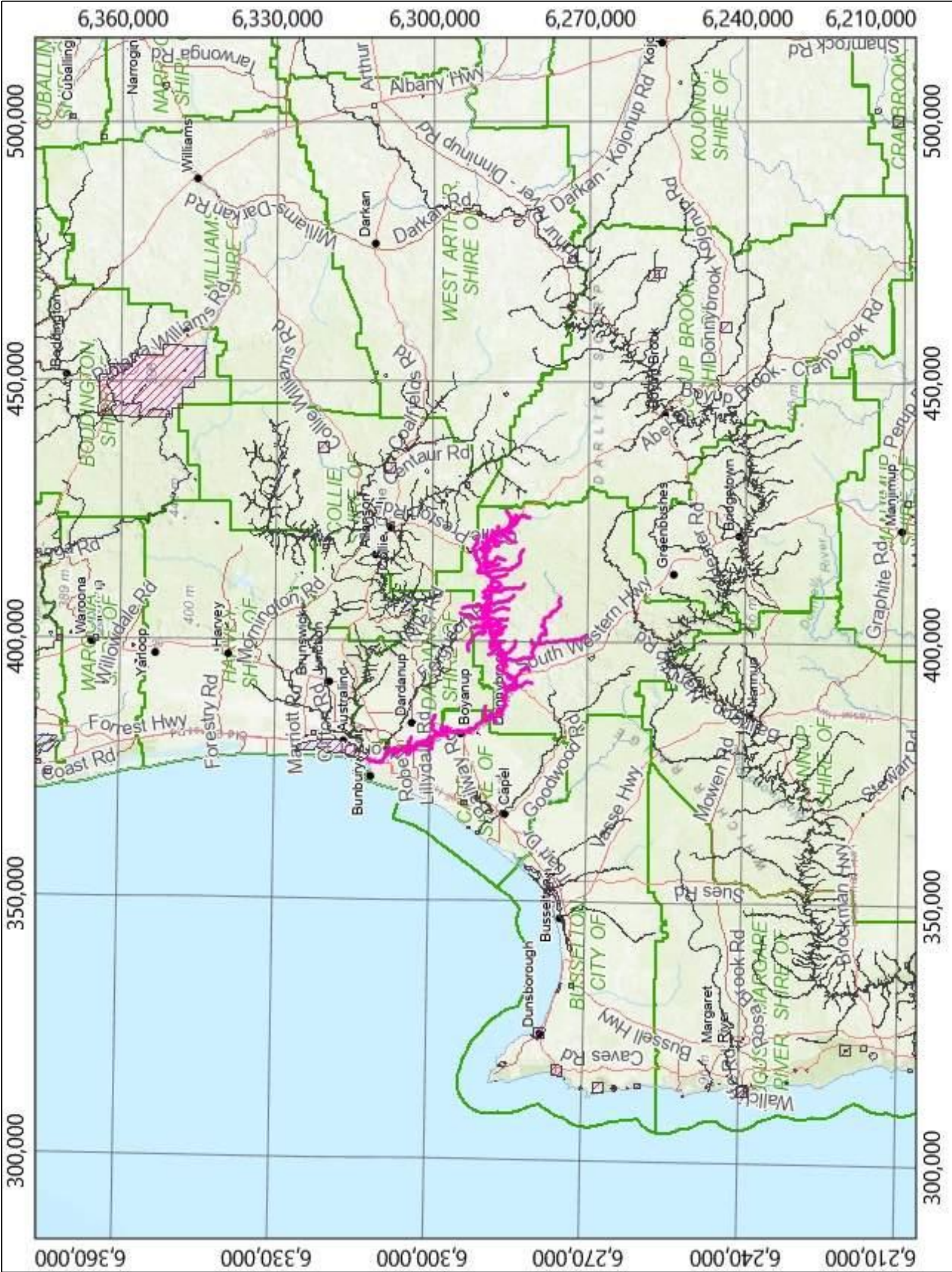
Department of Planning,
Lands and Heritage



Aboriginal Cultural Heritage Inquiry System

Map of Aboriginal Cultural Heritage (ACH) Register

For further important information on using this information please see the WA.gov.au website's Terms of Use at <https://www.wa.gov.au/terms-of-use>



Legend

- Aboriginal Cultural Heritage (ACH) Register
- Aboriginal Community
 - Permanent
 - Seasonal
 - Town Based
- Town
- Road
- River
- Local Government Authority

44.31 kilometres

Map Scale 1 : 1,340,000

MGA Zone 50 (GDA2020)



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NOGGERUP PLANTATION Development Application

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

Area Report

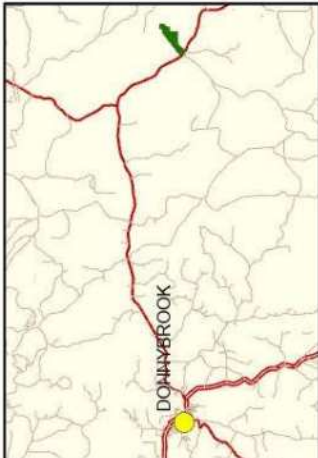
P. radiata P2026.....146.7 ha

TOTAL AREA.....146.7 ha

Legend

- Main Access (EMP)
- Access Gate
- Fire Map Tube
- House
- Shed
- No Access
- Crossing
- Tank
- Waterpoint - Reliable
- Powerline
- Track
- Drain
- Stream
- P. radiata (proposed planting)
- Buffer/ Non Plantable
- Firebreak
- Retained Veg
- Dam/Soak
- Wet/Non Plantable
- Indigenous Heritage Site

Location

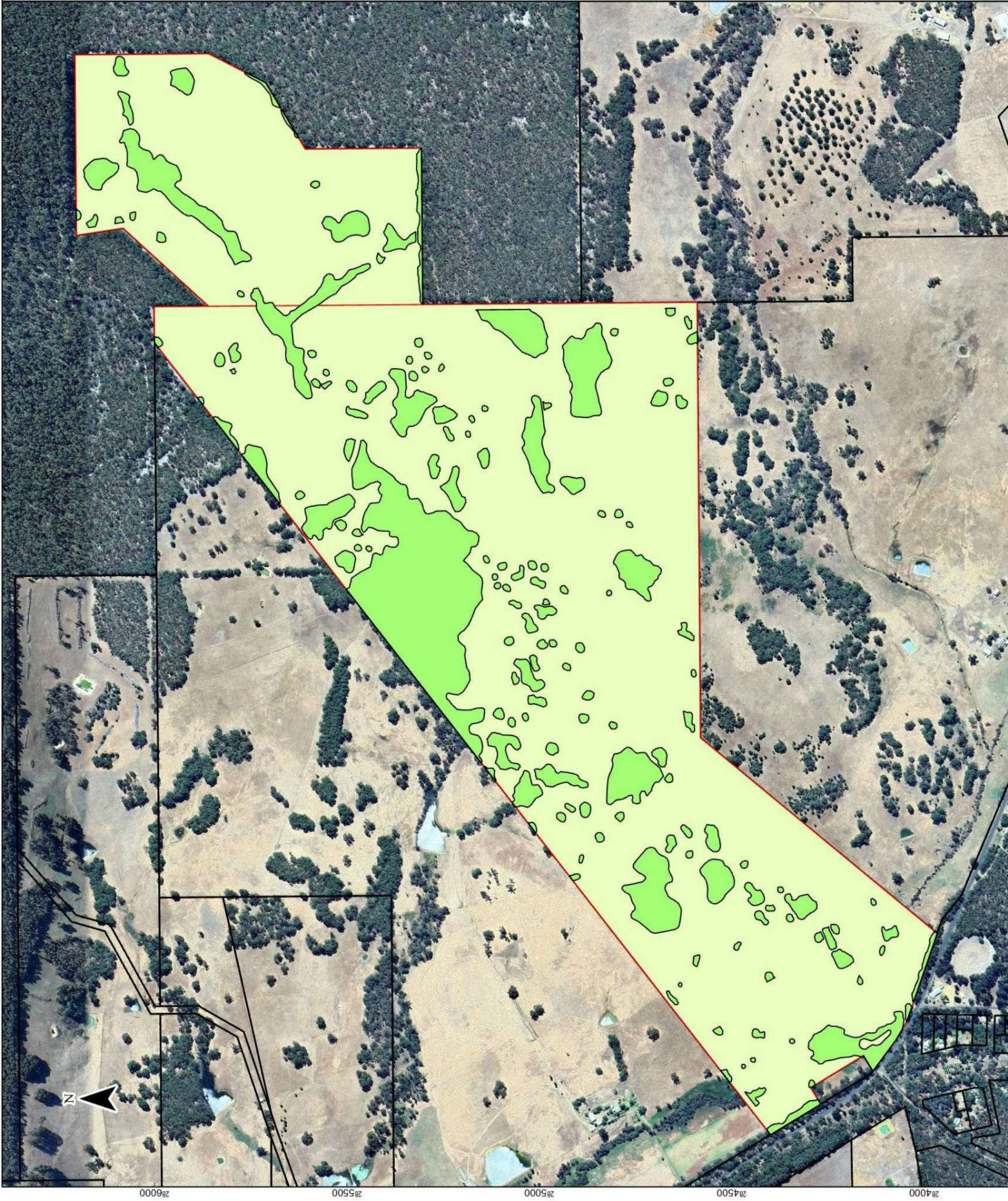


0 100 200 300 400 500 600
Meters

1:9 000 @ A3

DATE: November 2025





FORESTRY

NOGGERUP
PLANTATION

Native Vegetation

Details

Lot 3711 on P201646 and Lot 3134 on P140738

SHIRE: Donnybrook-Balingup

LAND OWNER: Cultura Australia Pty Ltd

Area Statement

Remnant Vegetation.....42.9 ha

Legend

* Declared Rare Flora

Remnant Vegetation

Noggerup Property

Sources

Declared Rare Flora

<https://danjoo.bio.wa.gov.au/>

Remnant Vegetation

Digitised from Google Earth imagery dated Apr 2024

Location

0 100 200 300 400 500 600

Meters

1:9 000 @ A3

DATE: November 2025





FORESTRY

**NOGGERUP
PLANTATION**

Waterways

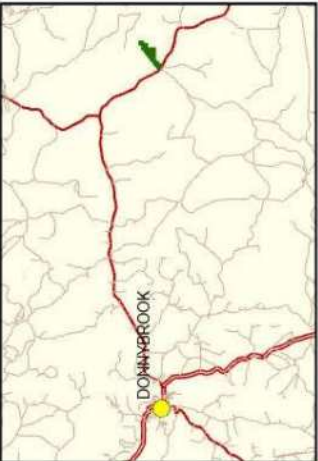
Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd

Legend

-  Drain
-  Waterway
-  Dams/Soaks
-  Wet Area
-  Cadastre

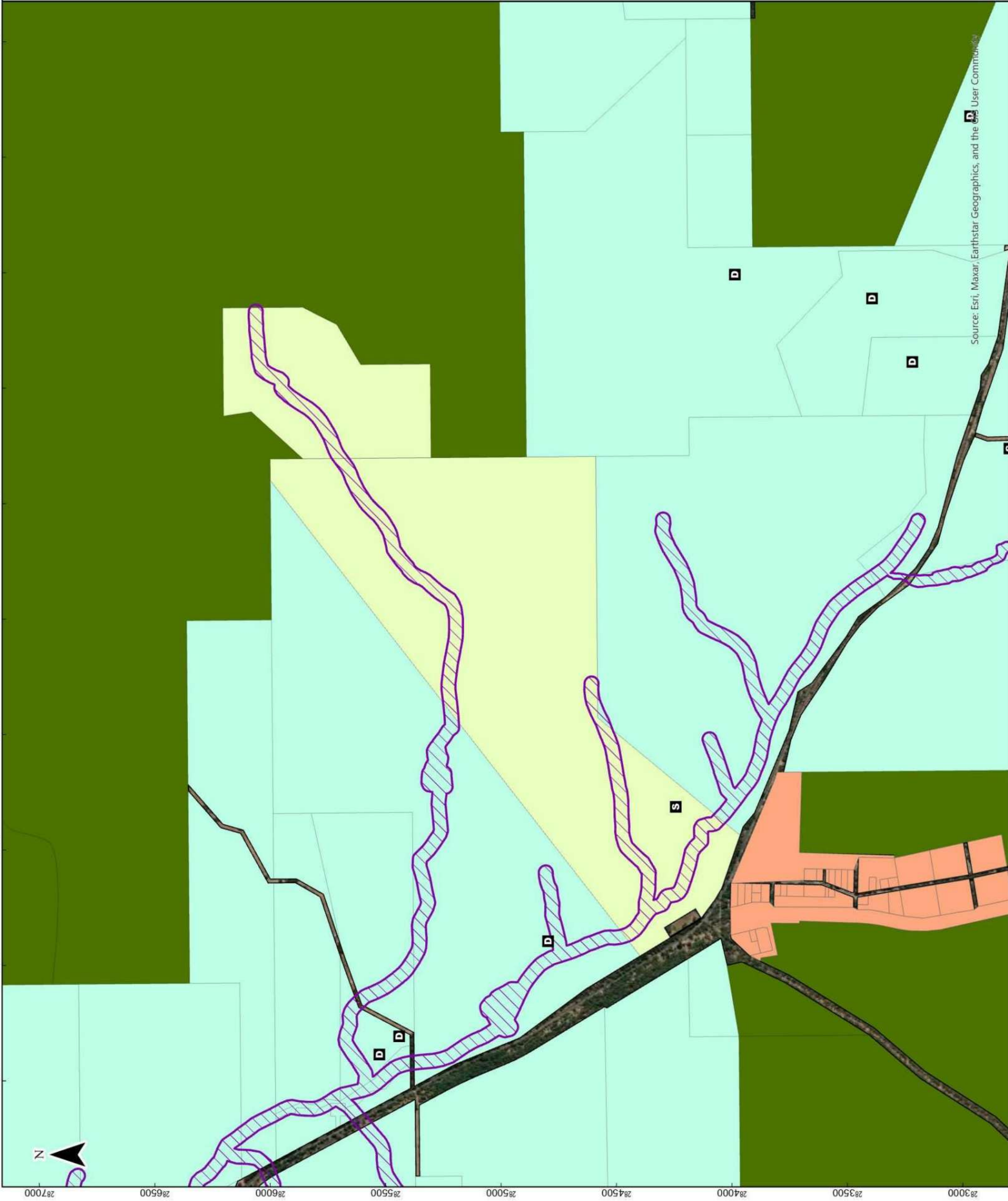
Location



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Meters

1:9 000 @ A3

DATE: November 2025



**FORESTRY**

**NOGGERUP
PLANTATION**

Land Use

Details

Lot 3711 on P201646 and Lot 3134 on P140738

SHIRE: Donnybrook-Balingup

LAND OWNER: Cultura Australia Pty Ltd

Legend

 Dwelling

 Shed

 Noggerup

 General Grazing

 Town Site

 Forested

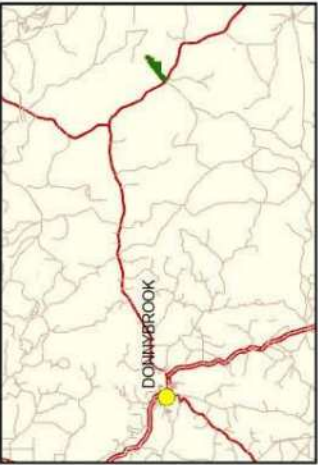
 Softwood Plantation

 Softwood Plantation

 Cadastral

 Indigenous Heritage Site

Location





0 200 400 600 800
Meters

1:15 000 @ A3

DATE: November 2025

Source: Esri, Maxar, Earthstar Geographics, and the User Community



422000 422500 423000 423500 424000 424500

284000 284500 285000 285500 286000



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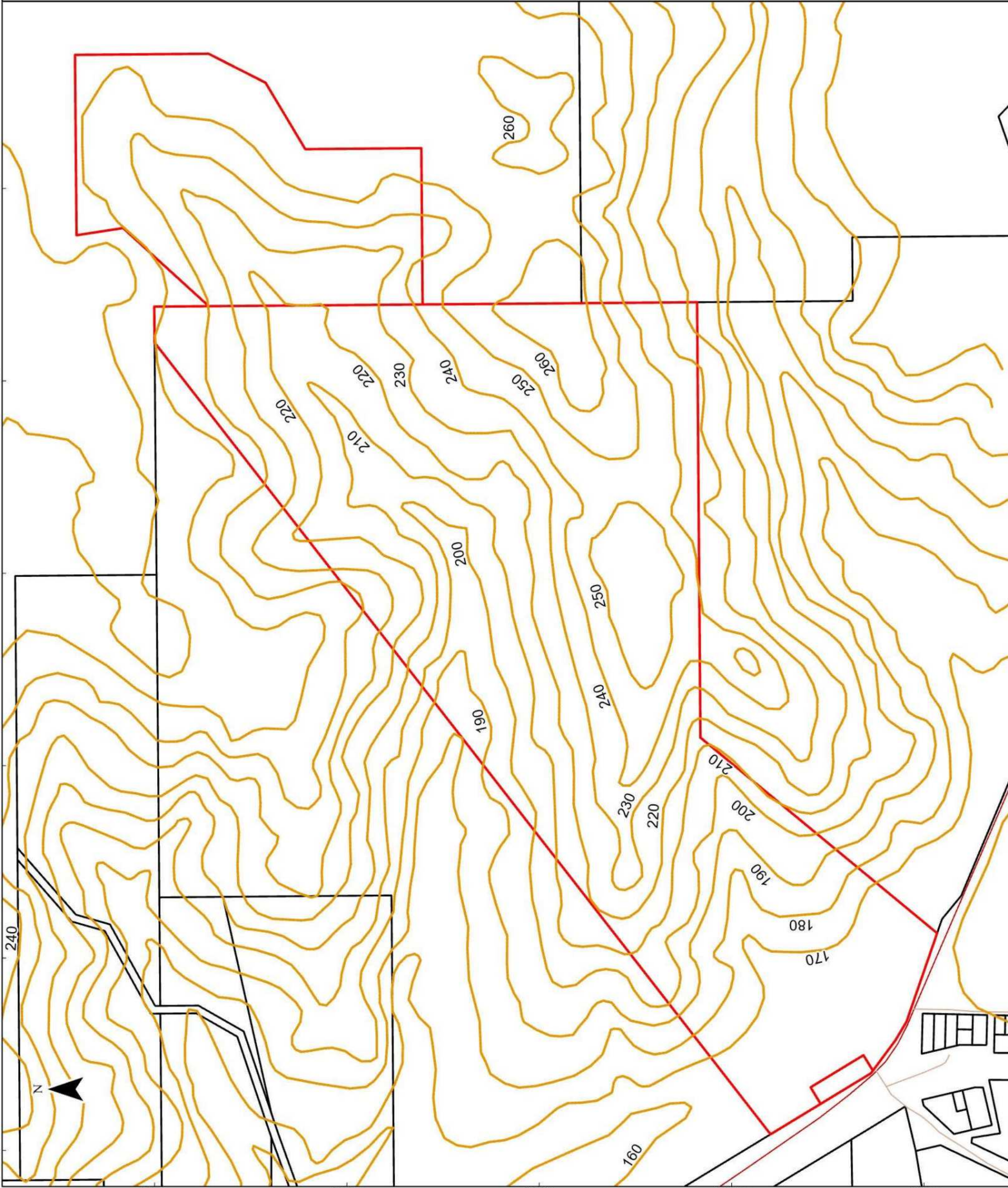
3320

3330

3340

3350

3360





FORESTRY

NOGGERUP
PLANTATION

Contour Map

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

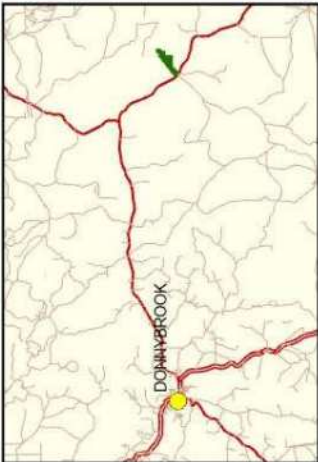
Legend

 Contour Line (10m interval)

 Noggerup Boundary

 Surrounding Cadastre

Location



0 100 200 300 400 500 600
Meters

1:9 000 @ A3
DATE: November 2025



NOGGERUP
PLANTATION

Proposed Haulage Route

Details

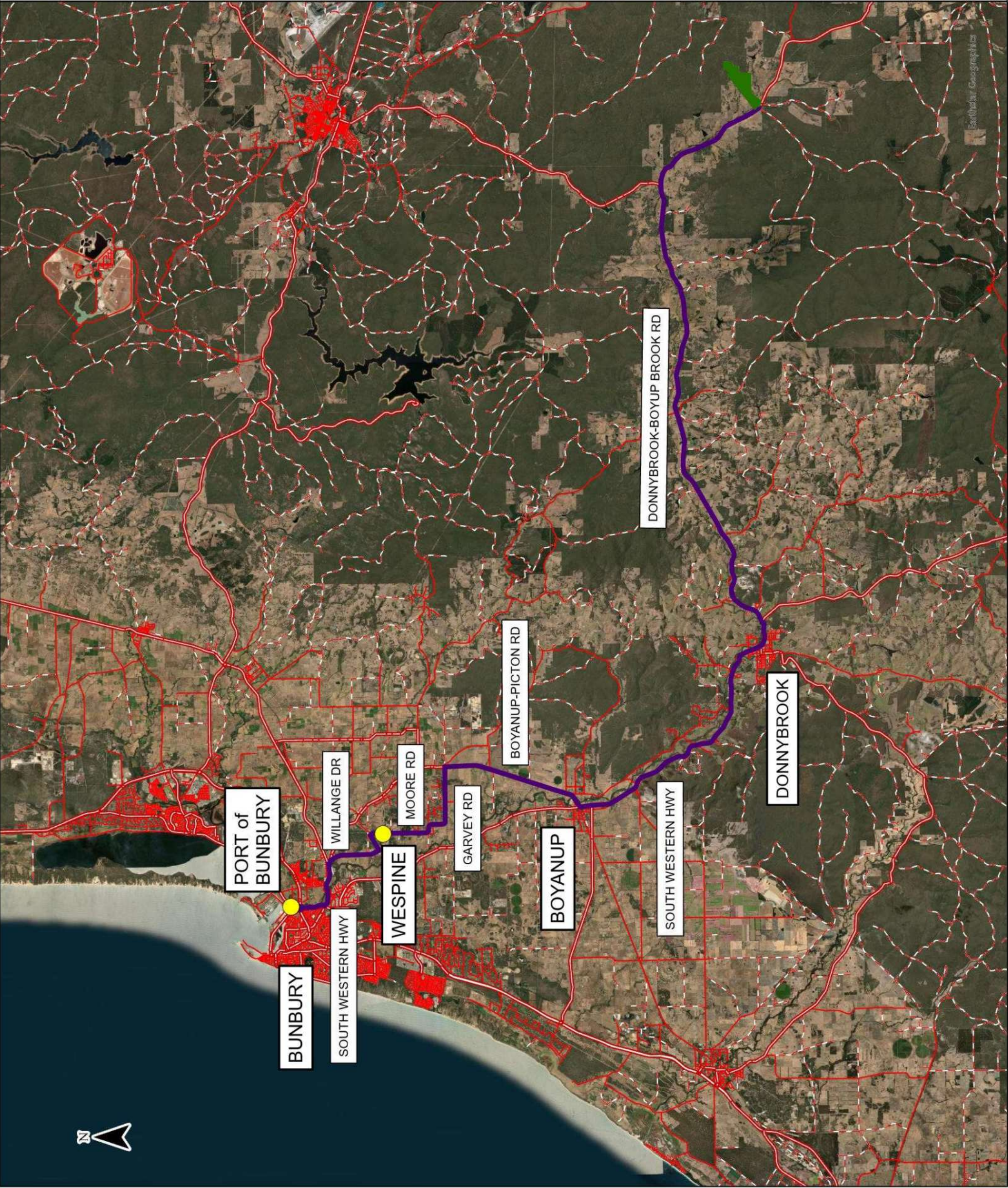
Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Destination

- 1. WESPINE INDUSTRIES
241 Moore Rd, Dardanup
- 2. PORT OF BUNBURY
54 Casuarina Dr, Bunbury

Legend

- Destination
- Haulage Route
- Highway/Main Road - Sealed
- Minor Road - Sealed
- Minor Road - Unsealed
- Noggerup Plantation



1. DETAILS

Fire Management Plan Details

Plantation:	Noggerup		
Address	3543 Donnybrook-Boyup Brook Road, Noggerup		
Locality:	Noggerup	Nearest town (distance):	Noggerup (<1km)
Species:	<i>Pinus radiata</i>	Area:	147 ha
Fire Weather District		Blackwood	
Local Government Authority:		Shire of Donnybrook-Balingup	
Local Fire Brigade:		Mumballup	

Owner's Details

Name:	Cultura Australia Pty Ltd		
Primary Contact Number:	0493 166 159		
Email:	b.donaldson@greshamhouse.com		
Address:	East 13, Federal Mills Park, 33 Mackey Street, North Geelong		
Postcode:	3215	Country:	Australia

Forest Manager's Details

Organisation:	Delta Forestry Pty Ltd		
24 Hour Contact Number:	08 9778 9995		
Email:	admin@deltaforestry.com.au		
Address:	33 Headstay Cove, Geographe		
Postcode:	6280	Country:	Australia

Author's Details

Name:	[REDACTED]		
Title	Managing Director		
Mobile Number:	[REDACTED]		
Email:	[REDACTED]		

2. PREAMBLE

The Noggerup property, is subject to a conditional purchase agreement between the current proprietor and Cultura Australia Pty Ltd, to be managed by Delta Forestry. The Purchase Agreement is conditional upon obtaining development

approval for the establishment of a *Pinus radiata* plantation on the property. This fire management plan (**Plan**) is provided in support of this, as part of the separate Forest Management Plan.

The farm has been planned by experienced foresters and with specific regard to the Code of Practice for Timber Plantations in WA (Code) which sets out goals and guidelines for good plantation management, and particularly the Department of Fire and Emergency Services Guidelines for Plantation Fire Protection (DFES Guidelines). The DFES Guidelines establish industry best practice fire risk management protocol for Tree Farms in WA.

3. GUIDELINES FOR PLANTATION FIRE PROTECTION COMPLIANCE¹

Criteria	Check
Landowner and/or occupier information such as identification of the plantation company and all relevant contact details, including 24 hour fire contact phone number:	Complies.
A firefighting equipment register and details of any cooperative arrangements:	Complies.
Plantation species, area, layout including compartment size:	Complies.
Fire protection measures such as: <ul style="list-style-type: none">• Fire detection and reporting mechanisms.• Initial response and attack of fires, including resource dispatch and communication with relevant authorities.• Identification of potential ignition sources.• Access in and around the plantation.• Access roads in and around the plantation.• Access roads must be clearly signed.• Methods of firebreak maintenance.• Measures to protect services (e.g., power lines and gas pipelines.• Water supplies and approximate capacities of these supplies.• Surrounding vegetation type, age since last burn and the site is being effectively managed, if available.• Sites fire history, where available.• Harvesting procedures and other measures used to reduce hazards (e.g., slashing and thinning programs).	Complies.

¹ Department of Fire and Emergency Services Guidelines for Plantation Fire Protection 2011.

<ul style="list-style-type: none"> Fuel reduction program, if applicable, including herbicide weed control and controlled grazing. 	
Surrounding local features including: <ul style="list-style-type: none"> Existing plantations. Proximity to towns/settlements. Remnant vegetation. Significant values relevant to site. 	Complies.
Provision of a map at a suitable scale: <ul style="list-style-type: none"> Plantation maps must be provided to local government and to DFES, and provide additional maps if requested by DFES or the local government. These maps are to held in suitable containers and sign posted at the main property entrances or other local government approved locations for use by personnel attending a fire. Plantations managers must check and update these maps annually to ensure their quality and accuracy, dates on the maps may assist with this. 	Complies.
Fire management maps will include: <ul style="list-style-type: none"> Compartment boundaries and size. Water supplies including irrigation channels and dams. Emergency access/egress (fire breaks). Structures houses, sheds etc. Significant features e.g., creek crossings, dead end access tracks, areas of remnant vegetation. 	Complies.
Standardised map legends are to be applied across the plantation industry:	Does not comply. Standard has not been developed.

4. PURPOSE

The purpose of this fire management plan is to outline the response and protection measures to be implemented at the property to respond to fire and minimise the fire risk to the plantation whilst protecting human life and local community assets.

5. SCOPE

The Owner and Forest Manager are obligated under the *Bush Fires Act 1954* to, upon becoming aware of a bushfire, to take all possible measures to extinguish the fire. The Plan has been developed in accordance with the Code of Practice for

Timber Plantations in Western Australia (**Code**) and the Department of Fire and Emergency services (DFES) Guidelines for Plantation Fire Protection (“Guidelines”). The Plan is specific for the property and any surrounding areas detailed within. The scope of use shall include but not limited to fire risk management, plantation design and access, fuel and firebreak management, fire identification and response, water resources and availability, firefighting resources and availability, stakeholder communication, emergency contacts, and cooperative fire management measures.

6. PROPERTY DESCRIPTION

Particulars	
Title Information:	P201646 3711, P140738 3734
Planning Scheme:	Shire of Donnybrook-Balingup Scheme no. 7
Planning Zone:	General Agriculture
Planning Overlays:	Bushfire Prone, SCA7
Existing Land Use:	Grazing livestock
Land Units:	Balingup moderate slopes, Hester subsystem, Yarragil subsystem, Wilga subsystem
Topography:	Gentle to moderate slopes (5-20%) (See Appendix 1 – Topographical Information)
Soil Types:	Loams to loamy or sandy gravels

7. ACCESS DESCRIPTION

The Noggerup property is situated adjacent to the north of the Noggerup townsite and is accessed via the Donnybrook-Boyup Brook Road. (See Appendix 2).

Main Access

The main access point is located on the Donnybrook-Boyup Brook Road directly across from Macquarie Street.

Secondary Access

The secondary access point is via the Donnybrook-Boyup Brook Road to the property access gates. Travel distance along Donnybrook-Boyup Brook Road from the Macquarie street junction is 150 m in an east-south-east direction.

Internal Access

The plantation is well serviced by an internal road network and firebreak systems that has been strategically incorporated into the landscape to reduce navigation uncertainty, provide ease of access for light vehicles and heavy fire equipment. All firebreaks can exceed a 15 tonne load limit during the restricted and prohibited burning periods.

Where a firebreak crosses a gully or stream, piping and/or hard surfacing material will be applied to the crossover point to ensure these areas are trafficable during the restricted and prohibited burning periods and shall be compliant with minimum 15 tonne load limits (See Attachment 3 - Roads and Firebreaks).

Emergency access and egress roads and tracks are shown on the Fire Management Plan and direct internal plantation traffic to designated Access Gateways on the Donnybrook-Boyup Brook Road (See Attachment 4 - Emergency Access and Egress Roads and Tracks).

All internal fencing will be removed as part of the plantation development to allow for unimpeded fire access. External boundary fencing will be maintained for security purposes.

8. PLANTATION SPECIES AND DESIGN

The plantation will be established to *P. radiata* (softwood pine) at 1,100 stems per hectare. The site will be prepared using two different establishment methods. These being:

- Rip and mounding
- Ripping only

Both establishment methods will be at 4 metre intervals and the spacing of tree seedlings will be at approximately 2.0 metres along the rows to achieve an 1,100 stems per hectare standing stocking level. (See Appendix 5 – Plantation Design Plan)

Access within the confines of the planted compartment area will be limited by the

establishment method. The very nature of rip/mounding creates barriers for fire appliance vehicles traversing internally through the compartment. In a fire event, Fire Controllers should be made aware of the rip/mounding impediments and use nominated firebreak accessways as primary traffic ways through and around the plantation area.

Plantation setbacks are designed to minimise the risk of any adverse bushfire impact to surrounding land uses and conversely protect the plantation from external risk factors. In determining the setbacks in this Plan, we have considered the risk of bushfire from internal and external sources of ignition including the DBCA managed crown land and state forest.

Plantation Design Setbacks	
Public Roads:	15 m
Title Boundary:	15 m
Compartment Boundary:	6 m
Remnant Vegetation:	6 m minimum
Watercourses:	6 m minimum
Dwellings	100 m
Buildings	50 m
Powerlines	20 m minimum

Biodiversity and Conservation Values

There are several degraded watercourses running through the property, isolated stands of medium marri, and jarrah forest in various states of condition. These areas can be managed for their conservation and biodiversity values with the exclusion of grazing animals and potential of reintroduction of controlled burning to stimulate recruitment and germination of native species. Appropriate plantation design and fire management will enhance the biodiversity and conservation values of the property.

Biodiversity and Conservation Features	
Vegetation Types:	Medium jarrah and marri
Threatened Species ² (CR ³ ,VU ⁴ ,EN ⁵):	Western Ring-tail Possum, Forest Red-tailed Black Cockatoo, Carnaby’s Cockatoo, Baudin’s Cockatoo
TEC ⁶ :	Nil
Vegetation Condition:	Good to poor

9. STAKEHOLDERS, LAND USE AND FIRE HISTORY

Neighbouring stakeholders are listed below. Delta Forestry maintains a database of neighbours which will be used for the communication and management of sensitive operations (e.g., fire, spraying, vermin control, harvesting). For privacy reasons, names and contact details of private residences have been omitted. There is no recent fire history for the property and a prescribed burn was undertaken in the reserve surrounding the townsite in 2009.

² May or may not be found on or near the property (5km radius from property).

³ Critical

⁴ Vulnerable

⁵ Endangered

⁶ Threatened ecological community.

Stakeholders			
Property identification	Contact	Land use	Last Fire
3637 Donnybrook-Boyup Brook Road		Grazing	Unknown
Lot 1 Donnybrook-Boyup Brook Road		Grazing	2018
Townsite		Rural residential	2009
3472 Donnybrook-Boyup Brook Road		Grazing	Unknown
3851 Donnybrook-Boyup Brook Road		Grazing	Unknown
Reserve 47661	DBCA Wellington District (08) 9735 1988	Forest	2009
Reserve 18567	Shire of Donnybrook-Balingup (08) 9780 4200	Recreation	Unknown

10. FOREST DESCRIPTION

Forest Area Statement (ha)	
Plantation:	147
Native Vegetation:	43
Buffers and Water Courses:	9
Firebreaks and Tracks:	24
Dams:	1
Total:	224

11. SURROUNDING FEATURES

Direction	Feature
South	Adjoining – Townsite and native vegetation types Beyond – Native forest vegetation types
West	Adjoining – Pastures and grazed native forest vegetation types. Beyond – Native forest vegetation types
South West	Adjoining - Pasture Beyond - Native forest vegetation types
North	Adjoining- Native forest vegetation types Beyond – Native forest vegetation types
East	Adjoining - Pasture and grazed native forest vegetation types Beyond – Pasture and grazed native forest vegetation types
South East	Adjoining – Pasture and grazed native forest vegetation types Beyond – Native forest vegetation types

12. RISK TO WIDER COMMUNITY

The landscape in the Noggerup area is generally pastured valleys including plantations, surrounded by forested National Parks managed by the Department of Biosecurity, Conservation and Attractions (DBCA). The risk levels associated with the rural landscape in the Noggerup locality are recognised by the local community and land management agencies.

The establishment of the plantation will create a fuel bridge from National Park areas to the north to National Parks areas south of the townsite (Greater Preston National Park). To minimise the spread of fire through the plantation to the townsite and beyond, this Plan includes the implementation of Fuel Reduced Buffers (FRBs), and strategic firebreaks strategically located within the plantation confines to manage a potential fire spread, and act as defensible positions or potential back burn positions with reduced fuel loads.

In the immediate surrounds adjoining the plantation, the risk is managed by identification, compliance and regulation. There are significant areas of defensible space between the plantation boundary and surrounding townsite. In addition to the 15 metre external firebreak network around the plantation edge there is a powerline setback (40 m in total) running west-north-west to east-south-east with a take-off in a south west direction and the Donnybrook-Boyup Brook Road which provides a strategic firebreak. Furthermore, a 20 m wide strategic firebreak will be installed between compartments 3, 5 and 6.

13. FIRE CONTACT INFORMATION

Key Contact Information

Fire Emergency:	000
Delta Forestry (24 hr):	08 9778 9995

Entity	Name	Contact number
DFES	Lower South West	(08) 9771 6800
DFES Duty Officer		1800 512 111
CBFCO	Max Walker	0428 641 021
DCBFCO	Ian Ralph	0407 959 325
DCBFCO	Bevan Dix	0429 579 571
Mumballup	Brad Kettle	0414 533 355
DBCA Wellington		08 9735 1988
DBCA Blackwood		08 9752 5555
Shire of Donnybrook-Balingup		08 9780 4200
WAPOL		000

14. FIRE DETECTION AND INITIAL RESPONSE

Protecting the plantation from fire is critical given *P. radiata* is not tolerant of severe fire. An overarching annual fire management plan will be prepared for the fire control activities within plantations and activities undertaken will comply with:

- The Guidelines;
- Shire of Donnybrook-Balingup Firebreak and Fuel Hazard Reduction Notice; and
- The Code.

Fire events within the plantation area are likely to be detected by Department of Biodiversity, Conservation and Attraction's (DBCA) aerial fire surveillance, neighbouring landowners, Delta Forestry surveillance patrols, and members of the public passing by the property. Delta Forestry also monitors the Bureau of Meteorology, Digital Earth Australia Hotspots and Emergency WA Warnings and

Incidents for fire weather, lightning, and fire activity.

Plantation GIS data sets will be supplied to DFES and DBCA for inclusion in emergency service directories and for fire co-ordination centres. Maps and our overarching annual fire management plan will be provided to local government when requested. In addition, plantation signposting will have relevant fire contact information and location details for efficient fire notifications.

In the event of a wildfire within the plantation area, the following suppression methods will be considered by the Forest Manager along with fire suppression priority values.

Fire Response Matrix		
Fire danger index	Suppression type	Management unit
No Rating:	Direct attack on head fire and flank fire – earthmoving	Small fire area confined within a compartment cell
Moderate:	Flank fire attack – earthmoving machine and aerial water bombing assisted	Fire area confined to a single compartment cell
High:	Tail fire suppression – earthmoving machine and, aerial water bombing assisted	Fire area confined to multiple compartment cells or perimeter breaks
Extreme or Catastrophic:	Aerial water bombing and machine assisted suppression	Fire area confined to low fuel areas within or outside the plantation area

Should a plantation fire occur, the Forest Manager will respond to suppress the fire on behalf of the Owner and will be responsible for mop up and ongoing monitoring within the property boundaries once the wildfire has been brought under control and running fire is contained with mineral earth firebreaks.

15. FIRE FIGHTING RESOURCES AND REGISTER

The Forest Manager will have the following resources available to respond to fire.

Resource	Location
500 litre slip on	Manjimup
400 litre slip on	Dardanup
2,300 litre heavy tanker	Glenoran
2,300 litre heavy tanker	Manjimup
2,300 litre heavy tanker	Collie
Quickfill pump with stand pipe trailer	Mumballup ⁷

The Forest Manager will review its resourcing requirements from time to time and will include the services of third-party providers to increase the number and availability of resources during the fire season. Future resourcing will be detailed in our annual fire management plan.

16. FIRE REPONSE

There will be a 30-minute response time from the closest available Forest Manager deployed resource from the property.

17. FIREBREAK AND FUEL MANAGEMENT

Firebreaks will be inspected annually and maintained in a trafficable condition cleared of all flammable material in line with the annual the Shire’s annual compliance notice. Firebreaks at a minimum shall have a clearance of 15 metres in width for external breaks and 6 metres in width internal breaks and 6 metres in vertical height, allowing the safe passing of fire-fighting appliances. Firebreaks will be maintained by either herbicide application preceding the onset of the fire season and/or firebreak grading to remove flammable material. A 20 m strategic firebreak will be installed between compartment 3, 5 and 6.

Annual grass inspections will be carried out prior to the commencement of the Restricted Fire Season to ascertain whether controls are needed to reduce potential fire spread risk. As the plantation achieves tree canopy closure, grasses will be shaded out of the plantation area. Grasses will therefore predominately frequent areas outside of the tree crop area along firebreaks and within non plant areas where they are able to be managed effectively using herbicides and/or

⁷ To be provided to Mumballup Volunteer Brigade for community use.

mechanical treatments.

Building setbacks will be observed for outbuildings. There is no habitable dwelling on the Noggerup property. A derelict dwelling situated close to the Donnybrook – Boyup Brook Road will be demolished as part of the plantation development under a BA5 Application for Demolition Permit.

A powerline runs in a west-north-west to east-south-east direction with a take-off in a south west direction towards the Townsite, on the front of Lot 3711. A setback of 20 metres either side (40 m in total) of the powerline and take-off will be installed as part of the plantation establishment plan. The powerline easements will be treated with herbicides or mechanical means to remove fuel loads and will serve as a strategic firebreak. Building setbacks will be implemented where neighbouring infrastructure is within proximity to cadastral boundaries.

No flammable hydrocarbons are to be stored on the property.

18. FUEL REDUCTION CONSIDERATIONS

As detailed in the development application, the property been recently grazed which has led to the decline in understorey native vegetation species and a structure change to predominately grasslands with mixed upper canopy forest types. By removing grazing animals, it is likely that there will be a return to of some native understorey species within remnant native vegetation islands within the confines of the plantation. Remnant vegetation areas will be closely monitored and measured and should fuel levels exceed 8 tonnes/hectare, some means of fuel reduction will be contemplated. This could be in the form of prescribed burning however, where prescribed burning is a “fire risk” (potential destruction or damage that would deem the plantation to be unmerchantable) to the plantation then herbicide treatments or mechanical fuel mitigation will be used as an alternative. Furthermore, the Owner and Forest Manager, under the directions of the local FCO, commit to providing resources to the Mumballup Volunteer Fire Brigade and Noggerup community for prescribed burning surrounding the townsite and adjacent reserves.

19. OTHER MEASURES TO REDUCE FUEL LOADS

Plantation firebreak edge trees will be assessed annually to determine whether there is limb intrusion into the firebreak accessway. Tree limbs encroaching into the firebreak will be pruned to maintain vertical height specifications as detailed in the Local Authority's Firebreak Orders.

To minimise the risk of fire to the Noggerup townsite and create defensible positions, the following Fuel Reduced Buffers (FRBs) will be installed:

- Compartments 1 and 2 will have high pruned pine trees established between 5 years to 10 years of age to 6 metres in height to a depth of 20 metres from the plantation edge.
- Compartment 3 along the strategic firebreak separating compartments 3,5 and 6 will have low pruned pine trees established at 5 years to 10 years of age to 2.1 metres in height to a depth of 20 metres.

Furthermore, harvest debris will be treated by mulching or removal from compartments 1 and 2 following thinning and clearfell harvest operations prior to the proceeding fire season.

20. POTENTIAL IGNITION SOURCES

Ignition Point	Likelihood	Controls
1. Within Plantation – normal operations	Unlikely	Access via firebreaks and roads only.
2. Within Plantation – harvest - powerline	Unlikely Possible	Implement harvest bans on high fire danger index. Harvest equipment fitted with suppression systems. One fire unit for each harvester onsite during operational hours. Powerline easements to be treated with herbicides or by mechanical means to limit fire spread in the event of a downed powerline or pole fire.
2. Roadside fire	Possible	Firebreaks well managed.
3. Neighbouring property activity or fire escape	Possible	Firebreaks well managed. Consider fuel loads along connected forest corridors. Participate in interagency prescribed burning activities in high fuel loads outside the plantation area on DBCA, local government or local government land tenures
4. Fire escape DBCA managed land (Forest, Reserves or National Park)	Possible	Be aware of fuel reduction burning in the general vicinity. Assist with prescribed burning where land unit adjoins property boundary.
6. Lightning Strike	Unlikely	Monitor weather. Strategic positioning of Plantation Management staff and contractors for fire monitoring.
7. Arson and illegal activities	Possible	Firebreaks well managed. Security, surveillance and monitoring. Liaison with government agencies, neighbours and local police.

Likelihood
Very Unlikely - Rare / not expected but remotely possible
Unlikely - Improbable but could happen / not expected
Possible - Could happen or plausible
Likely - Will probably happen / is likely to happen
Certain - 100% likely / almost 100% likely

21. WATER SUPPLIES

Water point location information is shown on the FMP and identified by a “W” symbol contained within fine blue line work. The property has 5 reliable water points strategically located across the land for the purpose of watering grazing animals. These water points have a combined estimated capacity of 3,000 kilolitres. Two water tanks situated at the rear of the shed with a combined capacity of 25,000 litres fitted with 50 mm camlock fittings will also supplement existing water sources.

Accessways from firebreaks or compartment boundaries will be installed to access these reliable water points for fire control purposes. The water point volume, access and egress will be monitored prior to and during each fire season. Reliable water points are marked on maps and by signage on the property. In the event water points become unreliable they will be removed from maps and not signed. In the event all water points become un-reliable, a 50,000L tank with a 50 mm and 80 mm camlock fittings will be installed for fire-fighting purposes at either the property entrance point or the Noggerup Fire Shed.

22. FIRE DANGER PERIODS

Alertness will be increased as required during bushfire season, particularly on extreme and catastrophic fire danger rating days. Our response to increased risk may include standby of additional fire suppression resources (Asset Land Management Pty Ltd – Collie based), fire detection patrols and stand down of contractors operating within the plantation area. The landowner, Plantation Manager and Contractors will comply with Total Fire Bans or Movement Bans. (See Appendix 7 – Fire Danger Rating Operation Restrictions).

23. FIRE MAPS

Fire management maps will be prepared and reviewed annually to reflect the current forest condition and the latest contact information. Fire maps will be made available to DFES, DBCA, Forest Industries Federation of Western Australia (FIFWA) Fire Co- operative Group through map revisions and GIS sharing and local volunteer fire brigades. Fire maps will also be held at the property's main entrance point in red coloured waterproof fire tubes at the property access points.

24. SIGNPOSTING

Plantation management signage will be placed at plantation entry points and will provide relevant plantation details and contact numbers for fire control purposes. Reliable water points will also be signposted from major access routes.

25. FIRE FIGHTING TRAINING

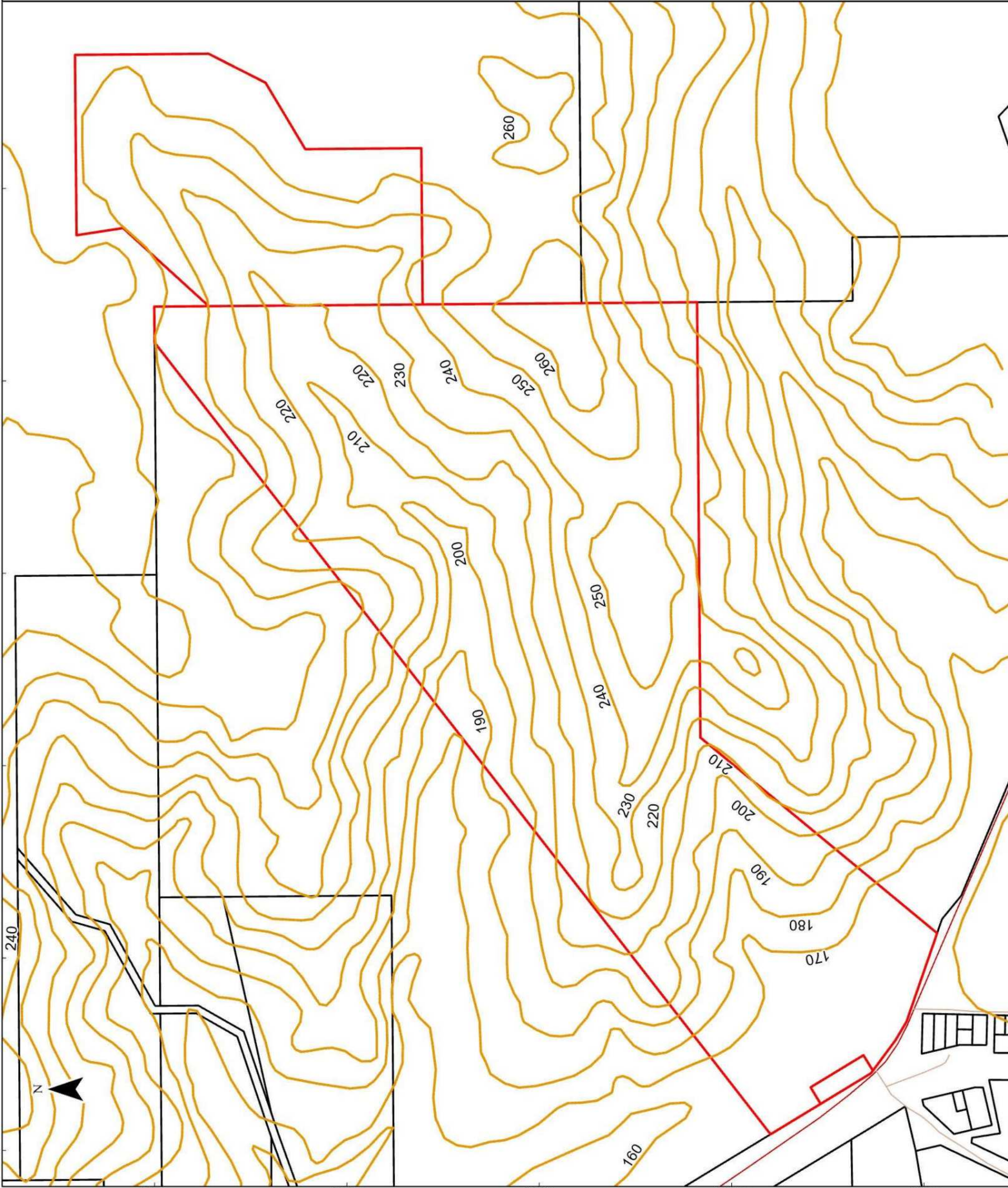
Plantation operational field staff and contractors used for fire control activities will have attained a Basic Fire Fighter training level or better.

26. HARVEST

The intent is to deploy a cut-to-length harvest system to produce logs for delivery to local and export markets. Prior to any harvest operations a harvest management plan will be developed for endorsement by the local government authority and communication to stakeholders. The harvest management plan shall include a section on harvest residue management to adequately manage fire risk (including the removal of harvest debris from compartments 1 and 2 prior to the proceeding fire season), include additional resources to managed heightened risk of fire from machinery, and all operations will comply with harvest and vehicle movement bans. A decision to continue with the plantation use or otherwise will be made after the clearfell harvest noting the management of stump residues will need to be incorporated into any plans if an alternative land use is contemplated.

Attachments:

1. Topographical Information
2. District Context Plan.
3. Roads and Firebreaks – FMP
4. Emergency Access and Egress Roads and Tracks
5. Plantation Design Plan
6. Surrounding Land Use
7. Fire Danger Rating Operation Restrictions





FORESTRY

NOGGERUP
PLANTATION

Contour Map

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

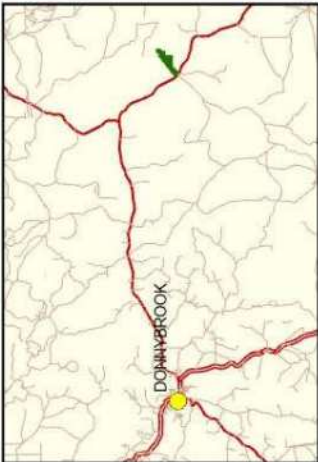
Legend

 Contour Line (10m interval)

 Noggerup Boundary

 Surrounding Cadastre

Location



0 100 200 300 400 500 600
Meters

1:9 000 @ A3

DATE: November 2025

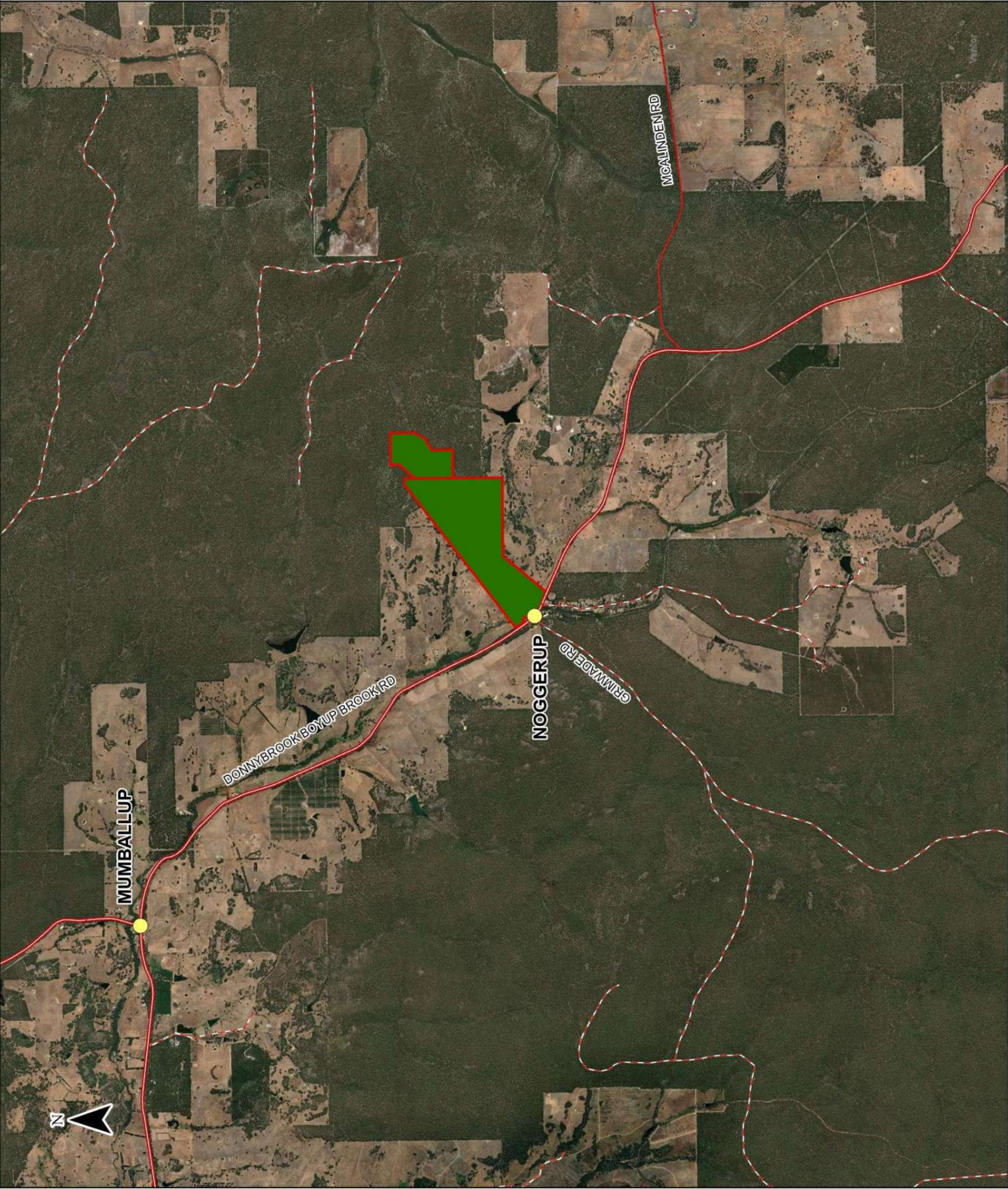
District Context Plan

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Legend

- Town
- Highway/Main Road - Sealed
- Minor Road - Sealed
- Minor Road - Unsealed
- Noggerup Plantation





NOGGERUP PLANTATION Development Application

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

Area Report

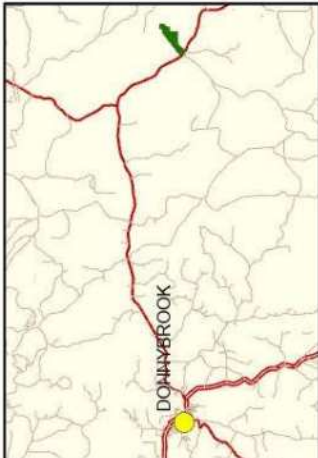
P. radiata P2026.....146.7 ha

TOTAL AREA.....146.7 ha

Legend

- Main Access (EMP)
- Access Gate
- Fire Map Tube
- House
- Shed
- No Access
- Crossing
- Tank
- Waterpoint - Reliable
- Powerline
- Track
- Drain
- Stream
- P. radiata (proposed planting)
- Buffer/ Non Plantable
- Firebreak
- Retained Veg
- Dam/Soak
- Wet/Non Plantable
- Indigenous Heritage Site

Location

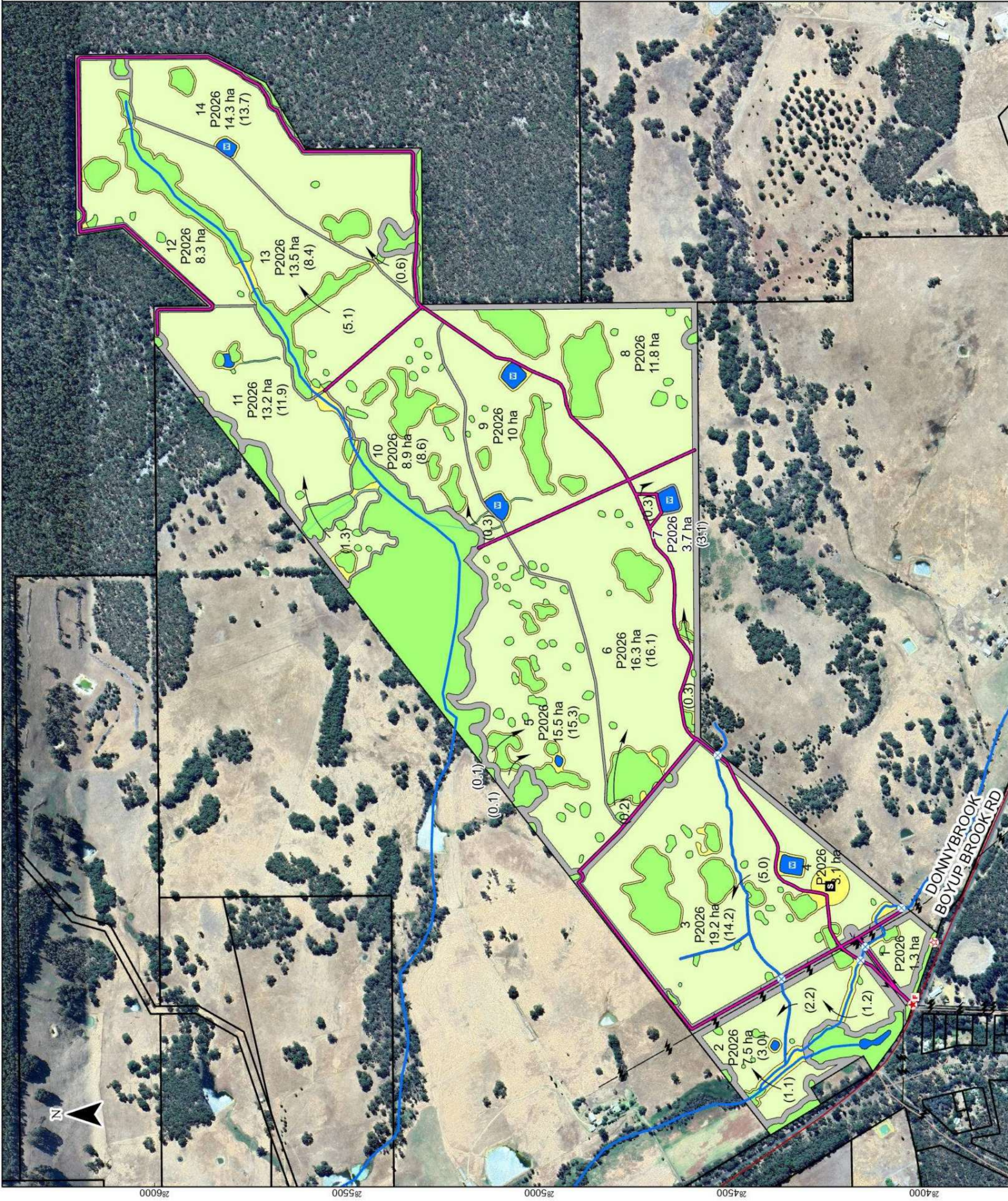


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Meters

1:9 000 @ A3

DATE: November 2025





**NOGGERUP
PLANTATION**
Emergency Access
and Egress Roads

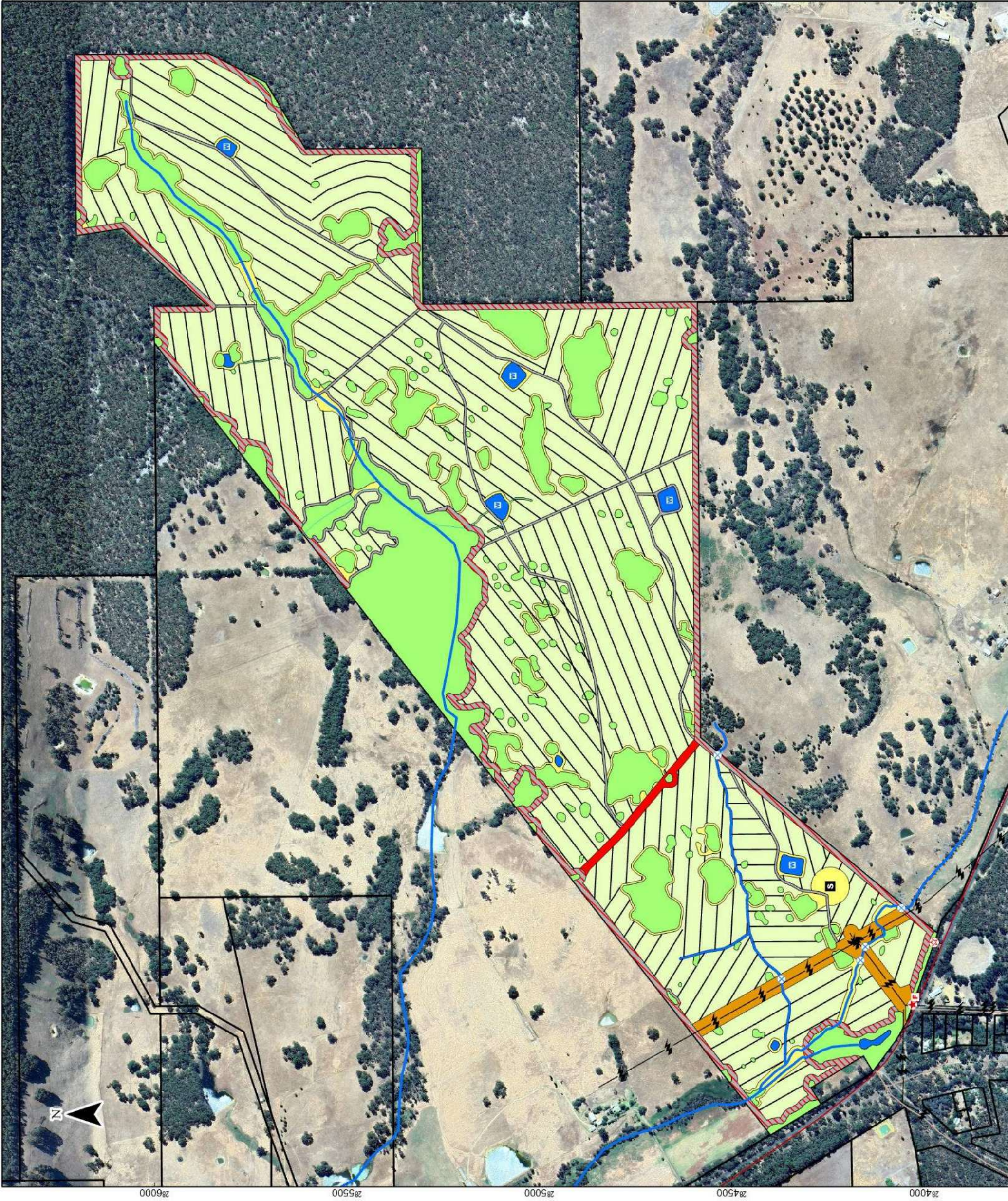
Details
Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
 Internal 6m
ACCESS: Donnybrook- Boyup Brook Rd

Area Report
P. radiata P2026.....146.7 ha
TOTAL AREA.....146.7 ha

- Legend**
- Main Access (EMP) [Red star symbol]
 - Access Gate [Red star with cross symbol]
 - Fire Map Tube [Red square with 'F' symbol]
 - House [Black square with 'H' symbol]
 - Shed [Black square with 'S' symbol]
 - No Access [Red circle with cross symbol]
 - Crossing [Blue circle with cross symbol]
 - Waterpoint - Reliable [Blue square with 'W' symbol]
 - Emergency Access/Egress [Purple line symbol]
 - Powerline [Black lightning bolt symbol]
 - Track [Red dashed line symbol]
 - Drain [Green line symbol]
 - Stream [Blue line symbol]
 - P. radiata (proposed planting) [Light green fill symbol]
 - Buffer/ Non Plantable [Yellow fill symbol]
 - Firebreak [Grey fill symbol]
 - Retained Veg [Dark green fill symbol]
 - Dam/Soak [Blue fill symbol]
 - Wet/Non Plantable [Light blue fill symbol]

Location







NOGGERUP
PLANTATION

Plantation Design Plan

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

Area Report

P. radiata P2026.....146.7 ha
TOTAL AREA.....146.7 ha

★

Main Access (EMP)

☆

Access Gate

F

Fire Map Tube

H

House

S

Shed

⊗

No Access

⊗

Crossing

W

Waterpoint - Reliable

—

Row Direction (4.0m spacing)

⚡

Powerline

- - -

Track

—

Drain

—

Stream

■

P. radiata (proposed planting)

■

Buffer/ Non Plantable

■

Firebreak 6m Internal

■

Firebreak 15m External

■

Firebreak 20m Internal

■

Firebreak Powerline 20m offset

■

Retained Veg

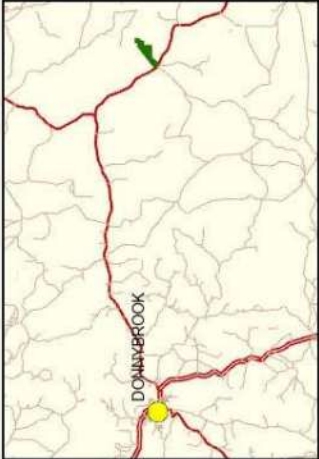
■

Dam/Soak

■

Wet/Non Plantable

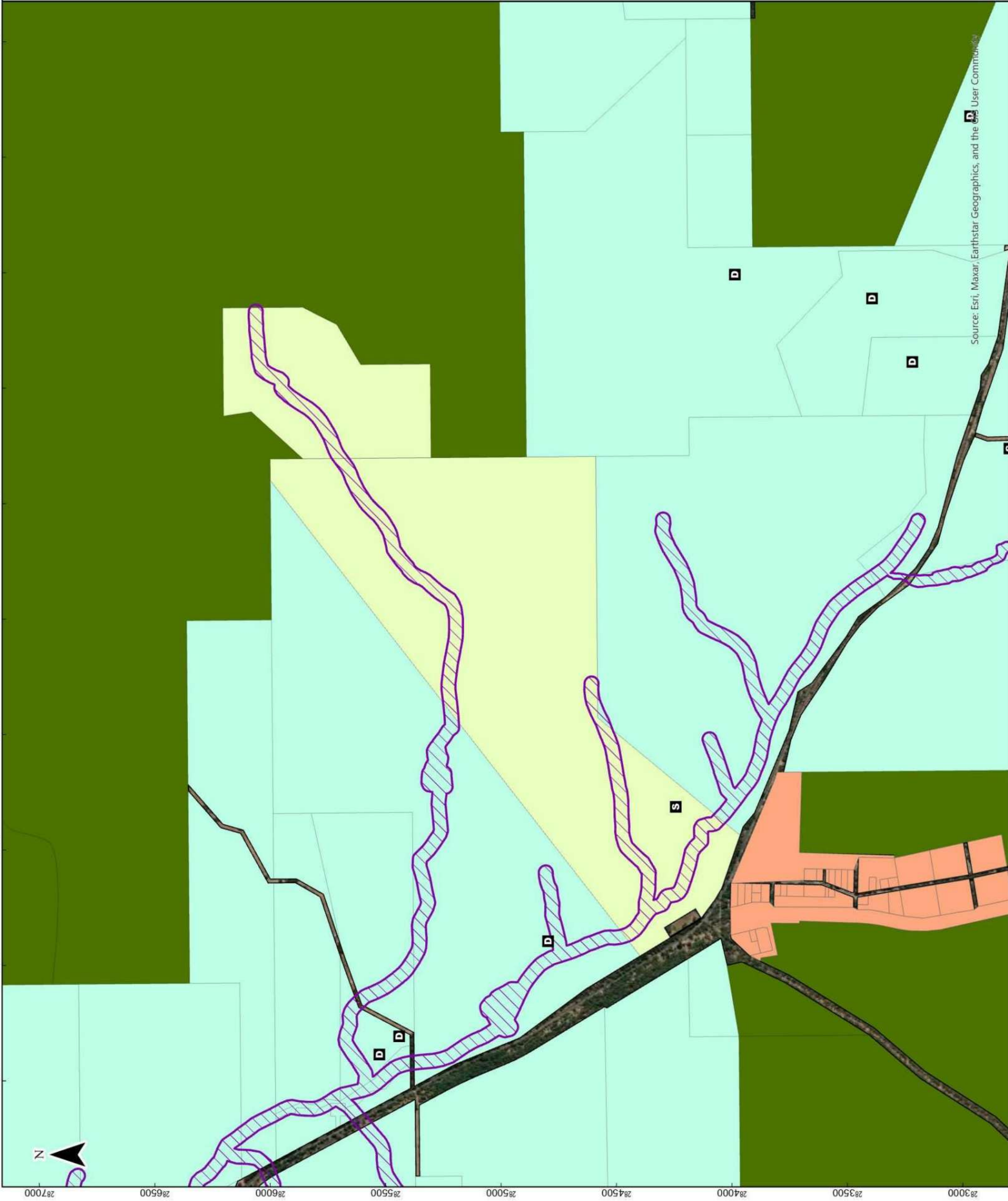
Location



0 100 200 300 400 500 600
Meters

1:9 000 @ A3

DATE: November 2025



**FORESTRY**

**NOGGERUP
PLANTATION**

Land Use

Details

Lot 3711 on P201646 and Lot 3134 on P140738

SHIRE: Donnybrook-Balingup

LAND OWNER: Cultura Australia Pty Ltd

Legend

 Dwelling

 Shed

 Noggerup

 General Grazing

 Town Site

 Forested

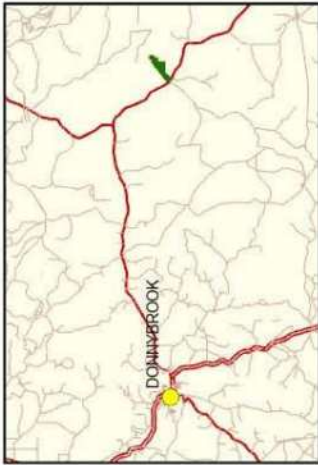
 Softwood Plantation

 Softwood Plantation

 Cadastre

 Indigenous Heritage Site

Location





0 200 400 600 800
Meters

1:15 000 @ A3

DATE: November 2025

Source: Esri, Maxar, Earthstar Geographics, and the User Community

Delta Forestry Operation Restrictions during Fire Danger Period

Region	Operation	Forecast Fire Danger Ratings (Fire Behaviour Index)				
		<12 No rating	12-23 Moderate	24-49 High	50-99 Extreme	>=100 Catastrophic
Blackwood	All operations within the managed estate.	No restrictions required.		The fire risk of all operations should be considered in the regions. Managers should consider ceasing operations by 1500 hours or earlier if the Fire Behaviour Index is expected to be >=40. Operations can continue beyond 1200 hrs where local weather conditions are recorded and considered satisfactory.	No Total Fire Ban in place, operations cease 1200 hours. Operations suspended for all 24hrs of the Total Fire Ban. No approval will be given to return to work until after the Total Fire Ban is over. Operations can continue beyond 1200 hrs where local weather conditions are recorded and considered satisfactory by the Forest Manager in consultation with the Duty Officer.	No operations will be authorised the day of the Total Fire Ban without the direct approval of the Forest Manager in consultation with the Duty Officer. This includes patrolling activities. The location of fire crews and control equipment to be given careful consideration.
Capes						
Southern Forests						
Stirling West						

All operations subject to declared harvest and vehicle movement bans.

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Department of **Planning,
Lands and Heritage**



Addressee's ref: CAS-112784-R9K9B0
Our ref: ADV-10010831
file no: A00009-26
Enquiries: Isabella Tanti, 6551 9013

Ms Gabriella Hayward
Shire of Donnybrook-Balingup
Via email to: [REDACTED]@donnybrook.wa.gov.au

Dear Ms Hayward,

ABORIGINAL HERITAGE COMMENT – DEVELOPMENT APPROVAL P25071 - NOGGERUP

Thank you for your enquiry dated 12 January 2026 regarding the proposed development of a pine plantation located Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup.

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 *Aboriginal Heritage Act 1972* (AHA) 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 [Aboriginal Cultural Heritage Inquiry System](#) (ACHIS) is updated as new 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 [Find Aboriginal cultural heritage in WA](#). Further information can be found at [Aboriginal Heritage Act in Western Australia](#).



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Department of **Planning,
Lands and Heritage**



Should you have any queries regarding this advice please contact Isabella Tanti, Project Support Officer, at Isabella.Tanti@dplh.wa.gov.au or on 6551 9013. For all other enquiries, please lodge an advice request through the [ACHknowledge Portal](#).

[REDACTED]

[REDACTED]

[REDACTED] Tanti
Project Support Officer
Heritage and Property Services

27 February 2026



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Department of
**Primary Industries and
Regional Development**

Your reference: P25071
Our reference: LUP 2350
Enquiries: Leon van Wyk

Gabriella Hayward
Planning Officer
Shire of Donnybrook-Balingup
PO Box 94
DONNYBROOK WA 6239

12 February 2026

Dear Gabriella

COMMENT: Notice of application for development approval P25071 - Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup

Thank you for the opportunity to comment on the proposed development of a Plantation at Lot 3711 and Lot 3734 Donnybrook-Boyup Brook Road, Noggerup.

The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed Pine Plantation at the abovementioned lots.

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

Yours sincerely



Anya Lam
**Director Agriculture Resource Management and Assessment
Fisheries and Sustainability**

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Department of **Biodiversity,
Conservation and Attractions**



Your ref: P25071
Our ref: PRS 55251 2023/003114
Enquiries: Tracy Teede
Phone: 9725 4300
Email: swlanduseplanning@dbca.wa.gov.au

Chief Executive Officer
Shire of Donnybrook-Balingup
PO Box 94
DONNYBROOK WA 6239

ATTENTION: Gabriella Hayward

**PROPOSED PINE PLANTATION –
LOTS 3711 & 3734 DONNYBROOK-BOYUP BROOK ROAD NOGGERUP**

I refer to your email dated 9 January 2026 forwarding a development application for the Department of Biodiversity, Conservation and Attractions' (DBCA) Parks and Wildlife Service comment.

Parks and Wildlife Service's South-West Region provide the following advice in relation to the Department's responsibilities under the *Conservation and Land Management Act 1984* and the *Biodiversity and Conservation Act 2016* (BC Act).

Advice to Shire

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.

Vegetation clearing

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 BC Act. Other species of conservation significance likely to be within the area include the quenda, south-western brush-tailed phascogale and quoll.

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.

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.

Forest Management Plan

The Forestry *Forest Management Plan* (undated) (FOMP) Section 8 – Standard Prescriptions table – 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.

**Regional and Fire Management Services Division
South West Region
PO Box 1693, Bunbury, Western Australia 6230
dbca.wa.gov.au**

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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. DCBA 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.

Fire Management Plan

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.

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.

FMP Section 8 Plantation Species and Design table refers to a 6-metre minimum setback to retained 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..

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.

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.

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.

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 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.

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Thank you for the opportunity to comment on this application. Please contact Tracy Teede at the Parks and Wildlife Service South-West Region office on 9725 4300 if you have any queries regarding this advice.

Yours sincerely

A black rectangular box redacting the signature of Aminya.

Aminya 
Regional Manager

20 February 2026

From: South West Region Planning Services
<swrplanning@mainroads.wa.gov.au>
Sent: Wednesday, 25 February 2026 7:02 AM
To: Gabriella Hayward
Subject: Reply [PLR#0226-0007] Development Application - P25071 - Pine Plantation - Lot 3711 & 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup

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Hi Gabriella,

I refer to your email of 9 January 2026 and advise that 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.

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

Regards,

South West Region Planning Services

Tel: +97245600



Main Roads acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

From: Cathy Hunter <cathy.hunter@mainroads.wa.gov.au>
Sent: Friday, 9 January 2026 12:57 PM
To: Craig Browne <craig.browne@mainroads.wa.gov.au>; Maricarmen Perez Rivas <maricarmen.perezrivas@mainroads.wa.gov.au>; Kerry Jones <kerry.jones@mainroads.wa.gov.au>
Subject: CM: [PLR#0226-0007] Development Application - P25071 - Pine Plantation - Lot 3711 & 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup - Due 20.02.2026

OFFICIAL

For your action

From: Pinfold, Daniel <Daniel.Pinfold@pta.wa.gov.au>
Sent: Tuesday, 3 February 2026 2:15 PM
To: SM planning
Cc: Gabriella Hayward
Subject: PTA Response - Request for agency comment - Development Application - P25071 - Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup

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

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Hi Gabriella,

Re: Request for agency comment - Development Application - P25071 - Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup

Thank you for your email dated 09/01/2026, the Public Transport Authority (PTA) appreciates the opportunity to respond to this application and have the following conditions and advice.

Conditions

1. Six months prior to harvesting activities, a Timber Harvesting Plan is to be submitted and reviewed by the Public Transport Authority.

Advice

- a. The Timber Harvesting Plan should include information regarding traffic management measures in the event of the re-opening of the Donnybrook-Boyup Brook Railway.

The PTA requests a final copy of determination, to be sent to WAPCreferrals@pta.wa.gov.au

Kind regards,

Daniel Pinfold

Assistant Planner | Infrastructure Planning & Land Services

Public Transport Authority of Western Australia
Public Transport Centre, West Parade, Perth, 6000
PO Box 8125, Perth Business Centre, WA, 6849
Tel: (08) 9326 2943 Fax: (08) 9326 2000
Email: daniel.pinfold@pta.wa.gov.au | Web: www.pta.wa.gov.au



The Public Transport Authority of Western Australia cannot accept any liability for any loss or damage sustained as a result of software viruses. You must carry out such virus checking as is necessary before opening any attachment to this message. The information in this email and any files transmitted with it may be of a privileged and/or confidential nature and is intended solely for the addressee(s). If you are not an intended addressee please notify the sender immediately, and note that any disclosure, copying or distribution by you is prohibited and may be unlawful. The views expressed in this email are not necessarily the views of the Public Transport Authority.

From: Daniel Wong <daniel.wong@dwer.wa.gov.au>
Sent: Wednesday, 21 January 2026 4:30 PM
To: Gabriella Hayward
Cc: SM Shire
Subject: REQ-0002399 - P25071 - Plantation at Lot 3711 & Lot 3734 (3543)
Donnybrook-Boyup Brook Road, Noggerup

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL

21st January 2026
Our Reference: REQ-0002399
Your Reference: P25071
To: Shire of Donnybrook-Balingup
From: Department of Water and Environmental Regulation
Attention: Gabriella Hayward

Dear Gabriella,

RE: Proposed Pine Plantation at Lot 3711 & Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup

Thank you for providing the above proposal for the Department of Water and Environmental Regulation (Department) to consider.

This proposal is to establish 147 hectares of pine (*Pinus radiata*) at the above property (see Screenshots 1 & 2 below).

As provided in the referral documentation, to support this proposal, the '*Forest Management Plan*' and '*Fire Management Plan*' have been prepared.

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:

- **Issue 1:** Native vegetation
- **Advice 1:** An advice note be included that the 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, 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
- **Discussion 1:** The Department notes that based on the information provided, this proposal avoids the clearing of native vegetation by locating the planation outside of

the remnant stands (Screenshot 2). In the unlikely event there is to be any clearing of native vegetation, the following is advised:

- Under section 51C of the Environmental Protection Act 1986 (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.
 - 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 ‘Environmental Protection (Clearing of Native Vegetation) Regulations 2004’ (the Clearing Regulations).
- **Issue 2:** Waterway protection
 - **Advice 2:** The proponent 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:
 - Machinery should not enter the waterways or their foreshore areas
 - To maintain a minimum 6 meter non-planted buffer to the edge of the waterway, as measured separately for **each** bank of the waterway¹:
 - 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
 - contact DWER’s Bunbury water licensing branch on 9726411 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
 - **Discussion 2:** The proponent has stated that “the buffers and setbacks set out in 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 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 *Rights in Water and Irrigation Act 1914* (RIWI Act) – Preston River and Tributaries

- ¹ as per '*Operational policy 4.3: Identifying and establishing waterways foreshore areas*' (by the then DoW, now DWER, Sept 2012)
- **Issue 3:** Aboriginal heritage site
- **Advice 3:** The proponent is advised to consult the Department of Planning, Lands and Heritage (DPLH) in regards to the Aboriginal heritage site (Blackwood River)
- **Discussion 3:** DWER notes there is an aboriginal heritage site over the waterway as shown in Screenshot 2

The Department has no objection to this proposal.

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

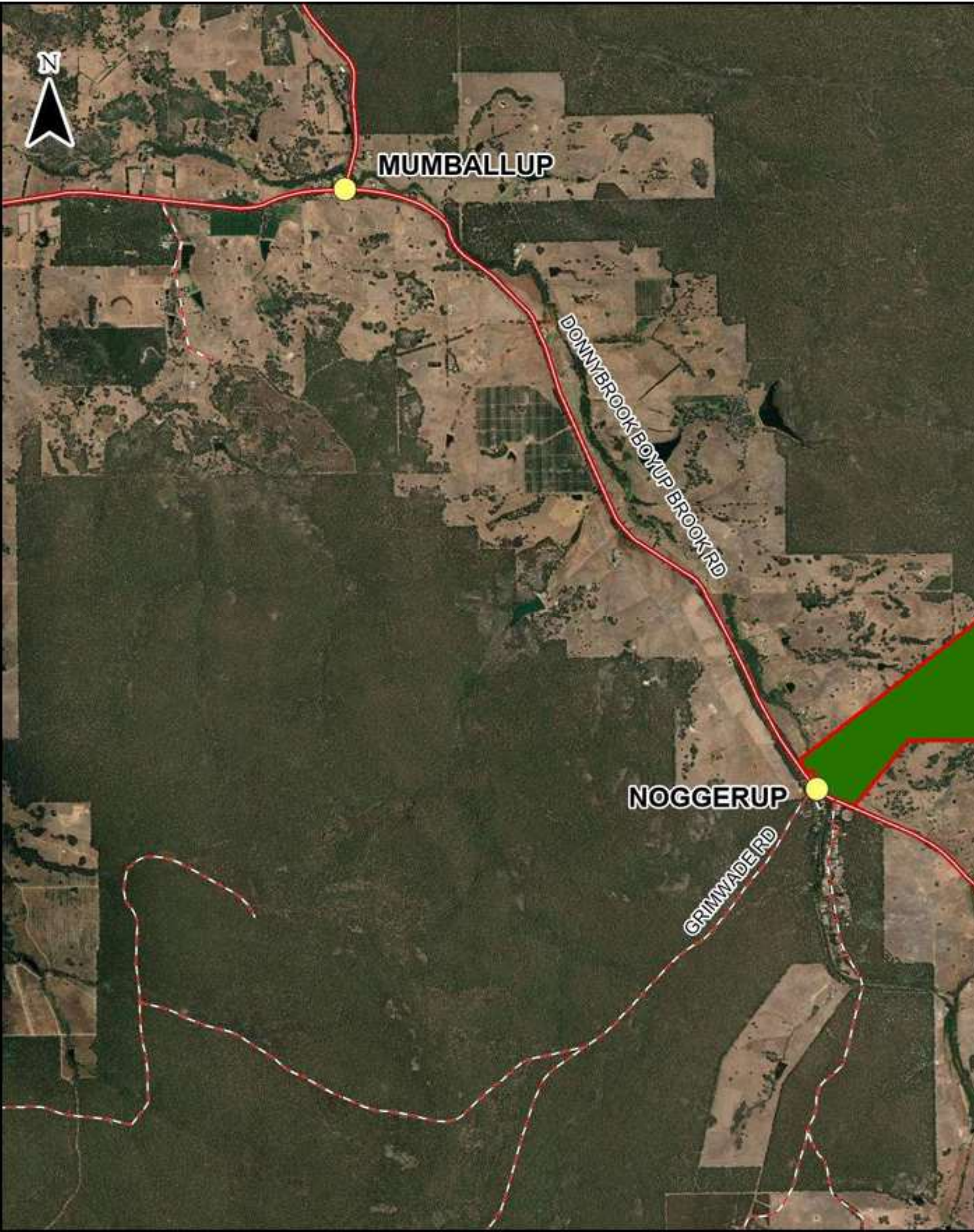
Should you require any further information on the comments please contact the undersigned.

Thank you.

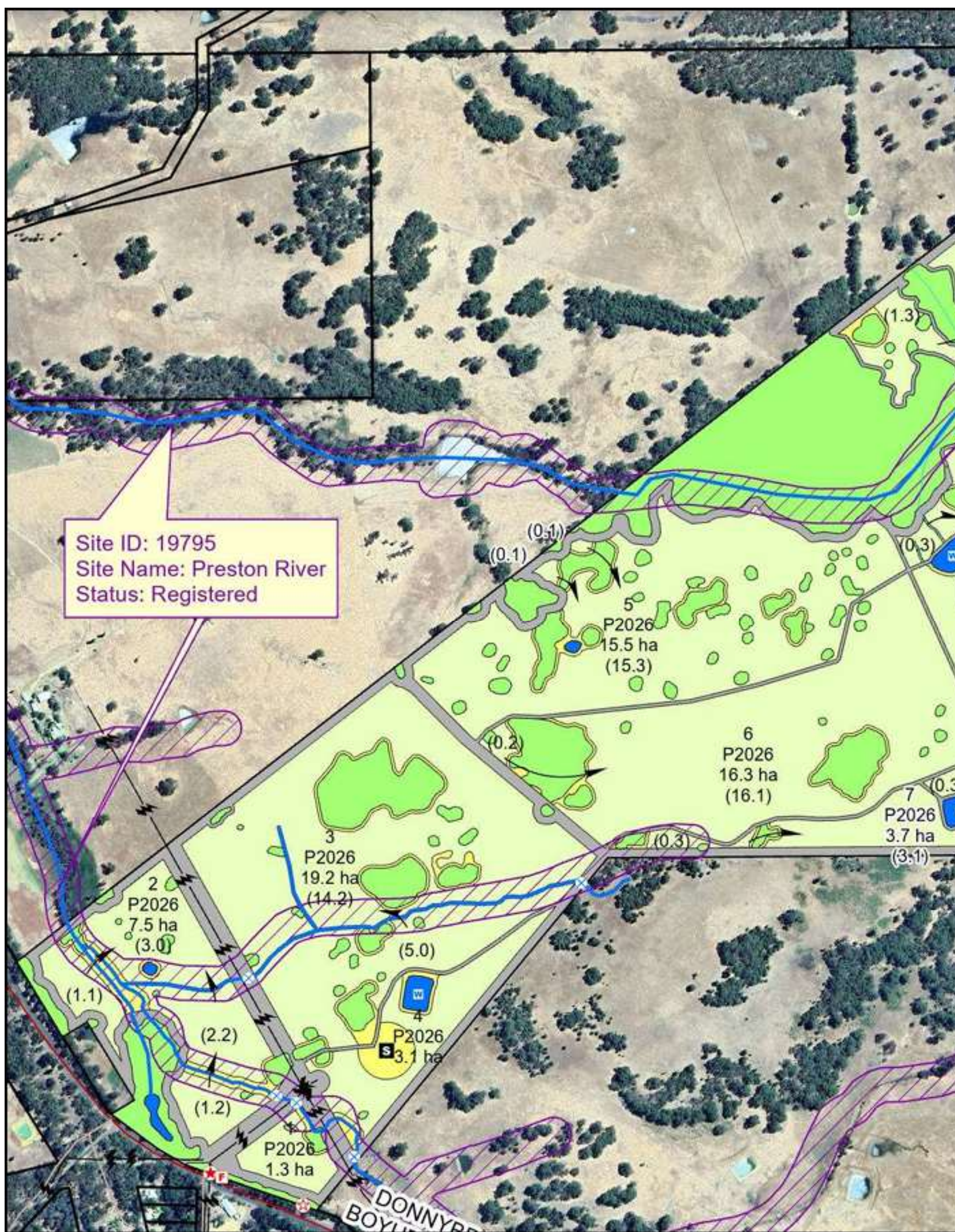
Yours sincerely,

Daniel Wong
Environmental Officer
Department of Water and Environmental Regulation
Planning Advice South West Region

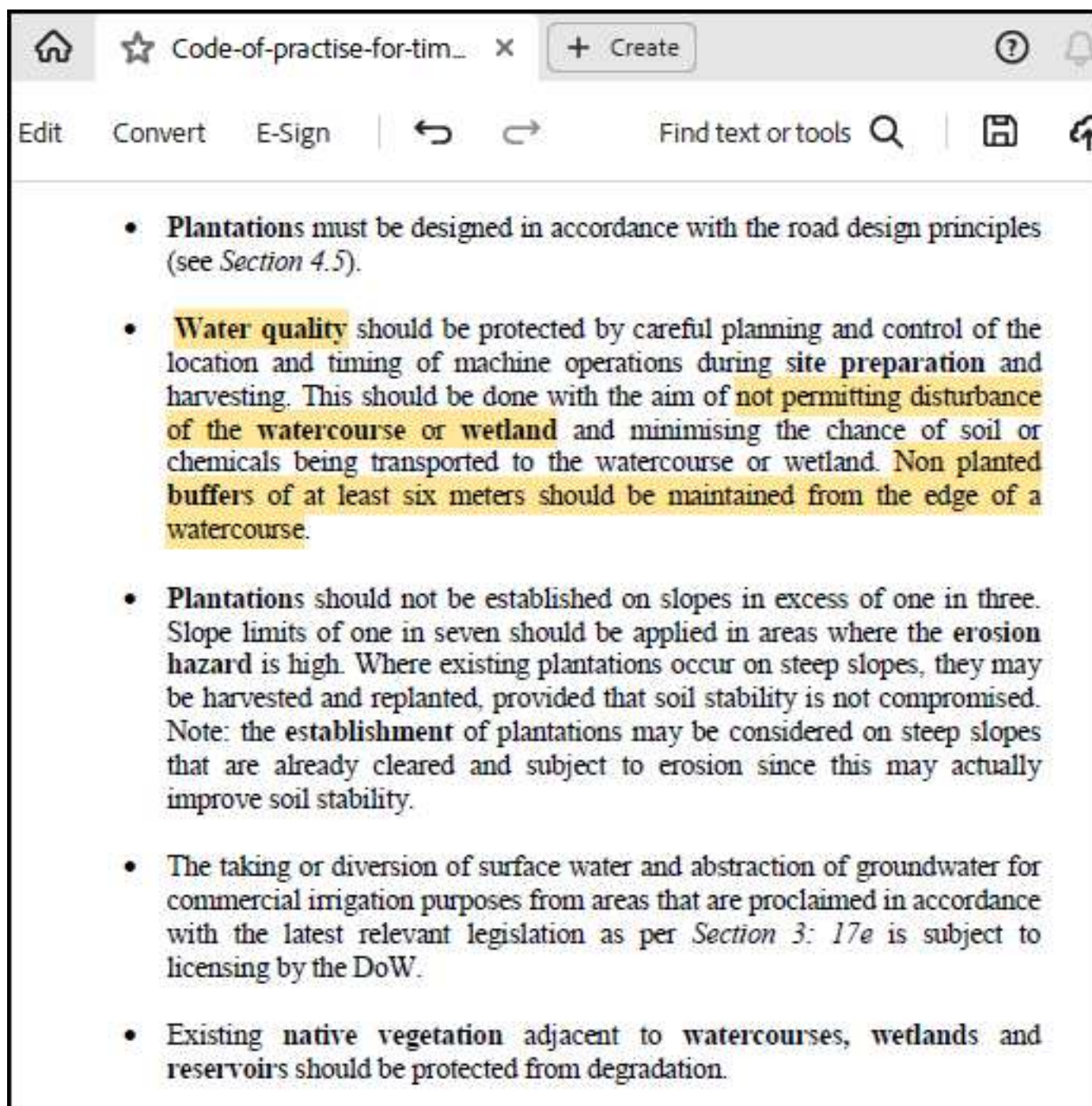
Email: daniel.wong@dwer.wa.gov.au
Phone: 08 9726 4113
Fax: 08 9726 4100
Postal: PO Box 261, Bunbury, WA 6231
Location: 35-39 McCombe Road, Bunbury, WA 6230



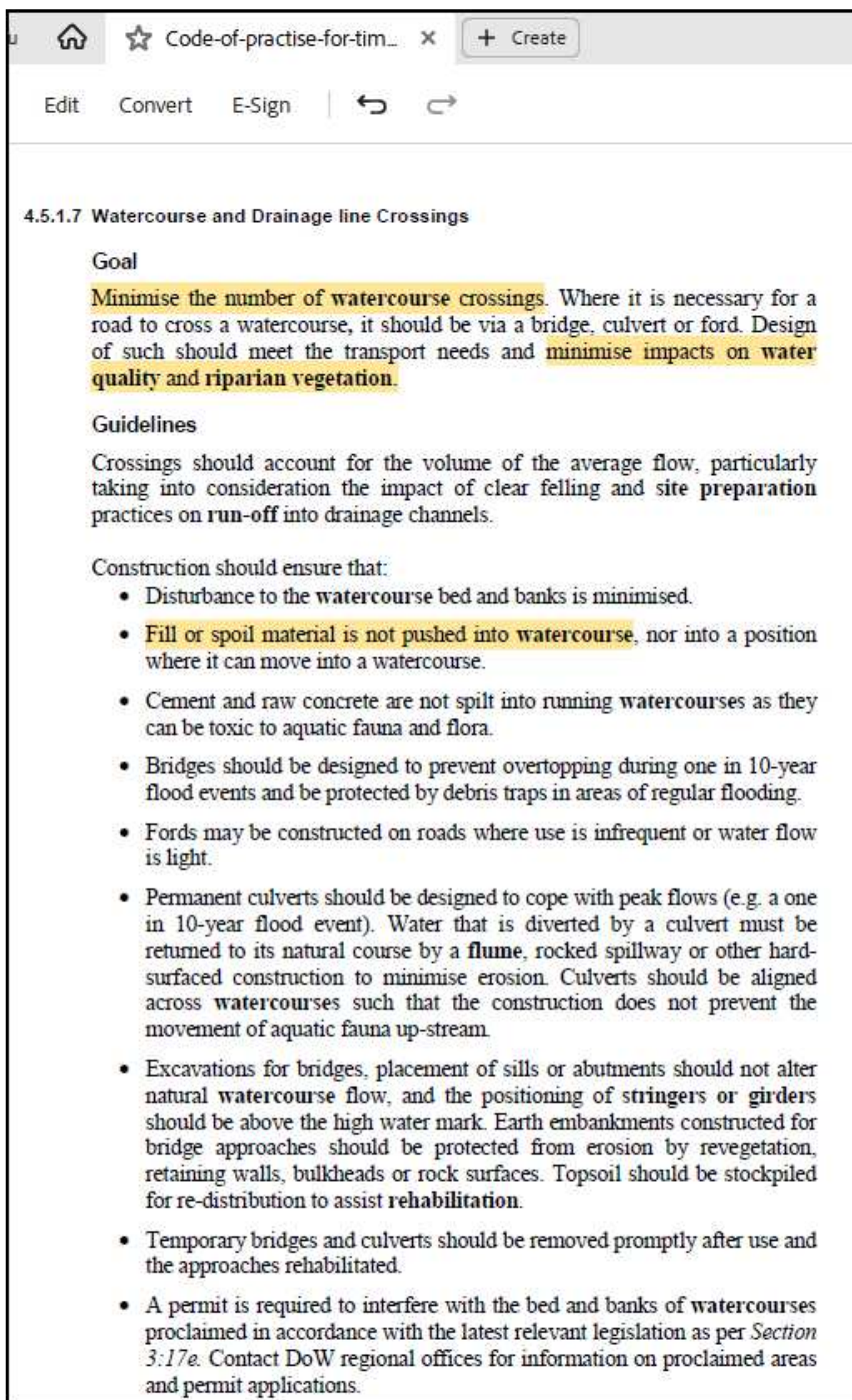
Screenshot 1: Location map



Screenshot 2: Plantation details and waterway crossings



Screenshot 3



Screenshot 4

The Department of Water and Environmental Regulation acknowledges the Traditional Owners of the lands on which we live and work throughout Western Australia and we pay our respects to Elders past and present. The Department recognises the practice of intergenerational care for Country and its relevance to our work and working with the

community. The Department continues to move forward with a shared commitment to protect and conserve Country for our future generations.

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.



Our Ref: 2026/0538
Your Ref: P25071

Gabriella Hayward
Shire of Donnybrook Balingup
[REDACTED]@donnybrook.wa.gov.au

Dear Ms Hayward

**LOT 3711 AND LOT 3734 DONNYBROOK-BOYUP BROOK ROAD, NOGGERUP –
PROPOSED PINE PLANTATION - DEVELOPMENT APPLICATION**

I refer to your email dated 9 January 2026 regarding the submission of a Forest Management Plan and a Fire Management Plan (FMP), prepared by Cultura Australia Pty Ltd, for the above proposed development.

This advice relates only to the *FESA Guidelines for Plantation Fire Protection 2011* (Plantation Guidelines), as well as DFES' role and responsibilities as Hazard Management Agency for Fire in Western Australia.

It is the responsibility of the proponent to ensure the proposal complies with relevant planning and building requirements. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, environmental health or any other approvals required by a relevant authority under written laws.

Assessment

- DFES acknowledge that the development application seeks approval for the establishment of a *P. radiata* softwood plantation and the Shire is seeking comments of the technical details relating to bushfire.
- The plantation is partially located within an area designated as bushfire prone.
- The plantation is considered to involve an intensification of land use due to the change in use, presence of onsite workers and maturity of vegetation over long timeframes.
- Further clarification is required within the FMP as outlined in our assessment below.

Assessment against the *Guidelines for Plantation Fire Protection 2011*

A FMP should adequately address all management responsibilities for the plantation and elements raised in section 3 of the Plantation Guidelines.

[REDACTED]

Element	Assessment
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.
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.
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.
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 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. 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.

Recommendation

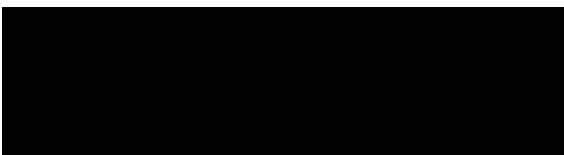
In light of the above assessment of the proposed plantation in context of the submitted FMP, it is recommended that the FMP be modified to demonstrate compliance with the Plantation Guidelines, namely the requirements relating to the following elements:

- Fire Management Plans; and
- Plantation Fire Protection Specifications.

As per section 9.2 of the *Planning for Bushfire Guidelines*, could the Shire please advise DFES' Office of Bushfire Risk Assessment (OBRM) at obrm@dfes.wa.gov.au if it approves the plantation as it will be considered in the next revision of the Map of Bush Fire Prone Areas.

I hope the above assessment and comments assist the Shire in its determination of the proposal. If you have any queries or require further information, please do not hesitate to contact Senior Land Use Planning Officer – Sean He on telephone number 9395 9702.

Yours sincerely



DESMOND ABEL
DIRECTOR LAND USE PLANNING

27 February 2026

cc: cecilia.muller@donnybrook.wa.gov.au

Emergency



Cecilia Muller

From: [REDACTED]
Sent: Wednesday, 4 March 2026 11:02 AM
To: Cecilia Muller
Cc: Gabriella Hayward; Michelle Dennis
Subject: RE: RE: P25071 - Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup - Proposal Pine Plantation - Noggerup - DFES Response

DFES Ref: 2026/0538

Dear Ms Muller

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.

Please feel free to call me on 9395 9702 if you have further queries.

Kind Regards

Sean He
Senior Land Use Planning Officer | Land Use Planning

Department of Fire and Emergency Services
Cockburn Emergency Services Complex | 20 Stockton Bend, Cockburn Central WA 6164
T: 08 9395 9702 / **E:** advice@dfes.wa.gov.au / **W:** dfes.wa.gov.au



From: Cecilia Muller <cecilia.muller@donnybrook.wa.gov.au>
Sent: Tuesday, 3 March 2026 16:41 PM
To: DFES Land Use Planning <advice@dfes.wa.gov.au>
Cc: Gabriella Hayward <gabriella.hayward@donnybrook.wa.gov.au>; Michelle Dennis <michelle.dennis@donnybrook.wa.gov.au>

From: [REDACTED]
Sent: Tuesday, 3 February 2026 7:18 AM
To: SM planning
Subject: Regarding development approval for P25071

To whom it concerns!!!

Firstly we did not receive any notification from the shire, a pamphlet was dropped in our letter box from a concerned resident.

And when we rang the shire on 30/1/2026 just got the run around and told out to lunch and someone will ring you back, which we are still waiting on. Pretty poor management regarding that we only have until the 4/2/2026 to dispute the above.

We strongly dispute the proposal.

#water management

We all rely on boar water, we are lucky to get 3 months of winter rain and rely on the boar for the other 9.

“Pine trees rely on deep soil moisture “ thus impacting human life sustained by our ground water.

#fire management

We have one - one lane bitumen street(Macquarie) that services most of Noggerup townsite. If a fire got into the town it would all go up, we already have native bush on 3 sides of the town, the main road is the only escape route

A fire can and does jump , the breaks and main road will not stop spot fires from spreading.

3 years ago their was a fire in the national park- 9kms from us, we had large chunks of burnt bark falling in our yard for 3 days and numerous emergency alerts.

Look back at what happened to Dwellingup and Yarloop.

#erosion

The winds whip through the valley here, it would cause havoc blowing topsoil , dust and sand everywhere and potentially causing breathing issues, while trying to establish themselves, which can take years.

Again we strongly object to this plantation going ahead

[REDACTED]

From: [REDACTED]
Sent: Thursday, 5 February 2026 5:37 PM
To: SM planning
Subject: Concerns over application #P25071

You don't often get email from [REDACTED]

As a long time resident of Noggerup townsite and [REDACTED]
[REDACTED] I have very serious concerns of the increased risk of catastrophic bushfire impacting the town should the proposed pine plantation be allowed. This proposal represents a high fuel corridor linking Mumbalup state forest with the town centre. I have seen how much heat can be generated in a pine plantation fire and it is truly terrifying. Noggerup may be zoned general agriculture but the townsite has grown significantly over the last 30 years. For the many families that live here the risk of fire is very real and our volunteer fire brigade has worked hard to reduce hazards around the town. Macquarie Street/ Hundley Road is a dead end so a fire impacting the town from this direction would be particularly dangerous as it would cut off any escape route. I urge the shire to consider these points and block this proposal. There are much better sites.

Yours Sincerely

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my Galaxy

From: [REDACTED]
Sent: Saturday, 7 February 2026 9:45 PM
To: SM planning
Subject: Objection to Proposed Pine Plantation – Noggerup Forest Management Plan

You don't often get email from [REDACTED]

Dear Shire of Donnybrook–Balingup Councillors,

I am writing to formally object to the proposed *Pinus radiata* plantation development at 3543 Donnybrook–Boyup Brook Road, Noggerup, based on concerns arising from the submitted Forest and Fire Management planning documentation.

My concerns relate primarily to community fire risk, environmental protection, and the adequacy of risk mitigation measures outlined in the management plan.

1. Increased regional fire risk and creation of a fuel corridor

The Fire Management Plan acknowledges that the plantation would create a fuel bridge between northern and southern national park areas surrounding the townsite. This is a significant regional bushfire risk, particularly given the location adjacent to a rural residential community. While fuel reduction buffers and firebreaks are proposed, these measures do not eliminate the fundamental landscape-scale risk created by connecting large fuel loads across the district.

2. Limited emergency response timeframe and access constraints

The plan states that response resources may take up to 30 minutes to reach the property. In high fire danger conditions, fire behaviour can escalate rapidly, and this response timeframe may be insufficient to prevent spread toward the townsite or surrounding native vegetation. Additionally, the plantation design itself acknowledges that rip and mound establishment methods create internal access barriers for firefighting vehicles, meaning responders may be forced to rely solely on perimeter access rather than rapid internal attack.

3. Inadequate environmental protection buffers for waterways

The proposed minimum setback from watercourses is only 6 metres. Given the presence of degraded watercourses and the known sensitivity of waterways to sediment, chemical runoff, and disturbance, this buffer appears insufficient for long-term protection. This is particularly concerning given the plan's reliance on herbicide use for firebreak and fuel load maintenance.

4. Reliance on herbicides for fuel and firebreak management

The plan states that firebreaks and fuel loads will be maintained through herbicide application and mechanical treatment. Large-scale, repeated herbicide use presents potential risks to soil health, waterways, biodiversity, and nearby agricultural operations, particularly in a landscape with multiple water points and drainage lines.

5. Proximity to townsite and community assets

The plantation is located immediately adjacent to the Noggerup townsite. While the plan references defensible space and setbacks, the proximity of a high fuel softwood plantation to residential areas raises long-term safety concerns, especially under extreme or catastrophic fire weather conditions.

6. Biodiversity impacts despite stated conservation intentions
While the plan suggests biodiversity outcomes may improve, it also confirms the presence of threatened species within the broader landscape. Converting grazing land and remnant vegetation mosaic into a dense pine monoculture risks habitat simplification and increased fire severity risk to native fauna.

Given these concerns, I respectfully request that Council:

- Require independent review of regional fire behaviour modelling for this proposal
- Reassess environmental buffer distances, particularly around waterways
- Require full disclosure and assessment of chemical use and runoff risk
- Consider cumulative landscape fire risk rather than site-only mitigation measures
- Undertake deeper community consultation given the proximity to Noggerup townsite

I urge Council to apply the precautionary principle when considering this proposal, given the potential long-term risks to community safety, environmental health, and regional fire behaviour.

Thank you for considering this submission.

Kind regards,

[Redacted signature block]

From: [REDACTED]
Sent: Thursday, 19 February 2026 4:10 PM
To: Gabriella Hayward
Subject: Proposed pine plantation-application No. P25071

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from [REDACTED]

CONCERNS FROM A VOLUNTEER FIRE FIGHT [REDACTED]

Hi Gabriella, Can I preface my concerns regarding the proposed pine plantation at Noggerup with the following background information:-

I have lived in the area at my property [REDACTED], [REDACTED]
[REDACTED]
[REDACTED]

The comments in this submission are my own personal views as an experienced Volunteer Fire fighter. They do not represent nor seek to represent a Brigade position on this plantation proposal.

CONCERNS

1. Increased fire risk and increased difficulty in bringing a fire under control.

When a property is converted from open grazing pastures to dense plantation (1100 trees per hectare) the fire risk increases due to greater fuel load.

- 2. Safety ..Property Access/Exit Congestion** The plantation access point opens onto a busy high- speed highway. In the event of a fire in the plantation or in farmland at either side, there is significant risk for fire fighting appliances coming into or out of the access due to the 110 kph speed limit, reduced visibility for on-coming traffic and exiting vehicles due to pines being planted up to 15 m from the road verge. In the event of a fire in this area- you would anticipate traffic congestion as residents from Macquarie Street seek to evacuate, fire appliances arriving, all mixing with general road traffic.
- 3. Smoke Hazard** In the event of a major fire in the plantation there is high probability that the highway may have to be closed to traffic. This was the case several years ago when a hazard reduction burn got slightly out of control forcing the highway closure for 30 mins. Closure of the highway would significantly impact particularly the heavy haulage trucks using this highway around the clock carting grain, timber, woodchips, stock etc.
- 4. Increased demands of the local volunteer bush fire Brigade** Whilst it should be acknowledged that volunteer brigades are not generally tasked with fighting plantation fires, we know from experience that wildfires have no respect for boundaries, roads, firebreaks. I have no doubt that should a fire start within the plantation our Brigade would be activated as there would be an expectation the fire would not remain within the plantation boundaries.

5. **Refill Points** It is noted that there are 5 dams within the plantation boundary but these are all well inside the plantation boundary making access to these dams during a wildfire extremely dangerous. As a Captain I would refuse to direct my crews to any of the 5 on site dams during a plantation fire. The next nearest water source is the tank at the Noggerup Hall, however, this tank doesn't fully fill during Winter due to the gutters being rusted out.
6. **Creation Of A "Fire Bridge"** The proponent's own submission document describes a fire bridge being created from the National Park areas to the north and to the Preston National Park south of the townsite.
7. **Loss Of Safe Zone / Evacuation Point** During the early phase of the Jan 23 fire in the Preston National Park, when smoke and embers began to impact the Noggerup residents, many evacuated to the Noggerup Oval beside the hall. This is a large, mowed area easily accessible from Macquarie Street and around which the Shire regularly conducts hazard reduction burns. Having a plantation directly across the road would make this area unsuitable as a safe zone for residents to retreat to.
8. **Fire Fighting Resources / Response Times** The local B.F.B. Appliances consist of 2 light tankers which have a combined water carrying capacity of approx 1200 litres. When in wildfire suppression mode, crews are capable of pumping water for about 15 minutes before needing to be refilled. It has been identified and acknowledged at a B.F.A.C. Meeting several years ago, that there is a glaringly obvious lack of large fire fighting appliance capacity at this end of the Shire. The nearest tanker is Lowden's 3.4, with the next being Beelerup's 1.4.

When I reviewed the resources available to the plantation Manager (as per pg 12 of the proponent's 'Fire Management Plan'), this does little to ease my concerns regarding initial fire suppression due to the location of these appliances. Two of the 2300L tankers are located 1.5 - 2.0 hours from site, at Glenoran and Manjimup. Even Collie's 2300 L tanker is a minimum 30 minutes from site.

NOTE: The proponents have stated they intend to provide the local BFB with a piece of equipment - a quick fill pump with standpipe trailer.

Whilst this is a generous offer, no contact has been made with the Brigade to seek an opinion on whether this is a piece of equipment we need. As a matter of courtesy, the Brigade should have been approached on this matter.

I am also concerned that by donating a piece of rapid refill equipment to the local BFB, there would be an expectation that in the event of a plantation fire, the local brigade would be tasked with bringing this donated equipment to the fireground to establish a water point for appliances attending a plantation fire.

In Summary, my recommendations to the proponents and the Shire is that the following measures are given serious consideration and possibly made mandatory.

1. No pines to be planted in the 1.1 and 1.2 ha areas in 2P2026 and in the 1.3 ha area in 1P2026. This, coupled with the 15 metre boundary firebreak would reduce the risk of a fire front crossing the Boyup Brook Rd and impacting the Hall Evacuation Area and Macquarie St residents. This measure would also

increase visibility for all road users in the area, and in particular, vehicles entering and exiting the plantation.

2. A large capacity tank be supplied and located outside the plantation area so water can be accessed without risk of burnover for crews refilling.
3. The proponents consult with the Shire and the local BFB on ways to improve the fire fighting capabilities/resources of the local B.F.B.
4. The proponents commit to having a fire fighting appliance on site at all times.

Yours sincerely,

[REDACTED]

[REDACTED]

Comment Submission Form
Shire of Donnybrook Balingup



Notice of Application for Development Approval P25071

Application for the establishment of a Pine Plantation at Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup.

Your Name:

Your Address:

Suburb:

Postcode:

Email:

Phone:

Please choose from the following your response to the application:

☐ SUPPORT

☒ OBJECT

☐ COMMENT ONLY (no other response)

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

I strongly object, to the above proposal for a pine plantation at Lot 3711 and 3734 on Donnybrook Boyup Brook Road, Noggerup. It poses an extremely high fire risk to the town site (including Lot 55, Bligh Street), the Noggerup Hall, the Preston National Park and the surrounding farms in the area. There are many local people who have not been informed about the proposal and would like more time to express their objections. The bushfire that swept through the Mumballup area 3 years ago is very much fresh in my mind and many of the locals. The change in wind direction was our only saving grace.

Signature:

Date:

09/02/2026

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



(08) 9780 4200



www.donnybrook-balingup.wa.gov.au



shire@donnybrook.wa.gov.au



1 Bentley Street, Donnybrook, 6239

6/02/2026

[REDACTED]

[REDACTED]

[REDACTED]

Dear Sir/Madam,

We are writing to you as concerned residents regarding the proposed planting of a pine plantation within the Noggerup townsite. This was recently brought to our attention by means of a flyer by another concerned resident, not by mail from the Shire.

While we understand the economic value that commercial forestry plantations can bring in some contexts, we have serious concerns about the suitability of a pine plantation so close to our community.

One of our foremost concerns is the very real risk of bushfire. As you will be aware we have experienced significant fire events within the past few years, coming so close and forcing residents to evacuate and highlighting the intensity with which fires can spread through dry landscapes. Pine plantations are known to burn intensely due to their dense growth and highly flammable needles and resins. Locating such a plantation near homes could potentially place residents at unnecessary risk, particularly given the increasing frequency of extreme weather.

Additionally, to this, looking at the proposed site, it is very close to the Hall at Noggerup, which is our evacuation point and the main exit route from the townsite should a bushfire occur.

At this stage we are opposed to the proposal in its current form. Our main concern is the minimal setbacks. We feel that the setback is by far inadequate bearing in mind that our only evacuation point is the Donnybrook -Boyup Brook road. In the event of a bushfire, this is the only safe and designated evacuation point for community residents. Therefore it is essential that this area is not impacted by the close proximity of the pine plantation, should the fire be coming from that direction. Whether the setback is 50m from the Hall or 15m from the road, we are firmly convinced that this distance is not safe enough for the residents of Noggerup.

A significantly greater setback is essential to properly protect the community.

I respectfully request that alternative options be considered. I also urge the decision makers to engage meaningfully with the community and consider the long-term environmental and social impacts before proceeding.

Thank you for taking the time to consider our concerns. I trust that the wellbeing and safety of the residents, will be given careful consideration.

Yours sincerely

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Monday, 9 February 2026 9:59 AM
To: SM planning
Cc: SM ITsupport; Cr Vivienne MacCarthy; Cr Alex Purich; Michelle Dennis; Gabriella Hayward
Subject: Application/Proposal #P25071 - OBJECTION : Pinus Radiata Softwood Plantation in Noggerup

You don't often get email from [REDACTED]

To whom it may concern,

I am writing to formally object to the proposed Noggerup pine plantation (application P25071). The applicant's Fire Management and Forest Management Plans reveal critical risks that threaten the safety, water security, and protected scenic character of the Noggerup community and the wider Preston River catchment.

1. Public Safety Hazard - Fire “fuel bridge”

The application itself highlights a key issue with using this location to establish a pine plantation:

“The establishment of the plantation will create a fuel bridge from National Park areas to the north to National Parks areas south of the townsite (Greater Preston National Park).”

Linking two areas of National Park to each other with highly flammable pines, with a townsite in the middle, is in direct violation of the State Planning Policy 3.7, and the Shire's duty of care. The State Planning Policy 3.7, Objective 6.1 states that any development should: *“Avoid broader landscapes that present an unacceptable bushfire risk to people, property and infrastructure.”* Due to the creation of a continuous fuel path, the proposed location introduces an *“unacceptable bushfire risk”*, compromising the safety of property and lives.

The State Planning Policy also states that applicants must *“Avoid the bushfire risk in the first instance, but where unavoidable, manage and/or mitigate the risk to people, property and infrastructure, to **ensure the risks are acceptable and appropriate to the land use and the location.**”* The establishment of a pine plantation at this site presents a risk that is neither acceptable nor appropriate for the location, as the threat far exceeds the capability of the proposed firebreaks to mitigate.

The Shire is required to prioritise the protection of human life over the commercial interests of the plantation developer. Because the only tenable egress route for Macquarie Street residents leads directly toward the proposed fuel bridge, the proposal fails to meet the safety standards required to protect life and emergency personnel.

2. Public Safety Hazard - Noggerup Hall Evacuation Point

The proposed Fire Management Plan is flawed as it fails to acknowledge Noggerup Hall as a designated Emergency Assembly Point. Under State Planning Policy, the intensification of fuel loads adjacent to an Emergency Assembly Point is unacceptable. The proximity of the planned pine plantation renders the Hall neither defensible nor safe for the community during a fire.

3. Threat to Water Security -"Biological pumps"

Noggerup residents are dependent on groundwater bores. Planting 147 hectares of high water uptake *Pinus radiata* at the headwaters of the local catchment acts as a biological pump, intercepting rainfall and depleting aquifers. The applicant has not provided a Hydrological Impact Assessment to prove that this will not dry up the bores essential for our community's survival and ability to fight fires. The proposal fails to account for Hydrological Impact on fire safety. The potential lowering of the water table paired with the plantation's high fuel density greatly diminishes our capacity to fight fires. This outcome is an unacceptable risk that does not align with the Shire's duty of care.

4. Failure to Protect Scenic Views

According to the Shire's Local Planning Policy 9.3, The Shire "will not approve" plantations that adversely affect scenic views from the Donnybrook-Boyup Brook Road. The proposal will create a wall of pine along a designated tourist drive, blocking the rolling hills and rural character of the area by masking elevation and replacing bucolic pasture with uniform rows of non native trees. This is also in direct conflict with the Shire's Strategic Community Plan, which relies on the rural vistas of the Preston Valley to drive the local tourism economy. Also according to the plan, "*Community aspirations include... ..that pine plantations are reclaimed and repurposed for agriculture.*" The proposed plantation will do the opposite – destroy agriculture and rural character and replace it with bland monoculture.

If approved, the proposed plantation will create a major threat to community safety: it maximizes fire risk by creating a fire corridor aimed directly at the town while diminishing our capacity to respond due to the impact on local water resources. The placement of such a hazard adjacent to the Noggerup Hall, our primary Emergency Assembly Point, is also an unacceptable risk. We expect the Shire to fulfill its Duty of Care to its residents and refuse this proposal.

Can you please inform me when the shire will be meeting to decide on this matter, as I would like to attend.

Kind regards,

From: [REDACTED]
Sent: Sunday, 8 February 2026 7:55 PM
To: SM planning
Subject: Formal Objection to Proposed Pine Plantation – Lots 3711 & 3734, Donnybrook–Boyup Brook Road, Noggerup

You don't often get email from [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Chief Executive Officer
Shire of Donnybrook-Balingup
49 Collins Street
Donnybrook WA 6239

Dear Sir/Madam,

Re: Formal Objection to Proposed Pine Plantation – Lots 3711 and 3734 (3543) Donnybrook–Boyup Brook Road, Noggerup

I am writing as a resident and landowner in the Noggerup area to formally object to the proposed pine plantation on **Lot 3711 and Lot 3734 (3543) Donnybrook–Boyup Brook Road, Noggerup**. The subject land is located on the **Preston River**, directly opposite the Noggerup town centre, and within approximately [REDACTED] **of my home and farming operation.**

While I acknowledge that plantation forestry can be an appropriate rural land use in suitable locations, I submit that this **specific site is unsuitable** for a pine plantation and that the proposal is inconsistent with the planning objectives and policies of the Shire of Donnybrook-Balingup. In particular, the proposal raises serious concerns in relation to **environmental protection, bushfire risk, public safety, visual and rural amenity, and sustainable land use.**

1. Inconsistency with Local Planning Policy LPP 9.3 – Private Tree Plantations / Agroforestry

Local Planning Policy **LPP 9.3 – Private Tree Plantations / Agroforestry** provides guidance for the assessment of plantation proposals and allows Council to refuse applications where plantations would detrimentally affect **visual landscape values, environmental assets, or surrounding land uses.**

The policy also promotes the protection of **watercourses and riparian environments**, including appropriate setbacks and the retention or enhancement of native vegetation. Given that the proposed plantation is located immediately adjacent to the **Preston River**, I am concerned that the establishment of a large-scale pine plantation at this location would

compromise water quality, riparian health, and the environmental values the policy seeks to protect.

2. Local Planning Strategy – Townsite Protection, Visual Amenity and Fire Risk

The Shire of Donnybrook-Balingup **Local Planning Strategy** identifies plantation exclusion principles around townsites to address **visual impact and bushfire risk**, recognising that intensive tree plantations near settled areas can adversely affect community safety and amenity.

Although Noggerup is a smaller settlement, the intent of this strategy is clearly applicable. The proposed plantation would be located **directly opposite the Noggerup town centre**, on a main approach road into the town, and in close proximity to existing homes and farms. Establishing a dense pine plantation in this location would undermine the Strategy’s objectives to protect townsite edges, rural living amenity, and community safety.

3. Amenity and Rural Living Impacts

The proposal would have ongoing adverse impacts on nearby residents and landowners, including:

- **Loss of rural and scenic amenity**, with a visually dominant plantation altering the open landscape character of the Noggerup area.
- **Noise, dust, and disturbance** associated with plantation establishment, management, and harvesting operations.
- **Incompatibility with surrounding farming and rural living uses**, particularly given the proximity of the plantation to existing homes.

4. Bushfire Risk and Emergency Management

Pine plantations are a recognised **high-fuel land use** and pose elevated bushfire risks. The proposed location raises particular concern due to:

- Proximity to homes, farms, and the Noggerup town centre
- Location along **Donnybrook–Boyup Brook Road**, which serves as an important access and evacuation route
- Increased risk of **radiant heat, ember attack, smoke impact, and falling trees** during bushfire events

These factors elevate bushfire risk beyond an individual landowner issue and into a matter of **public safety and emergency response**.

5. Steep Topography, Erosion and Preston River Impacts

A critical issue is that the subject land is located on a **steep downhill slope that descends directly toward the Preston River**. Plantation establishment on steep slopes significantly increases the risk of:

- **Soil disturbance and erosion** during site preparation and harvesting
- **Sediment-laden and nutrient-rich runoff** during rainfall events
- Degradation of **river water quality, riparian ecosystems, and downstream environments**

Given the slope and direct drainage pathway to the river, the risk of off-site environmental harm is substantial and, in my view, unacceptable for this location.

6. Road Safety and Main Roads Considerations

The subject lots front **Donnybrook–Boyup Brook Road**, a major regional transport route. The combination of steep topography and plantation development raises serious **road safety concerns**, including:

- Runoff, sediment, or debris entering the roadway
- Reduced driver visibility due to smoke, dust, or vegetation
- Tree fall or damage during storms or fire events
- Increased heavy vehicle movements during plantation operations

Given these risks, the proposal warrants referral to **Main Roads Western Australia** and careful consideration of public safety impacts. These matters further demonstrate that the site is unsuitable for a pine plantation.

Conclusion and Request

For the reasons outlined above, I submit that the proposed pine plantation on **Lots 3711 and 3734, Donnybrook–Boyup Brook Road, Noggerup** is inappropriate and inconsistent with the Shire’s planning framework, including Local Planning Policy LPP 9.3 and the Local Planning Strategy.

I respectfully request that the Shire:

1. **Refuse approval for the proposed plantation in its current form.**
2. Ensure that **environmental protection, bushfire risk, public safety, road safety, and community amenity** are given significant weight in the assessment of this proposal.
3. Refer the proposal to **relevant authorities**, including Main Roads WA, where required.

I request written confirmation of receipt of this objection and notification of any future decisions or consultation relating to this matter.

Thank you for your consideration.

Yours sincerely,



This message and any attached files may contain information that is confidential and/or subject of legal privilege intended only for use by the intended recipient. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, be advised that you have received this message in error and that any dissemination, copying or use of this message or attachment is strictly forbidden, as is the disclosure of the information therein. If you have received this message in error please notify the sender immediately and delete the message.

From: [REDACTED] >
Sent: Tuesday, 17 February 2026 7:49 AM
To: SM planning <planning@donnybrook.wa.gov.au>
Subject: Re application #P25071

You don't often get email from [REDACTED]

To Whom it may Concern,

I am a resident of Noggerup townsite and object to the above application on the grounds of the increased fire risk the project would expose the town to.

Another concern is the proposed use of Atrazine and Hexazinone which are both well documented risks to aquatic life and groundwater contamination.

Im happy to elaborate further on these issues if required.

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Monday, 9 February 2026 3:40 PM
To: SM planning
Cc: SM ITsupport; Cr Vivienne MacCarthy; Cr Alex Purich; Michelle Dennis; [REDACTED]
Subject: Objection to Proposal #P25071

Some people who received this message don't often get email from [REDACTED]
[this is important](#)

TO WHOM IT MAY CONCERN.

I am writing to object to Application/Proposal #P25071: “Establishment and harvesting of a Pinus radiata softwood plantation”.

Beyond the fire and water risks, this project doesn't actually help Noggerup. It replaces active farming that supports local jobs with a "set it and forget it" monoculture that only benefits a distant developer. Once those trees go in, the land is essentially locked away for decades, providing zero value to the people who actually live here.

The location of the proposed plantation is at the head of the Preston River. Seeds of the Pinus Radiata are known to be carried by wind and water. There is nothing stopping seeds from this invasive species of tree, floating down the river and establishing along the riparian zone of the river.

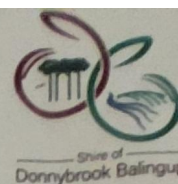
This proposal creates a massive fire corridor, threatens our water, risks an invasive species establishing down-river, and ruins the scenic character of our home. It’s just not the right fit for this location. As someone who only bought a house in Noggerup two months ago, I’m asking the Shire to do the right thing and knock this proposal back to protect the safety and future of Noggerup.

Yours faithfully

[REDACTED]

Comment Submission Form

Shire of Donnybrook Balingup



Notice of Application for Development Approval P25071

Application for the establishment of a Pine Plantation at Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup.

Your Name:

Your Address:

Email:

Phone:

Please choose from the following your response to the application:

☐ SUPPORT

☒ OBJECT

☐ COMMENT ONLY (no other response)

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

IN ITS PRESENT FORM I OBJECT TO THE PROPOSAL.
A PINE PLANTATION PLANTED THIS CLOSE TO A TOWNSHIP
WOULD BE DANGEROUS. THE PROPERTY COULD EASILY
CHANNEL FIRES FROM THE NATIVE BUSHLAND TO THE
NORTH AND NORTHEAST AND PUT THE TOWNSHIP OF NOGGERUP
IN DANGER. I ALSO WORRY THAT IT COULD BLOCK LOCAL
TRAFFIC AND PREVENT LOCALS FROM LEAVING THE AREA.
SHOULD THERE BE AN EMERGENCY THE TANK NEXT
TO THE HALL AND OUR FIRE BRIGADE VEHICLE NEED
TO BE ACCESSABLE (PLUS THE HALL ITSELF!) !!!
I PERSONALLY WOULD HAVE FAVOURED A COMPROMISE
AND LOBBIED FOR A MUCH LARGER THAN USUAL
SETBACK THAT WOULD LEAVE GRASSING LAND OR A
MUCH LESS FLAMABLE SPECIES GROWING ALONG THE
HIGHWAY. IN THE USA PINUS RADIATA ARE CALLED
GASOLINE TREES. THEY SHOULDN'T BE THIS CLOSE!

Signature:

Date: 9TH Feb 2026

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



(08) 9780 4200



www.donnybrook-balingup.wa.gov.au



shire@donnybrook.wa.gov.au



1 Bentley Street, Donnybrook, 6239

Google Maps



From: [REDACTED]
Sent: Saturday, 7 February 2026 9:19 PM
To: SM planning
Subject: Application number p25071: objection

You don't often get email [REDACTED]

To Planning Department,

I am writing to formally express my concern and objection to the proposed Pine Plantation development in Noggerup.

I outline my concerns below.

1. Chemical Management

The Forest Management Plan lists the use of 160 mL/ha alpha-cypermethrin (Dominex) as a standard prescription under pest control. This is of significant concern given that the Preston River runs through the property and chemical runoff has the potential to reach surrounding waterways. Alpha-cypermethrin is widely recognised as highly toxic to bees and aquatic species.

In addition, the standard prescription for post-plant spraying includes the application of 11–15 L/ha hexazinone (Velpar). Hexazinone presents environmental risks due to its ability to leach into groundwater and contaminate water sources. It is also known to be toxic to aquatic life.

The standard prescription for pre-plant strip spraying includes an application rate of 5 kg/ha atrazine. Atrazine at this application rate poses significant environmental risks, primarily through runoff and spray drift. It has the potential to contaminate both surface and groundwater and cause harm to aquatic ecosystems. Scientific evidence indicates that fish can experience reproductive effects at very low concentrations, while aquatic plant communities can be damaged over time.

Non-target terrestrial and aquatic plants, amphibians, fish, small mammals, and certain bird species may also be affected through habitat disruption, impacts to food supply, or direct chemical exposure. Atrazine and its breakdown products are known to be persistent in soil and water and may remain in the environment for extended periods, potentially decades.

In summary, I object to the proposed Pine Plantation in Noggerup on the basis of chemical management risks. The Forest Management Plan presents multiple unacceptable risks to a sensitive local environment, particularly given the proximity of the Preston River to the proposed plantation area.

2. Increased Fire Risk

The establishment of a Pine Plantation directly opposite the Noggerup town hall and fire station presents an increased fire risk to residents of the Noggerup townsite. This represents an unnecessary increase in fire hazard.

In the event of a plantation fire, there is also potential to significantly impact established fire evacuation routes, particularly for residents located on Grimwade Street and Macquarie Street.

Thank you for considering this objection.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Sunday, 8 February 2026 8:42 PM
To: SM planning
Subject: Formal Objection to Proposed Pine Plantation at 3543 Donnybrook–Boyup Brook Road, Noggerup

You don't often get email from [REDACTED]

To
Shire of Donnybrook–Balingup,

I am writing to formally object to the proposed pine plantation development at 3543 Donnybrook–Boyup Brook Road, Noggerup.

This objection is based on serious concerns regarding bushfire risk, environmental impacts, and the limited capacity for emergency response within this locality. I believe the proposal is inconsistent with community safety objectives and responsible land-use planning within the Shire of Donnybrook–Balingup.

Bushfire Risk

Pine plantations are widely recognised as posing an increased bushfire hazard due to high fuel loads, resinous vegetation, and the rapid rate at which fire can spread through dense monoculture plantings. The subject land is located within a rural area already subject to elevated bushfire risk, particularly during periods of extreme heat and high winds. Establishing a pine plantation in this location has the potential to significantly increase fire intensity and spread, placing nearby residents, properties, livestock, and road users at risk.

Environmental Impacts

Pine plantations are not native to the Noggerup area and can negatively affect local ecosystems. Potential impacts include reduced biodiversity, displacement of native flora and fauna, soil acidification, and altered surface and groundwater regimes. Large-scale monoculture plantations may also undermine the long-term environmental values of the area when compared with native vegetation retention or mixed agricultural land uses.

Emergency Access and Response Limitations

The site is accessed by rural roads that are narrow and limited in capacity. In the event of a bushfire or other emergency, access for firefighting appliances and evacuation may be constrained by road width, distance from emergency services, and limited alternative access routes. Increasing fire risk in an area with known emergency response limitations presents an unacceptable risk to public safety.

For these reasons, I respectfully request that the Shire of Donnybrook–Balingup give careful consideration to this objection and reconsider approval of the proposed development. I urge the Shire to prioritise community safety, environmental protection, and realistic emergency management outcomes in its assessment of this proposal.

Thank you for the opportunity to make this submission. I request that this objection be formally recorded and considered as part of the decision-making process.

From: [REDACTED]
Sent: Sunday, 8 February 2026 3:57 PM
To: SM planning
Subject: Objection to Pine Plantation Development in Noggerup

You don't often get email from [REDACTED]

Notice of Application for Development Approval P25071

Application for the establishment of a Pine Plantation at Lot 3711 and Lot 3734 (3543) Donnybrook – Boyup Brook Road, Noggerup.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8th February 2026

Please accept this form as a substitution for the form mailed to me on 20th Jan – Ref; P25071/A2205

OBJECTION To The Development

On behalf of my family and business I would like to object to the pine plantation development as noted above for the following reasons;-

1. Significant increase in Fire Risk to the Noggerup settlement

The Noggerup town site is surrounded by state forest that has little or no fuel management system. We also have a retired rail reserve running through the townsite that we only managed to have that cleared by AIM last year after many years of lobbying for them to do.

We live in constant fear of a repeat of the fire a few years ago that came close to over running Noggerup. Only an overnight wind shift saved the village. Even as I write this we are monitoring a fire on just started near Grimwade. Please note I am a member of the local bush fire brigade and we are working hard to reduce the bush fire danger in our area, this development will make it worse and potentially overwhelm the work we have done to date.

Hence, if this plantation goes ahead the increased fire risk would be unacceptable, the additional fuel load, particularly of a species that burns explosively as Pine does, is even more

unacceptable. I live only 100m from the DB-BB road, the plantation will be within 120m of my house. If there is a fire with even the lightest wind, we will be open to ember attack in no time.

2. Chemical Application in the plantation

I understand a range of highly toxic chemicals are used in pine plantation establishment and management. These chemicals will very likely poison the Preston River by run off, and leach into the ground hence poisoning our ground water. Both of which will seriously affect the farming in the area as well as the health and wellbeing of the residents and wildlife.

3. Reduction in water table

Pine trees originate from Scandinavian countries where their daily rainfall often surpasses the annual rainfall in the Preston Valley area. The amount of water required to establish and mature a pine plantation in the proposed location will almost certainly alter the local water table.

I have spent the past 5 years developing tourist accommodation and a small vineyard on my property, as well as veggies for the family and habitat for local fauna. This started as a hobby, but I hope the vineyard may provide some income in my retirement. Any reduction in the water table, or any compromise of the quality of the ground water will kill my vines, and worse, affect our health as we rely on a combination of rainwater and ground water for existence. There is no scheme water in Noggerup.

In summary, I respectfully request our Shire of Donnybrook and Balingup terminates this development to protect the Noggerup settlement, it's inhabitants and the fauna and flora of the area.

Kind Regards,
[Redacted]
[Redacted]
[Redacted]
[Redacted]

P&D (LPS) REGULATIONS 2015 MATTERS FOR CONSIDERATION - (Schedule 2, Part 9, Clause 67)	
Development Application P25071 – Plantation	
Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup	
(2) In considering a DA application the below must be considered if applicable.	
(a) the aims and provisions of the Scheme/any other local planning scheme operating within the Scheme area	<p>The proposed plantation is a permitted ‘P’ use within the General Agriculture zone under the Local Planning Scheme and is generally consistent with the intent of the zone, which supports agricultural production and associated rural land uses. During the assessment of the application, a number of submissions from the community raised concerns regarding the compatibility of the proposed plantation with the nearby rural townsite. In particular, concerns related to the potential intensification of land use and perceived risks to human health and safety associated with bushfire. These matters were referred to the applicant for consideration. In response, the proposal was amended to increase the setback of the plantation from the relevant lot boundary to 100 m, providing an increased separation distance between the plantation and nearby sensitive land uses. The applicant also provided responses to the other matters raised through the consultation process. Having considered the amended plans, the agency advice received, and the matters raised in submissions, officers consider that the proposal, in its amended form, is compatible with the objectives of the zone and consistent with the aims and provisions of the Scheme.</p>
(b) requirements of orderly and proper planning taking into account any proposed changes to the scheme.	<p>While the land use class <i>Plantation</i> is a permitted use within the General Agriculture zone, all aspects of the development must be considered as part of the assessment process, including any site works, traffic generation, access arrangements associated with establishing the plantation.</p>
(c) any approved State planning policy	<p><i>State Planning Policy 2.5 – Rural Planning</i> provides relevant considerations under Clause 5.6 ‘Tree Farming’ for tree plantation developments. The policy recognises that tree plantations are an appropriate land use within rural areas and may be permitted within the General Agriculture zone where they contribute to the diversification of rural economies and provide economic and environmental benefits.</p> <p>SPP 2.5 also acknowledges that tree plantations can create additional bushfire risks and therefore emphasises that such developments should be planned and managed to ensure they do not create an extreme or unacceptable level of bushfire risk.</p> <p>To address this matter, the applicant has prepared a Fire Management Plan and Forest Management Plan to support the application and demonstrate how bushfire risk associated with the plantation will be managed.</p> <p>The Department of Fire and Emergency Services (DFES) and Department of Biodiversity, Conservation and Attractions (DBCA) have reviewed the submitted plans and provided comments recommending several modifications. These comments are noted, and it is recommended that a condition of approval be imposed requiring the Fire Management Plan to be amended.</p>
(d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	<p>Any clearing of native vegetation requires a clearing permit unless the works are exempt under the <i>Environmental Protection Act 1986</i> or the associated regulations administered by the Department of Water and Environmental Regulation. Advice is provided accordingly.</p>

<p>P&D (LPS) REGULATIONS 2015 MATTERS FOR CONSIDERATION - (Schedule 2, Part 9, Clause 67)</p> <p>Development Application P25071 – Plantation</p> <p>Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup</p>	
<p>(2) In considering a DA application the below must be considered if applicable.</p>	
<p>(e) any policy of the Commission;</p>	<p>Not applicable.</p>
<p>(f) any policy of the State</p>	<p>Not applicable.</p>
<p>(fa) any local planning strategy for this Scheme endorsed by the Commission</p>	<p><u>Approved 2014 Local Planning Strategy</u></p> <p>The subject lot is identified as General Agriculture under the <i>Shire of Donnybrook–Balingup Local Planning Strategy (2014)</i>. Clause 5.4.1 of the Strategy outlines that, when considering development proposals within General Agriculture areas, the Shire will take into account the following matters:</p> <ul style="list-style-type: none">• Discourage land uses unrelated to agriculture from locating on agricultural land unless exceptional circumstances are demonstrated and the use can be shown to be compatible with agricultural activities to the satisfaction of the local government;• Provide adequate separation distances between potentially conflicting land uses;• Introduce management requirements that protect existing agricultural land uses;• Discourage development that may result in land or environmental degradation; and• Ensure appropriate land management and consideration of sequential land use change. <p>The establishment of a plantation is considered an agricultural land use and is therefore consistent with the intent of the General Agriculture designation.</p> <p>The proposal incorporates a 100 m setback from the relevant lot boundary adjoining the rural townsite of Noggerup, located to the south of Donnybrook–Boyup Brook Road, and includes management measures to address matters such as bushfire risk and visual amenity.</p> <p>While the development would change the current use of the land from grazing to plantation forestry, the proposal remains consistent with the Strategy’s broader objective of supporting a range of agricultural activities within rural areas. Accordingly, the plantation is considered to align with the strategic intent for rural land, which seeks to accommodate a variety of agricultural activities, including tree farming, outside of identified plantation exclusion areas.</p> <p><u>Draft Local Planning Strategy</u></p> <p>Under the draft Shire of Donnybrook Local Planning Strategy, the subject lot is identified as Rural.</p> <p>The draft Strategy includes Planning Direction 21.1, which states: “Facilitate opportunities for agroforestry, tree farming and plantations in suitable locations where bushfire risk and land use conflict can be appropriately managed.”</p>

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(2) In considering a DA application the below must be considered if applicable.	
	<p>The proposal is considered broadly consistent with this direction, subject to the implementation of appropriate management measures to address access arrangements and environmental considerations.</p>
(g) any local planning policy for the Scheme area	<p>TPP 9.3 Private Tree Plantations/Agroforestry</p> <p>The Policy includes:</p> <p>1. Objective:</p> <p>To assist Council in determining applications for private tree plantations/agroforestry within the Scheme Area.</p> <p>2. Aims:</p> <ul style="list-style-type: none">• To reduce potential adverse impacts from inappropriate siting and development of private tree plantations.• To encourage the integration of private tree plantations in conjunction with traditional (e.g. grazing, cropping) rural uses.• Actively encourage agroforestry as an alternative to tree plantations in the ‘Intensive Farming’ and ‘General Farming Scenic’ zones.• To actively encourage private tree plantations/agroforestry in areas subject to land degradation, including remediating areas subject to salinity, waterlogging and high levels of chemical contamination, where there is a clear natural resource management benefit.• To encourage the establishment of permanent tree, cover on steep slopes and along watercourses.• To encourage the preparation of management plans for harvesting of private tree plantations/agroforestry. <p><u>Planning Officer response</u></p> <p><i>The amended plantation proposal incorporates a 100 m setback from the southern boundary of the application site and is therefore considered to appropriately satisfy Policy Provision 4.3, which states that no plantation shall be established within 100 m of any existing dwelling on an adjoining property, also allowing a sufficient setback from the nearest dwelling in Noggerup. The site is not located within a designated Plantation Exclusion Area. While the property is situated along an identified tourist route, it is not located within the Road Protection Special Control Area (SCA7). In addition, the plantation will be visually buffered by existing vegetation along the river corridor. Planting is proposed only on the opposite side of the river, which will provide a natural visual screen and assist in minimising potential visual impacts on surrounding properties and road users.</i></p> <p>4. Policy Measures:</p> <p>4.1 General</p> <p>a Council will not approve plantations that will, in Council’s opinion, adversely affect existing scenic views from the following major tourist routes:</p> <ul style="list-style-type: none">• South Western Highway

P&D (LPS) REGULATIONS 2015 MATTERS FOR CONSIDERATION - (Schedule 2, Part 9, Clause 67)

Development Application P25071 – Plantation

Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup

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

- Donnybrook-Boyup Brook Road
- Balingup-Nannup Road

b Existing plantations on State Forest and private property, within the delineated areas around Donnybrook and Balingup will have a continuing use right but if they are established strict fire control and prevention measures must be taken.

Planning Officer response

Visual amenity has already been addressed as noted above.

4.2 Road Infrastructure and Impacts

- a as part of an application seeking approval for a plantation/agroforestry, the applicant will be required to outline the preferred route/s for future harvesting.
- b Should an application for a plantation/agroforestry be conditionally approved, Council will require the submission of detailed Timber Harvesting Plan at least 6 months prior to proposed harvesting.
- c The Council, in conjunction with relevant agencies will consider whether the proposed access to/from the application site and the proposed haulage route/s are suitable and safe.
- d Where the Council considers the existing road infrastructure is not adequate to service the future harvest, the applicant operator will be required to make suitable and safe access arrangements.
- e Prior to harvesting the applicant shall provide a road maintenance bond at a rate of \$0.50/tonne. Such a bond shall be retained by the Shire for the purpose of road maintenance. The Shire will recover the bond, or part of the bond, as appropriate, including administrative costs, of completing or rectifying the road.

Planning Officer response

Prior to any harvesting of the timber resource, a Timber and Silviculture Harvesting Plan must be prepared and submitted to the Shire for separate assessment and approval. Donnybrook–Boyup Brook Road, being under the control of Main Roads WA, has been identified as having safety concerns due to limited sight distances, and Main Roads WA has requested that the site access be relocated further west. Approval will be conditioned to require the access relocation prior to planting. The Timber and Silviculture Harvesting Plan will form a condition of approval and will be subject to detailed assessment by the Shire. It will also be referred to relevant internal departments and external agencies, including Main Roads WA and the Public Transport Authority (PTA). Advice from these agencies will guide any further road upgrades or traffic management measures required at the time of harvesting and silviculture works.

4.3 Fire Risk and Management

- a as part of the planning application, Council will require the applicant to submit an appropriate Fire Management Plan in accordance with

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

- Council and Fire & Emergency Services Authority requirements for plantations.
- b

Firebreaks not less than 10 metres in width immediately around the perimeter of the tree plantation area.
- c

Not less than 6 metres in width in such positions that no part or compartment of a plantation shall exceed 28 ha in area.
- d

Where 10 metre breaks are required in accordance with this section of Council's Fire Break Order, pruning of overhang shall be carried out up to a height of five (5) metres above the firebreak (ground level).
- e

in addition to breaks specified, plantations traversed by Western Power transmission lines have additional obligations under the Electricity Act.
- f

No plantation shall be allowed within 100m of any existing dwelling on any adjoining property, or within a 50m radius from any dwelling on the plantation site.

Planning Officer response

The applicant has submitted a Fire Management Plan and Forest Management Plan, which outline measures including proposed compartment sizes and firebreaks intended to manage bushfire risk and ensure compliance with relevant policy requirements. These plans were referred to the Department of Fire and Emergency Services (DFES) for review, and DFES provided comments requiring certain amendments. The applicant will be required to update the plans to address the DFES comments to the satisfaction of the Shire prior to implementation. The applicant has also confirmed that the existing dwelling located on the front lot will be demolished. As a result, a 100 m setback around this structure is not required, as it will not remain as a habitable building.

4.4 Water Quantity and Quality

- a

Where it is proposed to develop a plantation on a property that contains a perennial or non-perennial watercourse the Council may seek advice from the Department of Water and Environment Regulation to assist in determining the application.

Planning Officer response

The Forest Management Plan includes 6m setbacks to the waterways on the property. The proposal was referred to the Department of Water and Environmental Regulation and their recommendations are incorporated into the approval as conditions and advice.

4.5 Visual Impact

- a

The Council seeks to carefully consider planning applications for agroforestry/tree plantations on properties which adjoin or are near major tourist routes identified in clause 4.1 of this policy.
- b

The Council’s assessment of visual impact is primarily concerned when viewed from the designated major tourist routes.

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(2) In considering a DA application the below must be considered if applicable.	
	<p>c The Council may refuse applications where they detrimentally impact on the visual landscape values of the locality.</p> <p><u>Planning Officer response</u> <i>Visual impact has already been addressed.</i></p> <p>4.6 Natural Resource Management</p> <p>a In establishing a tree plantation, no native vegetation shall be removed from any land for the purpose of being replaced by plantation species. Native vegetation includes individual trees which have been retained on rural land.</p> <p>b For the purposes of tree preservation, the protection of remnant vegetation and to maintain water quality, ecological values of waterways and to prevent erosion, Council will require that plantations be setback a distance of 6 metres from watercourses and 6 metres from stands of remnant vegetation greater than 1 hectare in area in addition to the firebreak.</p> <p>c The Council encourages the retention and regeneration of riparian vegetation where appropriate, replanting areas adjacent to watercourses with local indigenous vegetation. This is in order to promote better overall natural resource management practices that will maintain and improve ecosystem function and water quality.</p> <p><u>Planning Officer response</u> <i>The Forest Management Plan includes 6m setbacks to protect existing native vegetation areas and 6m setbacks around existing dams on the property.</i></p> <p>5. Implementation Council will assess all applications based on all relevant information and advice in accordance with this policy and LPS7. It is expected that all agroforestry and tree plantation applications, when approved, will be implemented under the principle of sustainable land management based on endorsed Best Management Practice/Code of Practice documents and natural resource management targets for key land, water and biodiversity areas. Additionally, any approved application, if implemented, shall be carried out in full compliance with any conditions imposed with that planning approval.</p> <p><u>Planning Officer response</u> <i>The proposal has been assessed against LPS7 requirements and is required to be developed in accordance with the conditions of approval. The proposed plantation is considered to generally comply with the Policy Measures.</i></p>
(h) any structure plan or local development plan that relates to the development	Not applicable.

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(2) In considering a DA application the below must be considered if applicable.	
(i) any report of the review of the local planning scheme that has been published	Not applicable.
(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	Not applicable.
(k) the built heritage conservation of any place that is of cultural significance;	Not applicable.
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	<p>Portions of the lot along the river and creek lines have been identified as areas of Aboriginal Cultural Heritage significance (refer to the pink hatching in the image below). The construction of firebreaks, access tracks, or other site works within these areas may impact heritage values and would require separate approval under the relevant legislation. It is recommended that works within these areas be avoided wherever possible. Where avoidance is not feasible, the applicant must ensure that all necessary approvals are obtained prior to the commencement of any works. The applicant has been provided with relevant advice regarding these requirements.</p> 
(m) the compatibility of the development with its setting, including:	
(i) the compatibility of the development with the desired future character of its setting	The proposal, in its amended form, is considered compatible with the character and range of rural activities anticipated within the General Agriculture zone of the Shire. The establishment of the plantation, subject to the recommended conditions, is not expected to have an adverse impact on the surrounding rural landscape.

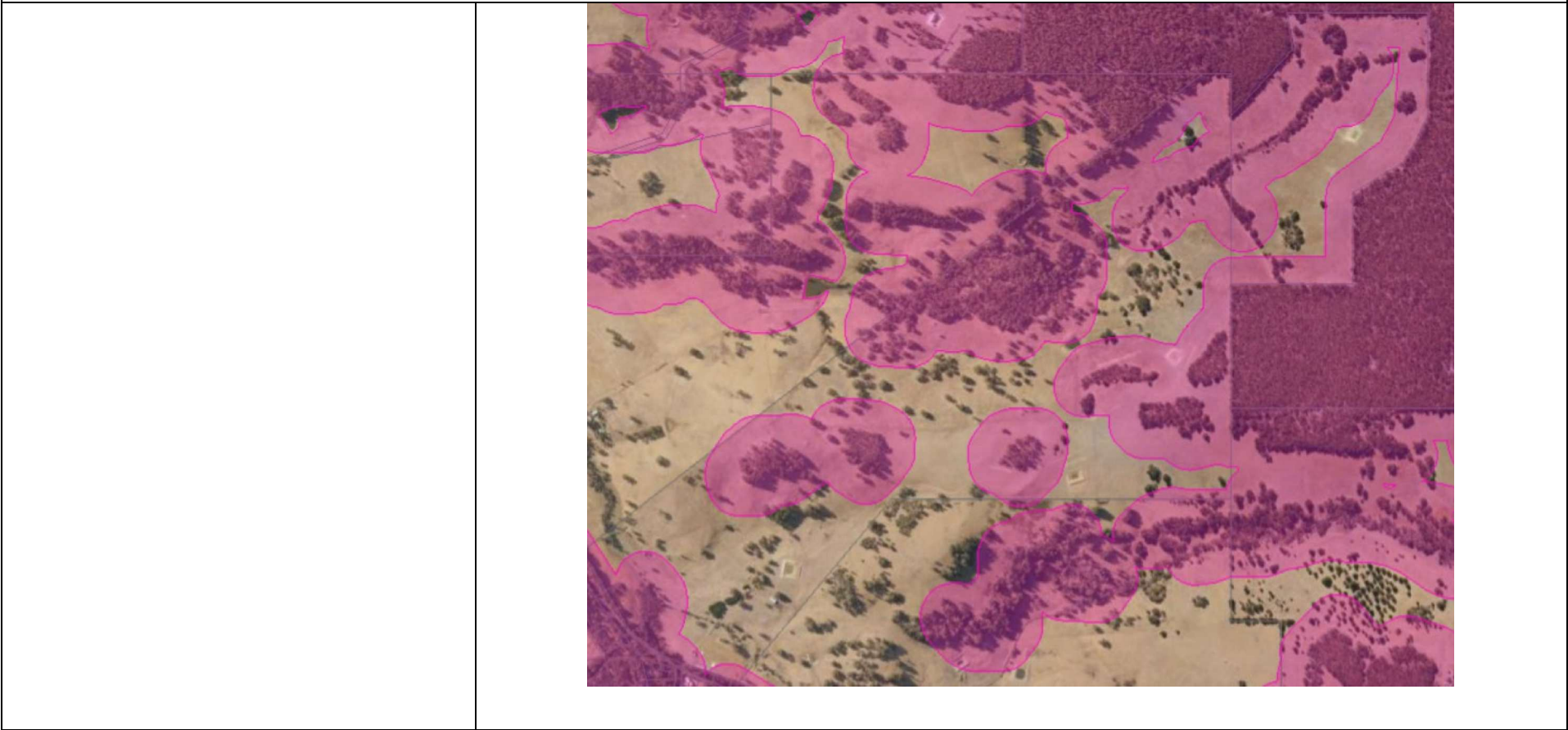
<p>P&D (LPS) REGULATIONS 2015 MATTERS FOR CONSIDERATION - (Schedule 2, Part 9, Clause 67)</p> <p>Development Application P25071 – Plantation</p> <p>Lot 3711 and Lot 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup</p>	
<p>(2) In considering a DA application the below must be considered if applicable.</p>	
<p>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development</p>	<p>The proposal will alter the appearance of the property from open pasture area to a pine plantation.</p>
<p>(n) the amenity of the locality including</p>	
<p>(i) environmental impacts of the development</p>	<p>The plantation is not expected to result in any adverse environmental impacts, as conditions and advice are recommended to address the concerns raised by the Department of Water and Environmental Regulation (DWER) and the Department of Biodiversity, Conservation and Attractions (DBCA), refer to the Consultation section of the Council report.</p>
<p>(ii) the character of the locality</p>	<p>The proposal is considered compatible with the existing rural character of the locality within the Shire.</p>
<p>(iii) social impacts of the development</p>	<p>The proposal is not expected to generate any adverse social impacts on the surrounding community.</p>
<p>(o) likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate their impact</p>	<p>Planting works will maintain a minimum 6 m setback from any watercourse or drain, thereby reducing the risk of adverse effects. A condition has been included to ensure compliance with this requirement.</p>
<p>(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved</p>	<p>Based on the information provided by the applicant, existing native vegetation on the site will be retained. No additional landscaping is considered necessary.</p>
<p>(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk</p>	<p>Parts of the property have been designated as bushfire prone, as mapped by the Department of Fire and Emergency Services (DFES) (see image below). These areas primarily occur along the lot boundaries adjoining State Forest and areas of existing native vegetation on the site and surrounding properties. As the plantation vegetation matures, it is anticipated that the entire property may be reclassified as bushfire prone. The applicant has submitted a Fire Management Plan and Forest Management Plan, which outline measures to manage and mitigate these fire risks. These plans have been reviewed by DFES and will be updated as necessary to ensure compliance with DFES recommendations.</p>

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



(r) the suitability of the land for the development taking into account the possible risk to human health or safety	No other risks have been identified in relation to the proposal, aside from the bushfire risk, which has already been addressed through the submitted Fire Management Plan and Forest Management Plan and associated mitigation measures.
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(s) the adequacy of:

(i) the proposed means of access to and egress from the site	Donnybrook–Boyup Brook Road, under the control of Main Roads WA, has been identified as having safety concerns due to limited sight distances. Main Roads WA has requested that the site access be relocated further west. Approval will be conditioned to require this access relocation prior to planting.
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(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles	All loading, manoeuvring and parking of vehicles will occur within the property.
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(t) amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	Vehicle movements during the plantation’s initial planting and establishment phases are typical of standard agricultural operations, including tractors, trucks, and utility vehicles. However, due to the current access limitations, Main Roads WA has required that the access be relocated further west. During the harvesting phase, truck traffic will increase. Operators are required to submit a Timber and Silviculture Harvesting Plan at least 18 months prior to harvesting for Shire approval. This plan will enable the Shire, in consultation with Main Roads WA and the Public Transport Authority (PTA), to ensure that the local road network can safely accommodate the additional traffic and implement any required traffic management measures. A condition of approval has been included to ensure compliance with these requirements.
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(u) the availability and adequacy for the development of the following:

(i) public transport services	Not required.
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(ii) public utility services	Not required.
(iii) storage, management and collection of waste;	Not applicable.
(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)	Not applicable.
(v) access by older people and people with disability;	Not applicable.
(v) potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	No loss identified.
(w) history of the site where the development is to be located	It appears that the property has been used in recent years for grazing activities.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	No impact identified.
(y) any submissions received on the application;	See Consultation section of the Council report.
(za) the comments or submissions received from any authority consulted	See Consultation section of the Council report.
(zb) any other planning consideration the local government considers appropriate	Not applicable.

Schedule of Submissions

P25071- A2205 – Lot 3711 & Lot 3734 Donnybrook Boyup Brook Rd, Noggerup – Pine Plantation

Agency Submissions		Applicant Comments				
DFES	<p>This advice relates only to the <i>FESA Guidelines for Plantation Fire Protection 2011</i> (Plantation Guidelines), as well as DFES’ role and responsibilities as Hazard Management Agency for Fire in Western Australia. It is the responsibility of the proponent to ensure the proposal complies with relevant planning and building requirements. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, environmental health or any other approvals required by a relevant authority under written laws.</p> <p>Assessment</p> <ul style="list-style-type: none">• DFES acknowledge that the development application seeks approval for the establishment of a <i>P. radiata</i> softwood plantation and the Shire is seeking comments of the technical details relating to bushfire.• The plantation is partially located within an area designated as bushfire prone.• The plantation is considered to involve an intensification of land use due to the change in use, presence of onsite workers and maturity of vegetation over long timeframes.• Further clarification is required within the FMP as outlined in our assessment below. <p>Assessment against the <i>Guidelines for Plantation Fire Protection 2011</i></p> <p>A FMP Plan should adequately address all management responsibilities for the plantation and elements raised in section 3 of the Plantation Guidelines.</p> <table><tr><td>Fire Management Plans</td><td>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.</td></tr><tr><td>Fire Management Plans</td><td>3(g), (h), (i) – Maps</td></tr></table>	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.	Fire Management Plans	3(g), (h), (i) – Maps	<p>As a P-permitted use, and when there are no works proposed, just usual broadacre cropping techniques, it is unclear why a DA is required, including relative to the SCA7 which is concerned with signs and buildings.</p> <p>Regardless, this application has been prepared with regards to the DFES Guidelines for Plantation Fire Protection 2011 (the Guidelines), as well as the Code of Practice for Timber Plantations in Western Australia (the Code).</p> <p>The layout of the Management Plans follows the Guidelines, which are DFES Guidelines. In the event of an emergency, it is the single page Fire Management Plan which includes contact details, not the more cumbersome and multiple page Management Plan report, that will be provided accessible on site in the red tubes for quick action.</p> <p>Given this, it is not purposeful to emergency response to move fire contact details to the front of the Fire Management Plan that sits in the Shire Offices. The suggestion of</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.					
Fire Management Plans	3(g), (h), (i) – Maps					

Agency Submissions		Applicant Comments
		georeferencing and a QR code is noted, but this is not presently emergency response best practice. It is not what emergency responders look for and during an emergency, mobile phone coverage could become limited. Maps are also included in the South-West Plantation Industry Atlas.
	Plantation Fire Protection Specifications	The suggestion of a second access is not required by the DFES Guidelines; a Plantation is not habitable development.
	Plantation Fire Protection Specifications	<p>Suggestion of a firefighting tank in addition to the supply provided on site is not required by the DFES Guidelines.</p> <p>Adequate water supply is a critical element in the pre-purchase process because pine does not regenerate after fire. A plantation is a valuable crop which requires careful management by qualified foresters to mitigate risks.</p> <p>Water points denoted on the Fire Management Plan are deemed reliable given their size and capacity. It is unrealistic to expect that water levels will be maintained the same in perpetuity even with a</p>

Agency Submissions		Applicant Comments
		<p>hydrology report. This is a clear lack of understanding about water and climate.</p> <p>The Plantation Manager has the responsibility of checking ALL water points prior to the onset of every fire season. Where water points are either shallow or a distance to water beyond the capability of suction hoses, the Plantation Manager will signpost and amend mapping information to RELIABLE water sources. Worst case is a tank would be installed but this is not a necessity from the outset. Fire risk and hence likely emergency response also change as the trees grow over time. Water theft and vandalism is a known issue with tanks.</p> <p>The land is also abutting the Noggerup township where there is a water tank, plus Delta offer of a new standpipe. As the tank is not in great condition, Delta, together with the Shire, is also willing to assist to upgrade this. See more comments below at submissions.</p>
DPIRD	The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed Pine Plantation at the abovementioned lots.	Noted

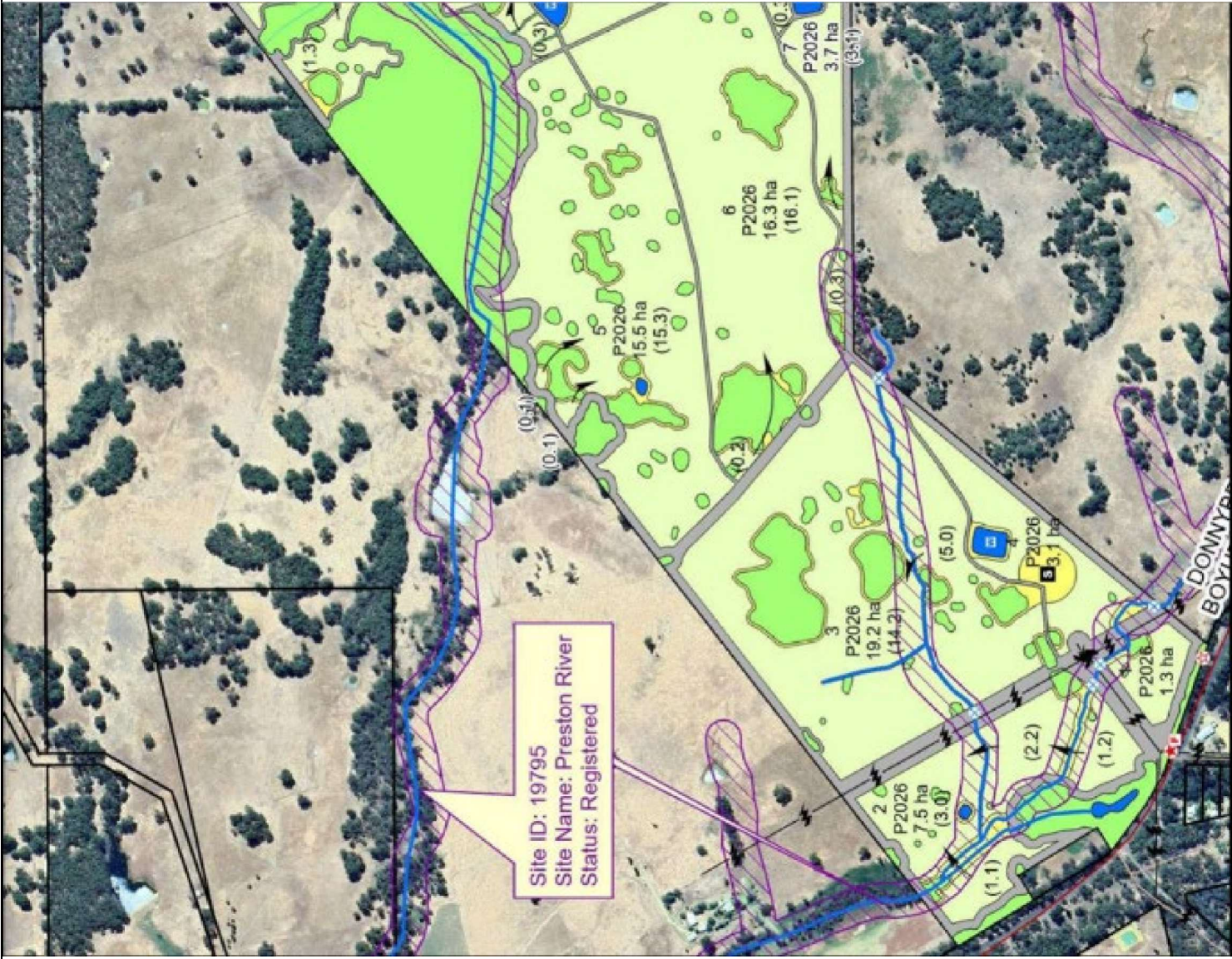
Agency Submissions	Applicant Comments
<div data-bbox="189 254 352 1022"> <p>DWER</p> <p>The Department has identified that the proposal has the potential for impact on the environment and water resource values management. Key issues and recommendations are provided below, and these matters should be addressed:</p> </div> <div data-bbox="352 254 516 1022"> <p>Issue 1: Native vegetation</p> </div> <div data-bbox="516 254 812 1022"> <p>Advice 1: An advice note be included that the 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, 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> </div> <div data-bbox="812 254 1108 1022"> <p>Discussion 1: The Department notes that based on the information provided, this proposal avoids the clearing of native vegetation by locating the planation 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> </div> <div data-bbox="1108 254 1524 1022"> <ul style="list-style-type: none"> o Under section 51C of the Environmental Protection Act 1986 (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. </div> <div data-bbox="1524 254 1848 1022"> <ul style="list-style-type: none"> o 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 ‘Environmental Protection (Clearing of Native Vegetation) Regulations 2004’ (the Clearing Regulations). </div>	<div data-bbox="189 1022 352 2853"> <p>No vegetation is being cleared.</p> <p>The setbacks and operational management proposed accord with the DFES Guidelines as well as the Code of Practice. These require planting in compartments surrounded by firebreaks, setback from waterways, boundaries, powerlines, existing vegetation protected etc. These setbacks cater to fire risk, as well as other separation considerations. These in combination are comprehensive, designed to capture all key considerations. The 6m setback for example to waterways and existing vegetation provides separation for more reasons than just to protect the vegetation, they also ensure separation for any (minimal and infrequent) chemical application and it protects banks etc. Chemical use in Plantation is limited, far less than other types of traditional cropping practices. This is potentially two applications in the life of the Plantation.</p> </div> <div data-bbox="352 1022 1848 2853"> <p>Bed and Banks approvals are third party legislation, separate to DA considerations. Arguably, using and maintaining existing waterway crossings does not require approval. An Advice Note is accepted which</p> </div>

Agency Submissions	Applicant Comments
<div data-bbox="258 2150 292 2632">Issue 2: Waterway protection</div> <div data-bbox="370 1038 520 2632"> <p>Advice 2: The proponent is advised to:</p> <p>o abides by the Code of Practice for Timber Plantations in Western Australia (FIFWA 2014) to the satisfaction of the Shire with the following commitments:</p> </div> <div data-bbox="598 1038 1776 2570"> <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>o contact DWER’s Bunbury water licensing branch on 9726411 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> </div>	<div data-bbox="199 292 292 1006"> <p>refers to obligations under other third-party legislation.</p> </div> <div data-bbox="370 292 806 1006"> <p>This includes with regards to Aboriginal Heritage, which the applicant has investigated and sought its own advice about. Although it is a separate third-party consideration, the setbacks, protections, management regime and planting proposed is understood not to offend Aboriginal Heritage obligations.</p> </div>

Agency Submissions	Applicant Comments
<p>Discussion 2: The proponent has stated that “the buffers and setbacks set out in 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 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 Rights in Water and Irrigation Act 1914 (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>	

Agency Submissions

Applicant Comments



Screenshot 2: Plantation details and waterway crossings



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- Plantations must be designed in accordance with the road design principles (see Section 4.5).

Agency Submissions		Applicant Comments

Agency Submissions

Applicant Comments

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4.5.1.7 Watercourse and Drainage line Crossings

Goal

Minimise the number of watercourse crossings. Where it is necessary for a road to cross a watercourse, it should be via a bridge, culvert or ford. Design of such should meet the transport needs and minimise impacts on water quality and riparian vegetation.

Guidelines

Crossings should account for the volume of the average flow, particularly taking into consideration the impact of clear felling and site preparation practices on run-off into drainage channels.

Construction should ensure that:

- Disturbance to the watercourse bed and banks is minimised.
- Fill or spoil material is not pushed into watercourse, nor into a position where it can move into a watercourse.
- Cement and raw concrete are not spilt into running watercourses as they can be toxic to aquatic fauna and flora.
- Bridges should be designed to prevent overtopping during one in 10-year flood events and be protected by debris traps in areas of regular flooding.
- Fords may be constructed on roads where use is infrequent or water flow is light.
- Permanent culverts should be designed to cope with peak flows (e.g. a one in 10-year flood event). Water that is diverted by a culvert must be returned to its natural course by a flume, rocked spillway or other hard-surfaced construction to minimise erosion. Culverts should be aligned across watercourses such that the construction does not prevent the movement of aquatic fauna up-stream.
- Excavations for bridges, placement of sills or abutments should not alter natural watercourse flow, and the positioning of stringers or girders should be above the high water mark. Earth embankments constructed for bridge approaches should be protected from erosion by revegetation, retaining walls, bulkheads or rock surfaces. Topsoil should be stockpiled for re-distribution to assist rehabilitation.
- Temporary bridges and culverts should be removed promptly after use and the approaches rehabilitated.
- A permit is required to interfere with the bed and banks of watercourses proclaimed in accordance with the latest relevant legislation as per Section 3:17e. Contact DoW regional offices for information on proclaimed areas and permit applications.

Screenshot 4

Agency Submissions		Applicant Comments
PTA	<p>Conditions</p> <p>1. Six months prior to harvesting activities, a Timber Harvesting Plan is to be submitted and reviewed by the Public Transport Authority.</p> <p>Advice</p> <p>a. The Timber Harvesting Plan should include information regarding traffic management measures in the event of the re-opening of the Donnybrook-Boyup Brook Railway.</p>	<p>As in all other Plantation DAs, the applicant accepts a standard condition for a Harvest Management Plan to be lodged prior to harvesting occurring.</p> <p>If the circumstances of the Donnybrook-Boyup Brook Railway change compared to now, this will be a relevant traffic management consideration in the Harvest Management Plan in 25-30 years’ time.</p>
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><u>Vegetation clearing</u></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 BC Act. Other species of conservation significance likely to be within the area include the quenda, south-western brushtailed 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>No vegetation is proposed to be cleared.</p> <p>Comments noted about separate ongoing management of shared fencing with DBCA.</p> <p>Suggestion of increased setback to the National Park have no basis, the layout complies with the DFES Guidelines and the Code, including with regards to setbacks and firebreaks. An increased setback will have no discernible benefit to the adjoining land.</p> <p>Agree with other DBCA comments which effectively just note and recognise the Code / Guideline requirements of the Forest and Fire Management Plans already adhere to, such as wilding management and maintaining 6m setback to existing</p>

Agency Submissions	Applicant Comments
<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><u>Forest Management Plan</u></p> <p>The Forestry Forest Management Plan (undated) (FOMP) Section 8 – Standard Prescriptions table – 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. DCBA 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><u>Fire Management Plan</u></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>vegetation and waterways, liaising with DBCA prior to any prescribed burns etc.</p> <p>Agree, minor issue, can remove Blackwood DBCA contact details from FMP.</p> <p>Dieback, hygiene, and other biosecurity issues are separately managed in operational plans. It is noted the Plantation is downslope of the National Park.</p>

Agency Submissions	Applicant Comments
<p>FMP Section 8 Plantation Species and Design table refers to a 6-metre minimum setback to retained 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><u>Phytophthora Dieback Disease</u> 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 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</p>	

Agency Submissions		Applicant Comments
	be subject to dieback management measures to minimise the threat of disease spread to the adjacent national park.	
Main Roads	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>The proposal uses an existing access and outside of future harvest periods, the Plantation does not result in an increase in traffic activity compared to the existing use. There are no options available to move this entrance.</p> <p>Harvest is a temporary activity. As above, a standard condition requiring a Harvest Management Plan prior to Harvest is accepted.</p> <p>A second access point can be investigated in the future and this will require third-party approvals.</p> <p>A suitable throughfare is already in situ and would comply with the 250 metre RAV Guidelines in the event of B Double trailers being used, noting single trailers are also used.</p> <p>However, this other potential access point enters a Main Roads lay down area for blue metal storage during times of resurfacing. The area also acts as a pseudo parking bay but is not sign posted as such. Delta will</p>

Agency Submissions		Applicant Comments
		have to seek approvals to use this secondary access prior to harvest if the need arises to achieve compliance for RAV Network use.

Public Submissions		Applicant Comments
Applicant comments about submissions received		<p>The applicant acknowledges the comments from the Noggerup community, and understands, when there is already fire risk apparent, why this change of land use is of interest and concern to them. Delta seeks to work with the community because fire risk is everyone’s shared responsibility. This commentary is response to all submissions rather than responding individually. Delta is available to meet separately with the community outside of the DA process.</p> <p>Delta takes its operational management and fire risk obligations seriously. Plantation is a slow growing crop, and Pine does not regenerate following fire. It would be a nonsensical business and risk management decision not to manage this Plantation well, and to quickly respond to any fire risk or fire emergency, both within and nearby.</p> <p>Plantation is a P permissible land use in the General Agriculture zone that applies, and the Plantation has been designed to accord with the DFES Guidelines for Plantation Fire Protection 2011 (the Guidelines), as well as the Code of Practice for Timber Plantations in Western Australia (the Code). Both the Code and Guidelines are comprehensive, industry best practice. These require planting in compartments surrounded by firebreaks, setback from waterways, boundaries, powerlines, existing vegetation protected etc. These setbacks cater to fire risk management, fire containment, as well as other separation considerations.</p> <p>With or without this Plantation there are fire risks associated with living in Noggerup. This comes from other land uses, including State Forest and other vegetated areas as well as the tracts of open farming paddocks. These existing circumstances do create risk. The current water tank at the Noggerup Hall is not in the best condition, and Delta, along with the Shire and the community, can assist with improving this. By comparison, and it is appreciated others may not agree, Plantation is managed fire risk; a risk response is inherent in how Plantations operate and remain compliant, quality assured.</p>

Public Submissions	Applicant Comments
<p>As per the DFES Guidelines, the advertised Plantation is setback 100m from habitable development in Noggerup. The powerlines through the front part of the subject land also provide strategic firebreak separation, 20m wide each side of the powerlines at the front of the Plantation. In the submitted Management plans, there is also a commitment to maintain a low fuel zone through pruning periods and to remove fuel.</p> <p><u>Amendments proposed to the Plantation Layout</u></p> <p>Considering submissions, Delta have revisited the proposed compartment layout. Delta agrees to amend the planting at the Highway frontage so this is setback further, with planting commencing from the northern side of the waterway / Preston River as per the provided amended Plantation Map.</p> <p>This creates an additional exclusion zone and strategic firebreak to the town from the Plantation, on top of the firebreaks and management practices already included. Planting will be more than 100m from the Highway, further again with the wide road reserve also intersecting and the meandering of the waterway. At its nearest point to the Noggerup Hall, planting will be in order of <u>180m away</u>, beyond the SCA7.</p> <p><u>FIFWA</u></p> <p>Delta Forestry are members of FIFWA (Forestry Industry Federation WA) and FIFWA has active management agreements in place with DFES, DBCA and a range of Local Governments – but not with the Shire of Donnybrook-Balingup – concerning fire risk management. It is open to the Shire to also become signatory. These agreements and Memorandums of Understanding include Annual Fire season equipment and standards, as well as shared resources in the event of a fire in or near Plantations. Regardless of the lack of this agreement, FIFWA members are active in this Shire. Forestry is an established, historical land use here and Plantation is a valuable, renewable slow growing broad acre crop.</p> <p>There are many examples but the recent Queenwood fire, this involved an immediate joint response by forestry with DFES and DBCA which prevented this fire from spreading, and it was not within a Plantation. It is invalid to imply the private forestry industry or Delta are irresponsible or do not lift their own weight when it comes to fire. The offer of a fast fill device and even willingness to help improve or replace the tank and guttering is to benefit all, including Delta.</p>	

Public Submissions	Applicant Comments
<p><u>DA requirements</u></p> <p>As a P – permitted use, and when there are no works outside of typical broadacre practices proposed, Delta has requested and the Shire Officers have not been forthcoming in explaining why a Development Approval is required and what the scope of assessment is. At worst, this is due to the SCA7 across the small area at the front of the site however SCA7 relates to signage and new buildings, it does not relate to Plantation. As above, the additional setback of trees removes this area of Plantation planting from within SCA7, further reinforcing no DA requirement. Despite this, it has been appropriate to inform the community and hear their feedback.</p> <p><u>Other comments:</u></p> <ul style="list-style-type: none">• Some of the public commentary received make assertions, without source of technical data.• A simple google search shows other data readily available which recommends Plantation as positive for many reasons, including preventing erosion, improving water quality, managing salinity, protecting and regenerating waterways, excluding areas of existing vegetation from traditional agricultural grazing and chemical applications, improving soil qualities etc.• Commercial timber is an essential, renewable product required to build new homes and for other common uses. Commercial timber is increasingly important as we attempt to offset climate change impacts and reduce carbon.• There is data available (for example see ABARES data) that demonstrates the rate of new planting has for years now fallen short of the rate of harvest. Planting peaked across the broader South West land division around 25 years ago, and replacement planting has not kept up, it has been in decline since. We are headed for a shortfall in future supply of commercial timber. There is redistribution of Plantation estate occurring at a time of harvesting and not replanting all older Plantations, but this is not rapid increase or flooding of Plantation taking over agricultural land, it is still short of replacement noting Plantation is a critical form of agriculture too.• The subject land is not on the Swan Coastal Plain or sandy soils, and neither is the groundwater high here, which may be some of the factors elsewhere in WA that are less desirable for Plantation use.	

Public Submissions	Applicant Comments
<ul style="list-style-type: none">● In terms of fire, SPP3.7 does not apply. This only applies to the construction of new habitable development. It is unrealistic to say Plantation increases risk of fire.● In a wildfire situation the lead combat agency would look to fall back to strategic firebreaks and perimeter roads which the Plantation caters for. DFES and DBCA follow “Risk Adverse” principles and volunteers are trained in these principles. Noggerup is already at risk of fire; places of refuge and emergency response are already important considerations. Arguably, the Plantation manages risk that is presently unmanaged from this part of the northern flank of the town.● As in any fire, every landowner has responsibility for fire identification, response and suppression. If a fire is detected, to avoid escalation everyone responds, as Delta would were there a fire anywhere surrounding Noggerup.● Delta, as part of the FIFWA agreement, is aware of other fire response capability in Collie as well as nearby in the Shire of Boyup Brook where there are other forestry interests – both private and public (FPC) – that are mobilised in the event of a fire as well. This is the existing arrangement without this Plantation, and despite this Shire not being party to the FIFWA agreement. The standpipe, if not water tank improvements add to this capability.● Whilst the Management plans describe the fire bridge, what has not been identified or understood by submitters is that measures have been included to address this risk. On top of usual practices this includes for example additional pruning practice, fuel modification/mulching, additional width strategic breaks etc.● The Forest and Fire Management Plans commit to ongoing management of the Plantation. A Development Approval is enforceable.● The Shire’s LPP Private Tree Plantations was adopted in 1999, 27 years ago. It has been superseded by SCA6, whereby the Shire has excluded certain areas from Plantation use. Since 1999 when this policy was adopted (which was when planting was peaking across the broader South West), both the Code of Practice and DFES Guidelines for Plantation have been developed, and these have guided preparation of this application and how this Plantation will operate. The current Shire Scheme is also a lot more recent, including Clause 4.11 which cross references to the DFES Guidelines. This is a suitable regulatory arrangement under the Scheme. Plantation should remain a P permitted use.● Plantation and vistas of trees growing are an historical, existing land use across the Shire of Donnybrook-Balingup. Plantation is part of agriculture and character in this Shire.	

Public Submissions		Applicant Comments
1	<p>Objection</p> <p>#water management</p> <p>We all rely on bore water, we are lucky to get 3 months of winter rain and rely on the bore for the other 9. “Pine trees rely on deep soil moisture “thus impacting human life sustained by our ground water.</p> <p>#fire management</p> <p>We have one- one lane bitumen street (Macquarie) that services most of Noggerup townsite. If a fire got into the town, it would all go up, we already have native bush on 3 sides of the town, the main road is the only escape route. A fire can and does jump, the breaks and main road will not stop spot fires from spreading. Three years ago, there was a fire in the national park- 9kms from us, we had large chunks of burnt bark falling in our yard for 3 days and numerous emergency alerts. Look back at what happened to Dwellingup and Yarloop.</p> <p>#erosion</p> <p>The winds whip through the valley here, it would cause havoc blowing topsoil, dust and sand everywhere and potentially causing breathing issues, while trying to establish themselves, which can take years.</p>	For all submission responses from the applicant, refer above.
2	As a long-time resident of Noggerup townsite and active member of the Mumballup/Noggerup volunteer bush fire brigade I have very serious concerns of the increased risk of catastrophic bushfire impacting the town should the proposed pine plantation be allowed. This proposal represents a high fuel corridor linking Mumballup state forest with the town centre. I have seen how much heat can be generated in a pine plantation fire and it is truly terrifying. Noggerup may be zoned general agriculture but the townsite has grown significantly over the last 30 years. For the many families that live here the risk of fire is very real and our volunteer fire brigade has worked hard to reduce hazards around the town. Macquarie Street/ Hundley Road is a dead end so a fire impacting the town from this direction would be particularly dangerous as it would cut off any	

Public Submissions		Applicant Comments
	escape route. I urge the shire to consider these points and block this proposal. There are much better sites.	
	<p>Objection:</p> <p>My concerns relate primarily to community fire risk, environmental protection, and the adequacy of risk mitigation measures outlined in the management plan.</p> <p>1. Increased regional fire risk and creation of a fuel corridor</p> <p>The Fire Management Plan acknowledges that the plantation would create a fuel bridge between northern and southern national park areas surrounding the townsite. This is a significant regional bushfire risk, particularly given the location adjacent to a rural residential community. While fuel reduction buffers and firebreaks are proposed, these measures do not eliminate the fundamental landscape-scale risk created by connecting large fuel loads across the district.</p> <p>2. Limited emergency response timeframe and access constraints</p> <p>The plan states that response resources may take up to 30 minutes to reach the property. In high fire danger conditions, fire behaviour can escalate rapidly, and this response timeframe may be insufficient to prevent spread toward the townsite or surrounding native vegetation. Additionally, the plantation design itself acknowledges that rip and mound establishment methods create internal access barriers for firefighting vehicles, meaning responders may be forced to rely solely on perimeter access rather than rapid internal attack.</p> <p>3. Inadequate environmental protection buffers for waterways</p> <p>The proposed minimum setback from watercourses is only 6 metres. Given the presence of degraded watercourses and the known sensitivity of waterways to sediment, chemical runoff, and disturbance, this buffer appears insufficient for long term protection. This is particularly concerning given the plan’s reliance on herbicide use for firebreak and fuel load maintenance</p> <p>4. Reliance on herbicides for fuel and firebreak management</p>	

Public Submissions	Applicant Comments
<p>The plan states that firebreaks and fuel loads will be maintained through herbicide application and mechanical treatment. Large-scale, repeated herbicide use presents potential risks to soil health, waterways, biodiversity, and nearby agricultural operations, particularly in a landscape with multiple water points and drainage lines.</p> <p>5. Proximity to townsite and community assets</p> <p>The plantation is located immediately adjacent to the Noggerup townsite. While the plan references defensible space and setbacks, the proximity of a high fuel softwood plantation to residential areas raises long-term safety concerns, especially under extreme or catastrophic fire weather conditions.</p> <p>6. Biodiversity impacts despite stated conservation intentions</p> <p>While the plan suggests biodiversity outcomes may improve, it also confirms the presence of threatened species within the broader landscape. Converting grazing land and remnant vegetation mosaic into a dense pine monoculture risks habitat simplification and increased fire severity risk to native fauna.</p> <p>Given these concerns, I respectfully request that Council:</p> <ul style="list-style-type: none"> • Require independent review of regional fire behaviour modelling for this proposal • Reassess environmental buffer distances, particularly around waterways • Require full disclosure and assessment of chemical use and runoff risk • Consider cumulative landscape fire risk rather than site-only mitigation measures • Undertake deeper community consultation given the proximity to Noggerup townsite <p>Council to apply the precautionary principle when considering this proposal, given the potential long-term risks to community safety, environmental health, and regional fire behaviour.</p>	
3	<p>1. Increased fire risk and increased difficulty in bringing a fire under control.</p> <p>When a property is converted from open grazing pastures to dense plantation (1100 trees per hectare) the fire risk increases due to greater fuel load.</p>

Public Submissions	Applicant Comments
<div> <div>2. Safety- Property Access/Exit Congestion</div> <div> <p>The plantation access point opens onto a busy high- speed highway. In the event of a fire in the plantation or in farmland at either side, there is significant risk for firefighting appliances coming into or out of the access due to the 110 kph speed limit, reduced visibility for oncoming traffic and exiting vehicles due to pines being planted up to 15 m from the road verge. In the event of a fire in this area- you would anticipate traffic congestion as residents from Macquarie Street seek to evacuate, fire appliances arriving, all mixing with general road traffic</p> </div> </div> <div> <div>3. Smoke Hazard</div> <div> <p>In the event of a major fire in the plantation there is high probability that the highway may have to be closed to traffic. This was the case several years ago, when a hazard reduction burn got slightly out of control forcing the highway closure for 30 mins. Closure of the highway would significantly impact particularly the heavy haulage trucks using this highway around the clock carting grain, timber, woodchips, stock etc.</p> </div> </div> <div> <div>4. Increased demands of the local volunteer bush fire Brigade</div> <div> <p>Whilst it should be acknowledged that volunteer brigades are not generally tasked with fighting plantation fires, we know from experience that wildfires have no respect for boundaries, roads, firebreaks. I have no doubt that should a fire start within the plantation our Brigade would be activated as there would be an expectation the fire would not remain within the plantation boundaries.</p> </div> </div> <div> <div>5. Refill Points</div> <div> <p>It is noted that there are 5 dams withing the plantation boundary but these are all well inside the plantation boundary making access to these dams during a wildfire extremely dangerous. The next nearest water source is the tank at the Noggerup Hall, however, this tank doesn't fully fill during Winter due to the gutters being rusted out</p> </div> </div>	

Public Submissions		Applicant Comments
	<p>6. Creation Of A "Fire Bridge"</p> <p>The proponent's own submission document describes a fire bridge being created from the National Park areas to the north and to the Preston National Park south of the townsite</p> <p>7. Loss Of Safe Zone / Evacuation Point</p> <p>During the early phase of the Jan 23 fire in the Preston National Park, when smoke and embers began to impact the Noggerup residents, many evacuated to the Noggerup Oval beside the hall. This is a large, mowed area easily accessible from Macquarie Street and around which the Shire regularly conducts hazard reduction burns. Having a plantation directly across the road would make this area unsuitable as a safe zone for residents to retreat to.</p> <p>8. Fire Fighting Resources / Response Times</p> <p>The local B.F.B. Appliances consist of 2 light tankers which have a combined water carrying capacity of approx 1200 litres. When in wildfire suppression mode, crews are capable of pumping water for about 15 minutes before needing to be refilled. It has been identified and acknowledged at a B.F.A.C. Meeting several years ago, that there is a glaringly obvious lack of large firefighting appliance capacity at this end of the Shire. The nearest tanker is Lowden's 3.4, with the next being Beelerup's 1.4.</p> <p>When I reviewed the resources available to the plantation Manager (as per pg 12 of the proponent's 'Fire Management Plan'), this does little to ease my concerns regarding initial fire suppression due to the location of these appliances. Two of the 2300L tankers are located 1.5- 2.0 hours from site, at Glenoran and Manjimup. Even Collie's 2300 L tanker is a minimum 30 minutes from site.</p> <p>NOTE: The proponents have stated they intend to provide the local BFB with a piece of equipment - a quick fill pump with standpipe trailer. Whilst this is a generous offer, no contact has been made with the Brigade to seek an opinion on whether this is a piece of equipment we need. As a matter of courtesy, the Brigade should have been approached on this matter.</p>	

Public Submissions		Applicant Comments
	<p>I am also concerned that by donating a piece of rapid refill equipment to the local BFB, there would be an expectation that in the event of a plantation fire, the local brigade would be tasked with bringing this donated equipment to the fireground to establish a water point for appliances attending a plantation fire.</p> <p>In Summary, my recommendations to the proponents and the Shire are that the following measures are given serious consideration and possibly made mandatory.</p> <ol style="list-style-type: none"> 1. No pines to be planted in the 1.1 and 1.2 ha areas in 2P2026 and in the 1.3 ha area in 1P2026. This, coupled with the 15-metre boundary firebreak would reduce the risk of a fire front crossing the Boyup Brook Rd and impacting the Hall Evacuation Area and Macquarie St residents. This measure would also increase visibility for all road users in the area, and in particular, vehicles entering and exiting the plantation. 2. A large capacity tank be supplied and located outside the plantation area so water can be accessed without risk of burnover for crews refilling. 3. The proponents consult with the Shire and the local BFB on ways to improve the firefighting capabilities/resources of the local B.F.B. 4. The proponents commit to having a fire fighting appliance on site at all times. 	
4	<p>Objection:</p> <p>It poses an extremely high fire risk to the town site (including my studio workshop at Lot 55, Bligh St), the Noggerup Hall, the Preston National Park and the surrounding farms in the area. There are many local people who have not been informed about the proposal and would like more time to express their objections. The bushfire that swept through the Mumballup area 3 years ago is very mush fresh in my mind and many of the locals. The change in wind direction was our only saving grace.</p>	
5	<p>Objection:</p>	

Public Submissions	Applicant Comments
<p>We are writing to you as concerned residents regarding the proposed planting of a pine plantation within the Noggerup townsite. This was recently brought to our attention by means of a flyer by another concerned resident, not by mail from the Shire.</p> <p>While we understand the economic value that commercial forestry plantations can bring in some contexts, we have serious concerns about the suitability of a pine plantation so close to our community.</p> <p>One of our foremost concerns is the very real risk of bushfire. As you will be aware we have experienced significant fire events within the past few years, coming so close and forcing residents to evacuate and highlighting the intensity with which fires can spread through dry landscapes. Pine plantations are known to burn intensely due to their dense growth and highly flammable needles and resins. Locating such a plantation near homes could potentially place residents at unnecessary risk, particularly given the increasing frequency of extreme weather.</p> <p>Additionally, to this, looking at the proposed site, it is very close to the Hall at Noggerup, which is our evacuation point and the main exit route from the townsite should a bushfire occur.</p> <p>At this stage we are opposed to the proposal in its current form. Our main concern is the minimal setbacks. We feel that the setback is by far inadequate bearing in mind that our only evacuation point is the Donnybrook-Boyup Brook road. In the event of a bushfire, this is the only safe and designated evacuation point for community residents. Therefore, it is essential that this area is not impacted by the close proximity of the pine plantation, should the fire be coming from that direction. Whether the setback is 50m from the Hall or 15m from the road, we are firmly convinced that this distance is not safe enough for the residents of Noggerup.</p> <p>A significantly greater setback is essential to properly protect the community.</p> <p>I respectfully request that alternative options be considered. I also urge the decision makers to engage meaningfully with the community and consider the long-term environmental and social impacts before proceeding.</p>	
6	Objection:

Public Submissions	Applicant Comments
	<p>The applicant’s Fire Management and Forest Management Plans reveal critical risks that threaten the safety, water security, and protected scenic character of the Noggerup community and the wider Preston River catchment.</p> <p>1. Public Safety Hazard- Fire “fuel bridge”</p> <p>The application itself highlights a key issue with using this location to establish a pine plantation:</p> <p><i>“The establishment of the plantation will create a fuel bridge from National Park areas to the north to National Parks areas south of the townsite (Greater Preston National Park).”</i></p> <p>Linking two areas of National Park to each other with highly flammable pines, with a townsite in the middle, is in direct violation of the State Planning Policy 3.7, and the Shire’s duty of care. The State Planning Policy 3.7, Objective 6.1 states that any development should: <i>“Avoid broader landscapes that present an unacceptable bushfire risk to people, property and infrastructure.”</i> Due to the creation of a continuous fuel path, the proposed location introduces an <i>“unacceptable bushfire risk”</i>, compromising the safety of property and lives.</p> <p>The State Planning Policy also states that applicants must <i>“Avoid the bushfire risk in the first instance, but where unavoidable, manage and/or mitigate the risk to people, property and infrastructure, to ensure the risks are acceptable and appropriate to the land use and the location.”</i></p> <p>The establishment of a pine plantation at this site presents a risk that is neither acceptable nor appropriate for the location, as the threat far exceeds the capability of the proposed firebreaks to mitigate.</p> <p>The Shire is required to prioritise the protection of human life over the commercial interests of the plantation developer. Because the only tenable egress route for Macquarie Street residents leads directly toward the proposed fuel bridge, the proposal fails to meet the safety standards required to protect life and emergency personnel.</p>

Public Submissions	Applicant Comments
<p>2. Public Safety Hazard- Noggerup Hall Evacuation Point</p> <p>The proposed Fire Management Plan is flawed as it fails to acknowledge Noggerup Hall as a designated Emergency Assembly Point. Under State Planning Policy, the intensification of fuel loads adjacent to an Emergency Assembly Point is unacceptable. The proximity of the planned pine plantation renders the Hall neither defensible nor safe for the community during a fire.</p> <p>3. Threat to Water Security- "Biological pumps"</p> <p>Noggerup residents are dependent on groundwater bores. Planting 147 hectares of high water uptake <i>Pinus radiata</i> at the headwaters of the local catchment acts as a biological pump, intercepting rainfall and depleting aquifers. The applicant has not provided a Hydrological Impact Assessment to prove that this will not dry up the bores essential for our community’s survival and ability to fight fires. The proposal fails to account for Hydrological Impact on fire safety. The potential lowering of the water table paired with the plantation's high fuel density greatly diminishes our capacity to fight fires. This outcome is an unacceptable risk that does not align with the Shire’s duty of care.</p> <p>4. Failure to Protect Scenic Views</p> <p>According to the Shire’s Local Planning Policy 9.3, The Shire "<i>will not approve</i>" plantations that adversely affect scenic views from the DonnybrookBoyup Brook Road. The proposal will create a wall of pine along a designated tourist drive, blocking the rolling hills and rural character of the area by masking elevation and replacing bucolic pasture with uniform rows of non native trees. This is also in direct conflict with the Shire’s Strategic Community Plan, which relies on the rural vistas of the Preston Valley to drive the local tourism economy. Also, according to the plan, “<i>Community aspirations include... ..that pine plantations are reclaimed and repurposed for agriculture.</i>” The proposed plantation will do the opposite – destroy agriculture and rural character and replace it with bland monoculture.</p> <p>If approved, the proposed plantation will create a major threat to community safety: it maximizes fire risk by creating a fire corridor aimed directly at the town while diminishing our capacity to</p>	

Public Submissions		Applicant Comments
	respond due to the impact on local water resources. The placement of such a hazard adjacent to the Noggerup Hall, our primary Emergency Assembly Point, is also an unacceptable risk.	
7	<p>Objection:</p> <p>The subject land is located on the Preston River, directly opposite the Noggerup town centre, and within approximately 1 kilometre of my home and farming operation.</p> <p>While I acknowledge that plantation forestry can be an appropriate rural land use in suitable locations, I submit that this specific site is unsuitable for a pine plantation and that the proposal is inconsistent with the planning objectives and policies of the Shire of Donnybrook-Balingup. In particular, the proposal raises serious concerns in relation to environmental protection, bushfire risk, public safety, visual and rural amenity, and sustainable land use.</p> <p>1. Inconsistency with Local Planning Policy LPP 9.3 – Private Tree Plantations / Agroforestry Local Planning Policy LPP 9.3 – Private Tree Plantations / Agroforestry provides guidance for the assessment of plantation proposals and allows Council to refuse applications where plantations would detrimentally affect visual landscape values, environmental assets, or surrounding land uses. The policy also promotes the protection of watercourses and riparian environments, including appropriate setbacks and the retention or enhancement of native vegetation. Given that the proposed plantation is located immediately adjacent to the Preston River, I am concerned that the establishment of a large-scale pine plantation at this location would compromise water quality, riparian health, and the environmental values the policy seeks to protect.</p> <p>2. Local Planning Strategy – Townsite Protection, Visual Amenity and Fire Risk The Shire of Donnybrook-Balingup Local Planning Strategy identifies plantation exclusion principles around townsites to address visual impact and bushfire risk, recognising that intensive tree plantations near settled areas can adversely affect community safety and amenity.</p>	

Public Submissions	Applicant Comments
<p>Although Noggerup is a smaller settlement, the intent of this strategy is clearly applicable. The proposed plantation would be located directly opposite the Noggerup town centre, on a main approach road into the town, and in close proximity to existing homes and farms. Establishing a dense pine plantation in this location would undermine the Strategy’s objectives to protect townsite edges, rural living amenity, and community safety.</p> <p>3. Amenity and Rural Living Impacts</p> <p>The proposal would have ongoing adverse impacts on nearby residents and landowners, including:</p> <ul style="list-style-type: none"> • Loss of rural and scenic amenity, with a visually dominant plantation altering the open landscape character of the Noggerup area. • Noise, dust, and disturbance associated with plantation establishment, management, and harvesting operations. • Incompatibility with surrounding farming and rural living uses, particularly given the proximity of the plantation to existing homes. <p>4. Bushfire Risk and Emergency Management</p> <p>Pine plantations are a recognised high-fuel land use and pose elevated bushfire risks. The proposed location raises particular concern due to:</p> <ul style="list-style-type: none"> • Proximity to homes, farms, and the Noggerup town centre • Location along Donnybrook–Boyup Brook Road, which serves as an important access and evacuation route • Increased risk of radiant heat, ember attack, smoke impact, and falling trees during bushfire events <p>These factors elevate bushfire risk beyond an individual landowner issue and into a matter of public safety and emergency response.</p> <p>5. Steep Topography, Erosion and Preston River Impacts</p>	

Public Submissions	Applicant Comments
<p>A critical issue is that the subject land is located on a steep downhill slope that descends directly toward the Preston River. Plantation establishment on steep slopes significantly increases the risk of:</p> <ul style="list-style-type: none"> • Soil disturbance and erosion during site preparation and harvesting • Sediment-laden and nutrient-rich runoff during rainfall events • Degradation of river water quality, riparian ecosystems, and downstream environments. <p>Given the slope and direct drainage pathway to the river, the risk of off-site environmental harm is substantial and, in my view, unacceptable for this location.</p> <p>6. Road Safety and Main Roads Considerations</p> <p>The subject lots front Donnybrook–Boyup Brook Road, a major regional transport route. The combination of steep topography and plantation development raises serious road safety concerns, including:</p> <ul style="list-style-type: none"> • Runoff, sediment, or debris entering the roadway • Reduced driver visibility due to smoke, dust, or vegetation • Tree fall or damage during storms or fire events • Increased heavy vehicle movements during plantation operations <p>Given these risks, the proposal warrants referral to Main Roads Western Australia and careful consideration of public safety impacts. These matters further demonstrate that the site is unsuitable for a pine plantation.</p> <p>Conclusion and Request</p> <p>For the reasons outlined above, I submit that the proposed pine plantation on Lots 3711 and 3734, Donnybrook–Boyup Brook Road, Noggerup is inappropriate and inconsistent with the Shire’s planning framework, including Local Planning Policy LPP 9.3 and the Local Planning Strategy.</p>	

Public Submissions		Applicant Comments
	<p>I respectfully request that the Shire:</p> <ol style="list-style-type: none"> 1. Refuse approval for the proposed plantation in its current form. 2. Ensure that environmental protection, bushfire risk, public safety, road safety, and community amenity are given significant weight in the assessment of this proposal. 3. Refer the proposal to relevant authorities, including Main Roads WA, where required. 	
8	<p>Objection:</p> <p>I am a resident of Noggerup townsite and object to the above application on the grounds of the increased fire risk the project would expose the town to. Another concern is the proposed use of Atrazine and Hexazinone which are both well documented risks to aquatic life and groundwater contamination.</p>	
9	<p>Objection:</p> <p>Beyond the fire and water risks, this project doesn't actually help Noggerup. It replaces active farming that supports local jobs with a "set it and forget it" monoculture that only benefits a distant developer. Once those trees go in, the land is essentially locked away for decades, providing zero value to the people who actually live here.</p> <p>The location of the proposed plantation is at the head of the Preston River. Seeds of the Pinus Radiata are known to be carried by wind and water. There is nothing stopping seeds from this invasive species of tree, floating down the river and establishing along the riparian zone of the river.</p> <p>This proposal creates a massive fire corridor, threatens our water, risks an invasive species establishing down-river, and ruins the scenic character of our home. It's just not the right fit for this location. As someone who only bought a house in Noggerup two months ago, I'm asking the Shire to do the right thing and knock this proposal back to protect the safety and future of Noggerup.</p>	
10	<p>Objection:</p> <p>1. Chemical Management</p> <p>The Forest Management Plan lists the use of 160 mL/ha alpha-cypermethrin (Dominex) as a standard prescription under pest control. This is of significant concern given that the Preston River</p>	

Public Submissions	Applicant Comments
<p>runs through the property and chemical runoff has the potential to reach surrounding waterways. Alpha-cypermethrin is widely recognised as highly toxic to bees and aquatic species.</p> <p>In addition, the standard prescription for post-plant spraying includes the application of 11–15 L/ha hexazinone (Velpar). Hexazinone presents environmental risks due to its ability to leach into groundwater and contaminate water sources. It is also known to be toxic to aquatic life.</p> <p>The standard prescription for pre-plant strip spraying includes an application rate of 5 kg/ha atrazine. Atrazine at this application rate poses significant environmental risks, primarily through runoff and spray drift. It has the potential to contaminate both surface and groundwater and cause harm to aquatic ecosystems. Scientific evidence indicates that fish can experience reproductive effects at very low concentrations, while aquatic plant communities can be damaged over time.</p> <p>Non-target terrestrial and aquatic plants, amphibians, fish, small mammals, and certain bird species may also be affected through habitat disruption, impacts to food supply, or direct chemical exposure. Atrazine and its breakdown products are known to be persistent in soil and water and may remain in the environment for extended periods, potentially decades.</p> <p>In summary, I object to the proposed Pine Plantation in Noggerup on the basis of chemical management risks. The Forest Management Plan presents multiple unacceptable risks to a sensitive local environment, particularly given the proximity of the Preston River to the proposed plantation area.</p> <p>2. Increased Fire Risk</p> <p>The establishment of a Pine Plantation directly opposite the Noggerup town hall and fire station presents an increased fire risk to residents of the Noggerup townsite. This represents an unnecessary increase in fire hazard. In the event of a plantation fire, there is also potential to significantly impact established fire evacuation routes, particularly located on Grimwade Street and Macquarie Street.</p>	

Public Submissions	Applicant Comments
<div>11</div>	<div> <div>Objection:</div> <p>This objection is based on serious concerns regarding bushfire risk, environmental impacts, and the limited capacity for emergency response within this locality. I believe the proposal is inconsistent with community safety objectives and responsible land-use planning within the Shire of Donnybrook–Balingup.</p> <p>Bushfire Risk</p> <p>Pine plantations are widely recognised as posing an increased bushfire hazard due to high fuel loads, resinous vegetation, and the rapid rate at which fire can spread through dense monoculture plantings. The subject land is located within a rural area already subject to elevated bushfire risk, particularly during periods of extreme heat and high winds. Establishing a pine plantation in this location has the potential to significantly increase fire intensity and spread, placing nearby residents, properties, livestock, and road users at risk.</p> <p>Environmental Impacts</p> <p>Pine plantations are not native to the Noggerup area and can negatively affect local ecosystems. Potential impacts include reduced biodiversity, displacement of native flora and fauna, soil acidification, and altered surface and groundwater regimes. Large-scale monoculture plantations may also undermine the long-term environmental values of the area when compared with native vegetation retention or mixed agricultural land uses.</p> <p>Emergency Access and Response Limitations</p> <p>The site is accessed by rural roads that are narrow and limited in capacity. In the event of a bushfire or other emergency, access for firefighting appliances and evacuation may be constrained by road width, distance from emergency services, and limited alternative access routes. Increasing fire risk in an area with known emergency response limitations presents an unacceptable risk to public safety.</p> </div>

Public Submissions		Applicant Comments
12	<p>Objection:</p> <p>1. Significant increase in Fire Risk to the Noggerup settlement</p> <p>The Noggerup town site is surrounded by state forest that has little or no fuel management system. We also have a retired rail reserve running through the townsite that we only managed to have that cleared by AIM last year after many years of lobbying for them to do.</p> <p>We live in constant fear of a repeat of the fire a few years ago that came close to over running Noggerup. Only an overnight wind shift saved the village. Even as I write this, we are monitoring a fire on just started near Grimwade. Please note I am a member of the local bush fire brigade, and we are working hard to reduce the bush fire danger in our area, this development will make it worse and potentially overwhelm the work we have done to date.</p> <p>Hence, if this plantation goes ahead the increased fire risk would be unacceptable, the additional fuel load, particularly of a species that burns explosively as Pine does, is even more unacceptable. I live only 100m from the DB-BB road, the plantation will be within 120m of my house. If there is a fire with even the lightest wind, we will be open to ember attack in no time.</p> <p>2. Chemical Application in the plantation</p> <p>I understand a range of highly toxic chemicals are used in pine plantation establishment and management. These chemicals will very likely poison the Preston River by run off, and leach into the ground hence poisoning our ground water. Both of which will seriously affect the farming in the area as well as the health and wellbeing of the residents and wildlife.</p> <p>3. Reduction in water table</p> <p>Pine trees originate from Scandinavian countries where their daily rainfall often surpasses the annual rainfall in the Preston Valley area. The amount of water required to establish and mature a pine plantation in the proposed location will almost certainly alter the local water table.</p> <p>I have spent the past 5 years developing tourist accommodation and a small vineyard on my property, as well as veggies for the family and habitat for local fauna. This started as a hobby, but I</p>	

Public Submissions		Applicant Comments
	<p>hope the vineyard may provide some income in my retirement. Any reduction in the water table, or any compromise of the quality of the ground water will kill my vines, and worse, affect our health as we rely on a combination of rainwater and ground water for existence. There is no scheme water in Noggerup.</p>	
13	<p>In its present form I object to the proposal.</p> <p>A pine plantation planted this close to a township would be dangerous. The property could easily channel fires from the native bushland to the north and northeast and put the township of Noggerup in danger. I worry that it could block local traffic and prevent locals from leaving the area should there be an emergency. The tank next to the hall and our fire brigade vehicle need to be accessible (plus the hall itself)</p> <p>I personally would have favoured a compromise and lobbied for a much larger than usual setback that would leave grazing land or much less flammable species growing along the highway. In the USA Pinus Radiata are called Gasoline trees. They shouldn't be this close!</p>	

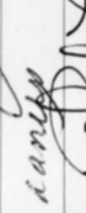
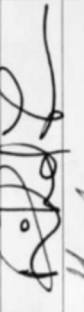
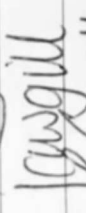
Public Submissions		Applicant Comments
		
14 Petition – 17 Signatures	<p>My wife and daughter and I live in the main Noggerup townsite. My brother and I went around to other residents and owners yesterday afternoon to grab some signatures in support of rejecting the proposal before the cut off for objections today. Most of them have already submitted an official objection directly to the planning department but those that haven't are happy for this to be considered their objection on the grounds of negatively impacting rural aesthetic, fire safety and water security. I have attached the petition to this email. We are likely to be able to get more signatures, these are just the people that were home, none of whom declined to sign- it seems that Noggerup owners and residents are unanimously against the proposal.</p>	

Public Submissions

Applicant Comments

Petition to the Shire of Donnybrook-Balingup:
Request to reject pine plantation proposal at Noggerup townsite

Action petitioned for We, the undersigned, are owners and/or residents of Noggerup townsite, concerned about the inevitable impacts the proposed pine plantation (P25071) will have on our town's safety, water security and rural aesthetic. We request the Shire reject this proposal as it is fundamentally incompatible with the location.

Printed Name	Signature	Address	Comment	Date
Keir Arney		11 Nelson St, NOGGERUP		19/12
Kelly Arney		11 Nelson St, NOGGERUP		19/12
RICHARD FRY		16 BLIGH ST "		19/12
Jacqui Arney		28 Macquarie St Noggerup		19/12
PAUL ARNEY		36 MACQUARIE ST, NOGGERUP		19/12
JEAN CURTIN		37 Macquarie		19/12
Rhys Jones		37 Macquarie St		19/12
Jo Cowgill		39 Macquarie St		19/12
Toby Snazell		39 Macquarie St		19/12
DANO BARNETT		51 MACQUARIE		19/12
Julie Rayner		51 MacQuarie St NOGGERUP		19/12/26

Printed Name	Signature	Address	Comment	Date
BRYAN WASSER		52 MACQUARIE STREET		19/12/26
JEREMY ALBERTSON		65 Macquarie St		19/12/26
Denham McMahon		41 Macquarie St		19/12/26
MARIE KHAN		116 Macquarie St		19/12/26
Jeff Green		15 Station St		19/12/26



NOGGERUP
PLANTATION
Alternative Option

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

Area Report

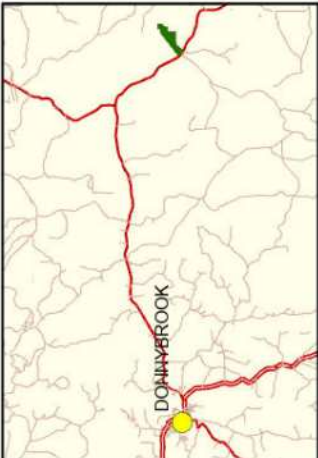
P. radiata P2026.....143.1 ha

TOTAL AREA.....143.1 ha

Legend

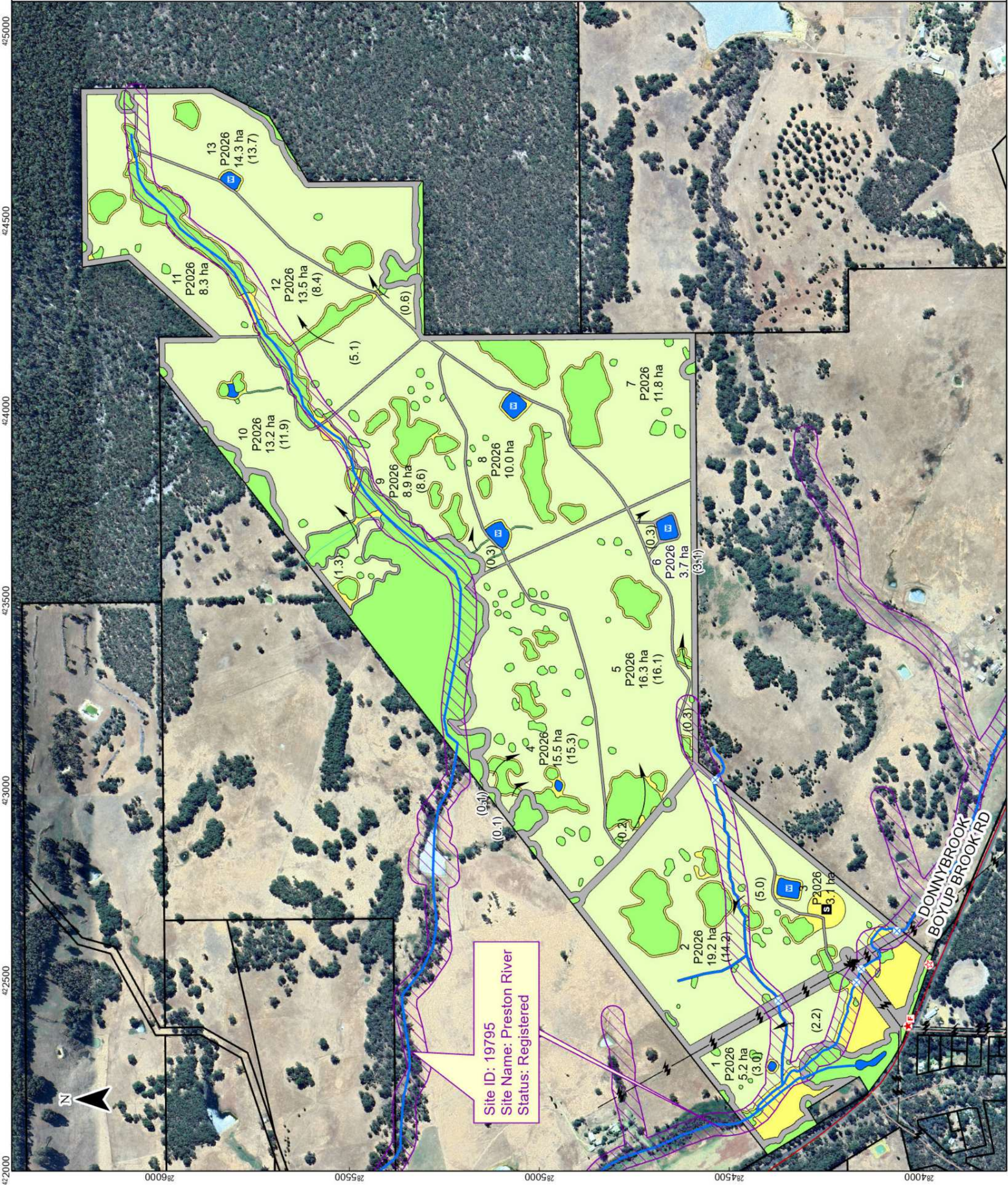
- Main Access (EMP)
- Access Gate
- Fire Map Tube
- House
- Shed
- No Access
- Crossing
- Tank
- Waterpoint - Reliable
- Powerline
- Track
- Drain
- Stream
- P. radiata (proposed planting)
- Buffer/ Non Plantable
- Firebreak
- Retained Veg
- Dam/Soak
- Wet/Non Plantable
- Indigenous Heritage Site

Location



1:9 000 @ A3

DATE: March 2026





FIRE MANAGEMENT PLAN

September 2026

1. DETAILS

Fire Management Plan Details

Plantation:	Noggerup		
Address	3543 Donnybrook-Boyup Brook Road, Noggerup		
Locality:	Noggerup	Nearest town (distance):	Noggerup (<1km)
Species:	<i>Pinus radiata</i>	Area:	142 ha
Fire Emergency Number	000		
DFES Region	Lower South West		
DFES Region Contact Number	(08) 9771 6800		
DFES Duty Officer Number	1800 512 111		
Fire Weather District	Blackwood		
Local Government Authority:	Shire of Donnybrook-Balingup		
Local Fire Brigade:	Mumballup		

Owner's Details

Name:	Cultura Australia Pty Ltd		
Primary Contact Number:	0493 166 159		
Email:	b.donaldson@greshamhouse.com		
Address:	East 13, Federal Mills Park, 33 Mackey Street, North Geelong		
Postcode:	3215	Country:	Australia

Forest Manager's Details

Organisation:	Delta Forestry Pty Ltd		
24 Hour Contact Number:	08 9778 9995		
Email:	admin@deltaforestry.com.au		
Address:	33 Headstay Cove, Geographe		
Postcode:	6280	Country:	Australia

Author's Details

Name:	Glen Samsa		
Title	Managing Director		
Mobile Number:	0427 126 164		
Email:	gsamsa@deltaforestry.com.au		

2. PREAMBLE

The Noggerup property is subject to a conditional purchase agreement between the current proprietor and Cultura Australia Pty Ltd, to be managed by Delta Forestry. The Purchase Agreement is conditional upon obtaining development approval for the establishment of a *Pinus radiata* plantation on the property. This fire management plan (**Plan**) is provided in support of this, as part of the separate Forest Management Plan.

The farm has been planned by experienced foresters and with specific regard to the Code of Practice for Timber Plantations in WA (**Code**) which sets out goals and guidelines for good plantation management, and particularly the Department of Fire and Emergency Services (**DFES**) Guidelines for Plantation Fire Protection (**Guidelines**). The Guidelines establish industry best practice fire risk management protocol for Tree Farms in WA.

3. GUIDELINES FOR PLANTATION FIRE PROTECTION COMPLIANCE¹

Criteria	Check
Landowner and/or occupier information such as identification of the plantation company and all relevant contact details, including 24 hour fire contact phone number:	Complies.
A firefighting equipment register and details of any cooperative arrangements:	Complies.
Plantation species, area, layout including compartment size:	Complies.
Fire protection measures such as: <ul style="list-style-type: none"> • Fire detection and reporting mechanisms. • Initial response and attack of fires, including resource dispatch and communication with relevant authorities. • Identification of potential ignition sources. • Access in and around the plantation. • Access roads in and around the plantation. • Access roads must be clearly signed. • Methods of firebreak maintenance. • Measures to protect services (e.g., power lines and gas 	Complies.

¹ Department of Fire and Emergency Services Guidelines for Plantation Fire Protection 2011.

<p>pipelines.</p> <ul style="list-style-type: none"> • Water supplies and approximate capacities of these supplies. • Surrounding vegetation type, age since last burn and the site is being effectively managed, if available. • Sites fire history, where available. • Harvesting procedures and other measures used to reduce hazards (e.g., slashing and thinning programs). • Fuel reduction program, if applicable, including herbicide weed control and controlled grazing. 	
<p>Surrounding local features including:</p> <ul style="list-style-type: none"> • Existing plantations. • Proximity to towns/settlements. • Remnant vegetation. • Significant values relevant to site. 	Complies.
<p>Provision of a map at a suitable scale:</p> <ul style="list-style-type: none"> • Plantation maps must be provided to local government and to DFES, and provide additional maps if requested by DFES or the local government. • These maps are to held in suitable containers and sign posted at the main property entrances or other local government approved locations for use by personnel attending a fire. • Plantations managers must check and update these maps annually to ensure their quality and accuracy, dates on the maps may assist with this. 	Complies.
<p>Fire management maps will include:</p> <ul style="list-style-type: none"> • Compartment boundaries and size. • Water supplies including irrigation channels and dams. • Emergency access/egress (fire breaks). • Structures houses, sheds etc. • Significant features e.g., creek crossings, dead end access tracks, areas of remnant vegetation. 	Complies.
<p>Standardised map legends are to be applied across the plantation industry:</p>	Does not comply. Standard has not been developed.

4. PURPOSE

The purpose of Plan is to provide a high-level outline of the response and protection measures to be implemented at the property over the life of the plantation (20 plus years). The Plan is prepared in accordance with the Code and

Guidelines to minimise fire risk and identify appropriate fire risk management strategies and response for the protection of human life and local community assets as well as plantation assets.

This Plan will inform the preparation of annual fire management plans (**Annual Plans**) which will set out in further detail fire management strategies applicable year on year, responding and adapting to account of the plantation's growth stage, planned operational activities, changing weather and land use considerations, and will include up to date contact details and water supply information. The Annual Plans will not be inconsistent with this Plan and will be provided to the Shire of Donnybrook-Balingup when requested.

5. SCOPE

The Owner and Forest Manager are obligated under the *Bush Fires Act 1954* to, upon becoming aware of a bushfire, take all possible measures to extinguish the fire. The Plan is specific to the property and surrounding areas. The scope of the Plan and the Annual Plans shall include but not limited to fire risk management, plantation design and access, fuel and firebreak management, fire identification and fire response, water resources and availability, firefighting resources and availability, stakeholder communication, emergency contacts, and cooperative fire management measures.

6. PROPERTY DESCRIPTION

Particulars	
Title Information:	P201646 3711, P140738 3734
Planning Scheme:	Shire of Donnybrook-Balingup Scheme no. 7
Planning Zone:	General Agriculture
Planning Overlays:	Bushfire Prone, SCA7
Existing Land Use:	Grazing livestock
Land Units:	Balingup moderate slopes, Hester subsystem, Yarragil subsystem, Wilga subsystem
Topography:	Gentle to moderate slopes (5-20%) (See Attachment 1 – Topographical Information)
Soil Types:	Loams to loamy or sandy gravels

7. ACCESS DESCRIPTION

The Noggerup property is situated adjacent to the north of the Noggerup townsite and is accessed via the Donnybrook-Boyup Brook Road (See Attachment 2).

Main Access

The main access point is via the Donnybrook-Boyup Brook Road to the property access gates. Travel distance along Donnybrook-Boyup Brook Road from the Macquarie Street junction is 150 m in an east-south-east direction.

Secondary Access

The secondary access point is located on the Donnybrook-Boyup Brook Road directly across from Macquarie Street.

Internal Access

The plantation is well serviced by an internal road network and firebreak systems that has been strategically incorporated into the landscape to reduce navigation uncertainty, provide ease of access for light vehicles and heavy fire equipment. All firebreaks can exceed a 15 tonne load limit during the restricted and prohibited burning periods.

Where a firebreak crosses a gully or stream, piping and/or hard surfacing material will be applied to the crossover point to ensure these areas are trafficable during the restricted and prohibited burning periods and shall be compliant with minimum 15 tonne load limits (See Attachment 3 - Fire and Emergency Plan).

Emergency access and egress roads and tracks are shown on the Fire and Emergency Plan and direct internal plantation traffic to designated Access Gateways on the Donnybrook-Boyup Brook Road (See Attachment 3).

All internal fencing will be removed as part of the plantation development to allow for unimpeded fire access. External boundary fencing will be maintained for security purposes.

8. PLANTATION SPECIES AND DESIGN

The plantation will be established to *P. radiata* (softwood pine) at 1,100 stems per hectare. The site will be prepared using two different establishment methods. These being:

- Rip and mounding
- Ripping only

Both establishment methods will be at 4 metre intervals and the spacing of tree seedlings will be at approximately 2.0 metres along the rows to achieve an 1,100 stems per hectare standing stocking level. (See Attachment 4 – Plantation Design Plan)

Access within the confines of the planted compartment area will be limited by the establishment method. The very nature of rip/mounding creates barriers for fire appliance vehicles traversing internally through the compartment. In a fire event, Fire Controllers should be made aware of the rip/mounding impediments and use nominated firebreak accessways as primary traffic ways through and around the plantation area.

Plantation setbacks are designed to minimise the risk of any adverse bushfire impact to surrounding land uses and conversely protect the plantation from external risk factors. In determining the setbacks in this Plan, we have considered the risk of bushfire from internal and external sources of ignition including the DBCA managed crown land and state forest.

Plantation Design Setbacks	
Public Roads:	15 m minimum
Title Boundary:	15 m minimum
Compartment Boundary:	6 m minimum
Remnant Vegetation:	6 m minimum
Watercourses:	6 m minimum
Dwellings	100 m minimum
Buildings	50 m minimum
Powerlines	20 m minimum

Biodiversity and Conservation Values

There are several degraded watercourses running through the property, isolated stands of medium marri, and jarrah forest in various states of condition. These areas can be managed for their conservation and biodiversity values with the exclusion of grazing animals and potential of reintroduction of controlled burning to stimulate recruitment and germination of native species. Appropriate plantation design and fire management will enhance the biodiversity and conservation values of the property.

Biodiversity and Conservation Features

Vegetation Types:	Medium jarrah and marri
Threatened Species ² (CR ³ , VU ⁴ , EN ⁵):	Western Ring-tail Possum, Forest Red-tailed Black Cockatoo, Carnaby's Cockatoo, Baudin's Cockatoo
TEC ⁶ :	Nil
Vegetation Condition:	Good to poor

9. STAKEHOLDERS, LAND USE AND FIRE HISTORY

Neighbouring stakeholders are listed below. Delta Forestry maintains a database of neighbours which will be used for the communication and management of sensitive operations (e.g., fire, spraying, vermin control, harvesting). For privacy reasons, names and contact details of private residences have been omitted. There is no recent fire history for the property and a prescribed burn was undertaken in the reserve surrounding the townsite in 2009.

² May or may not be found on or near the property (5km radius from property).

³ Critical

⁴ Vulnerable

⁵ Endangered

⁶ Threatened ecological community.

Stakeholders			
Property identification	Contact	Land use	Last Fire
3637 Donnybrook-Boyup Brook Road		Grazing	Unknown
Lot 1 Donnybrook-Boyup Brook Road		Grazing	2018
Townsite		Rural residential	2009
3472 Donnybrook-Boyup Brook Road		Grazing	Unknown
3851 Donnybrook-Boyup Brook Road		Grazing	Unknown
Reserve 47661	DBCA Wellington District (08) 9735 1988	Forest	2009
Reserve 18567	Shire of Donnybrook-Balingup (08) 9780 4200	Recreation	Unknown

10. FOREST DESCRIPTION

Forest Area Statement (ha)	
Plantation:	142
Native Vegetation:	43
Buffers and Water Courses:	14
Firebreaks and Tracks:	24
Dams:	1
Total:	224

11. SURROUNDING FEATURES

A summary of surrounding features and land uses is described below (also refer Attachment 5).

Direction	Feature
South	Adjoining – Townsite and native vegetation types Beyond – Native forest vegetation types
West	Adjoining – Pastures and grazed native forest vegetation types. Beyond – Native forest vegetation types
South West	Adjoining - Pasture Beyond - Native forest vegetation types
North	Adjoining- Native forest vegetation types Beyond – Native forest vegetation types
East	Adjoining - Pasture and grazed native forest vegetation types Beyond – Pasture and grazed native forest vegetation types
South East	Adjoining – Pasture and grazed native forest vegetation types Beyond – Native forest vegetation types

12. RISK TO WIDER COMMUNITY

The level of risk to the wider community associated with the plantation use is not greater than the risk levels associated with the rural landscape in the Noggerup locality and recognised by the local community and land management agencies. The landscape in the Noggerup area is generally pastured valleys including plantations, surrounded by forested National Parks managed by the Department of Biosecurity, Conservation and Attractions (**DBCA**).

The establishment of the plantation will create a potential fuel bridge from National Park areas to the north to National Parks areas south of the townsite. To manage this risk and minimise the spread of fire through the plantation to the townsite and beyond, this Plan includes a 100 m wide low fuel zone between the Preston River and the western boundary of the property, the implementation of Fuel Reduced Buffers (FRBs) within compartments 1, 4 and 5 (see Section 19), and strategic firebreaks strategically located within the plantation confines (described below) to manage a potential fire spread, and act as defensible positions or potential back burn positions with reduced fuel loads.

For areas immediately adjoining the plantation, risk will be managed through hazard identification and compliance with relevant obligations and regulatory controls. Plantation areas will be appropriately set back at least 100 m from

surrounding property dwellings. Plantation areas will also be setback by a 15-metre external firebreak around the property boundary. Additionally, to minimise the spread of fire within the plantation, the powerline easement (40 m wide) running west-north-west to east-south-east with a take-off in a south west direction and the Donnybrook-Boyup Brook Road will be managed as a strategic firebreak. Furthermore, a 20 m wide strategic firebreak will be installed between compartments 2, 4 and 5.

13. FIRE CONTACT INFORMATION

Key Contact Information

Fire Emergency:	000
Delta Forestry (24 hr):	08 9778 9995

Entity	Name	Contact number
DFES	Lower South West	(08) 9771 6800
DFES Duty Officer		1800 512 111
CBFCO	Max Walker	0428 641 021
DCBFCO	Ian Ralph	0407 959 325
DCBFCO	Bevan Dix	0429 579 571
Mumballup	Brad Kettle	0414 533 355
DBCA Wellington		08 9735 1988
DBCA Blackwood		08 9752 5555
Shire of Donnybrook-Balingup		08 9780 4200
WAPOL		000

14. FIRE DETECTION AND INITIAL RESPONSE

Protecting the plantation from fire is critical given *P. radiata* is not tolerant of severe fire. Annual Plans will be prepared detailing the fire control activities within plantation for that period ensuring activities undertaken will comply with:

- The Guidelines;
- Shire of Donnybrook-Balingup Firebreak and Fuel Hazard Reduction Notice; and
- The Code.

Annual Plans will include up to date information about the plantation and will consider and respond to the fire risk and management for that particular year, considering (amongst other things) the plantation's growth stage and planned operational activities, changing weather and land use factors, and water supply and capacities.

The Forest Manager or contractor will attend and respond to the control of any fire on the property. Fire events within the plantation area are likely to be detected by DBCA aerial fire surveillance, neighbouring landowners, Delta Forestry surveillance patrols, and members of the public passing by the property. Delta Forestry also monitors and responds to, the Bureau of Meteorology, Digital Earth Australia Hotspots and Emergency WA Warnings and Incidents for fire weather, lightning, and fire activity.

Plantation GIS data sets will be supplied to DFES and DBCA for inclusion in emergency service directories and for fire co-ordination centres. Maps and our overarching annual fire management plan will be provided to local government when requested. In addition, plantation signposting will have relevant fire contact information and location details for efficient fire notifications.

In the event of a wildfire within the plantation area, the following initial response and suppression methods will be considered by the Forest Manager along with fire suppression priorities. Noting that as time progresses the fire may come under the control of the Shire of Donnybrook-Balingup, DFES or DBCA. The Forest Manager will provide support to control agencies including access to heavy plant and equipment.

Fire Response Matrix		
Fire danger index	Suppression type	Management unit
No Rating:	Direct attack on head fire and flank fire – earthmoving machinery	Small fire area confined within a compartment cell
Moderate:	Flank fire attack – earthmoving machine and request aerial water bombing assistance	Fire area confined to a single compartment cell
High:	Tail fire suppression – earthmoving machine and, request aerial water bombing assistance	Fire area confined to multiple compartment cells or perimeter breaks
Extreme or Catastrophic:	Request for aerial water bombing and machine assisted suppression	Fire area confined to low fuel areas within or outside the plantation area

Should a plantation fire occur on the Property, the Forest Manager or contractor will respond to suppress the fire on behalf of the Owner and will be responsible for mop up and ongoing monitoring within the property boundaries once the wildfire has been brought under control and running fire is contained with mineral earth firebreaks. The Owner contributes to the Emergency Services Levy as a rate payer and, the Forest Manager and the Owner provide financial and resource support to local brigades.

15. FIRE FIGHTING RESOURCES AND REGISTER

The Forest Manager will have the following resources available to respond to fire on the Property. The Delta Forestry owned 4x4 Fast Attack units are mobile units located within the Southern Forests and Blackwood Fire Districts during the normal working hours or after-hours during surveillance and monitoring operations. Furthermore, during the restricted and prohibited burning period all forest operations occurring on the property are required to have appropriate fire-fighting apparatuses located on the property in the event of fire.

The Forest Manager is a member of Forest Industries Federation of Western Australia (FIFWA) and has co-operative fire management agreements with other forest managers providing access to additional light and heavy vehicles fitted with fire-fighting apparatus as indicated in the table below.

The Forest Manager is committed to donating a trailer fitted with a fast fill and standpipe for local brigade use.

Resource	Manager	Location
500 L 4x4 Fast-Attack	Delta Forestry	Manjimup
400 L 4x4 Fast-Attack	Delta Forestry	Dardanup
500 L 4x4 Fast-Attack	Delta Forestry	Glenoran
3000 L Heavy-Duty	Delta Forestry	Glenoran
400 L 4x4 Fast-Attack	Ents Forestry	Bunbury
400 L 4x4 Fast-Attack	Ents Forestry	Bunbury
2,700 L Heavy-Duty	Ents Forestry	Bunbury
400 L 4x4 Fast-Attack	Ents Forestry	Collie
400 L 4x4 Fast-Attack	Ents Forestry	Collie
400 L 4x4 Fast-Attack	Ents Forestry	Collie
400 L 4x4 Fast-Attack	PF Olsen	Bridgetown
400 L 4x4 Fast-Attack	PF Olsen	Manjimup
400 L 4x4 Fast-Attack	PF Olsen	Chowerup
4,000 L Heavy-Duty	PF Olsen	Yornup
600 L 4x4 Fast-Attack	WAPRES	Bunbury
600 L 4x4 Fast-Attack	WAPRES	Manjimup
4,000 L Heavy-Duty	WAPRES	Bunbury
4,000 L Heavy-Duty	WAPRES	Bunbury
4,000 L Heavy-Duty	WAPRES	Manjimup
400 L 4x4 Fast-Attack	BFE	Bunbury
400 L 4x4 Fast-Attack	BFE	Bunbury
400 L 4x4 Fast-Attack	BFE	Bunbury
2,700 L Heavy-Duty	BFE	Bunbury
400 L 4x4 Fast-Attack	Wespine	Bunbury
600 L Trailer Unit	Wespine	Bunbury

The Forest Manager will review its resourcing requirements from time to time and will include the services of third-party providers to increase the number and availability of directly controlled resources during the fire season. Resourcing requirements year-on-year will be detailed in the Annual Plan.

16. FIRE RESPONSE

Response times are not expected to exceed 45-minutes from the closest available resource at Dardanup. The Forest Manager has a mobile fleet of 4x4 Fast-Attack units located throughout the Southern Forests and Blackwood Fire Districts on any given day depending on forest management activities, surveillance, and monitoring operations. Depending on availability and location, these units will be deployed to the property and may decrease response times.

During the restricted and prohibited burning season all personnel involved in forest operations (e.g., contractors and visitors) on the plantation will have appropriate fire-fighting apparatuses on site (i.e., fire extinguishers, 4x4 Fast-Attack or Heavy-Duty) and can respond immediately to any fire.

17. FIREBREAK AND FUEL MANAGEMENT

Firebreaks will be inspected annually and maintained in a trafficable condition cleared of all flammable material in line with the annual the Shire's annual compliance notice. Firebreaks at a minimum shall have a clearance of 15 metres in width for external breaks and 6 metres in width internal breaks and 6 metres in vertical height, allowing the safe passing of fire-fighting appliances. As detailed in the Forest Management Plan, firebreaks will be maintained by either herbicide application preceding the onset of the fire season and/or firebreak grading to remove flammable material. A 20 m strategic firebreak will be installed between compartment 2, 4 and 5 and further 40 m strategic firebreak within the powerline easements.

Annual grass inspections will be carried out prior to the commencement of the Restricted Fire Season to ascertain whether controls are needed to reduce potential fire spread risk. As the plantation achieves tree canopy closure, grasses will be shaded out of the plantation area. Grasses will therefore predominately frequent areas outside of the tree crop area along firebreaks and within non plant areas where they are able to be managed effectively using herbicides and/or mechanical treatments.

Building setbacks will be observed for outbuildings. There is no habitable dwelling on the Noggerup property. A derelict dwelling situated close to the Donnybrook –

Boyup Brook Road will be demolished as part of the plantation development under a BA5 Application for Demolition Permit.

A powerline runs in a west-north-west to east-south-east direction with a take-off in a southwest direction towards the Townsite, on the front of Lot 3711. A setback of 20 metres either side (40 m in total) of the powerline and take-off will be installed as part of the plantation establishment plan. The powerline easements will be treated with herbicides or mechanical means to remove fuel loads and will serve as a strategic firebreak. Building setbacks will be implemented where neighbouring infrastructure is within proximity to cadastral boundaries.

No flammable hydrocarbons are to be stored on the property.

18. FUEL REDUCTION CONSIDERATIONS

As detailed in the development application, the property been recently grazed which has led to the decline in understorey native vegetation species and a structure change to predominately grasslands with mixed upper canopy forest types. By removing grazing animals, it is likely that there will be a return of some native understorey species within remnant native vegetation islands within the confines of the plantation. Remnant vegetation areas will be closely monitored and measured and should fuel load levels exceed 8 tonnes/hectare, some means of fuel reduction will be implemented.

A risk assessment will be undertaken prior to any fuel reduction. The risk assessment will consider relevant legislation, the risk of fuel reduction (fire, mechanical, or chemical) causing damage/negative impacts to the plantation, native vegetation, fauna, and in coordination with adjacent landowners or agencies where required (e.g., DFES, DBCA, Main Roads). Fuel reduction will only be undertaken in accordance with all applicable legislation, associated regulations and local laws, and when the risks can be appropriately managed or controlled.

19. OTHER MEASURES TO REDUCE FUEL LOADS

Plantation firebreak edge trees will be assessed annually to determine whether there is limb intrusion into the firebreak accessway. Tree limbs encroaching into the firebreak will be pruned to maintain vertical height specifications as detailed in the Shire's Fire Prevention Orders.

To minimise the risk of fire to the Noggerup townsite and create defensible positions, the following Fuel Reduced Buffers (FRBs) will be installed:

- Compartment 1 will have high pruned pine trees established between 5 years to 10 years of age to 6 metres in height to a depth of 20 metres from the plantation edge.
- Compartments 4 and 5 along the strategic firebreak separating compartments 2, 4 and 5 will have low pruned pine trees established at 5 years to 10 years of age to 2.1 metres in height to a depth of 20 metres.

Furthermore, harvest debris will be treated by mulching or removal from compartment 1 following thinning and clearfell harvest operations prior to the proceeding fire season.

20. POTENTIAL IGNITION SOURCES

Ignition Point	Likelihood	Controls
1. Within Plantation – normal operations	Unlikely	Access via firebreaks and roads only.
2. Within Plantation – harvest - powerline	Unlikely Possible	Implement harvest bans on high fire danger index. Harvest equipment fitted with suppression systems. One fire unit for each harvester onsite during operational hours. Powerline easements to be treated with herbicides or by mechanical means to limit fire spread in the event of a downed powerline or pole fire.
2. Roadside fire	Possible	Firebreaks well managed.
3. Neighbouring property activity or fire escape (including from lightning strike)	Possible	Firebreaks well managed. Consider fuel loads along connected forest corridors. Monitor weather. Participate in interagency prescribed burning activities in high fuel loads outside the plantation area on DBCA, local government or local government land tenures
4. Fire escape DBCA managed land (Forest, Reserves or National Park)	Possible	Be aware of fuel reduction burning in the general vicinity. Assist with prescribed burning where land unit adjoins property boundary.
6. Lightning Strike within plantation	Unlikely	Monitor weather. Strategic positioning of Plantation Management staff and contractors for fire monitoring.
7. Arson and illegal activities	Possible	Firebreaks well managed. Security, surveillance and monitoring. Liaison with government agencies, neighbours and local police.

Likelihood
Very Unlikely - Rare / not expected but remotely possible
Unlikely - Improbable but could happen / not expected
Possible - Could happen or plausible
Likely - Will probably happen / is likely to happen
Certain - 100% likely / almost 100% likely

21. WATER SUPPLIES

Water point location information is shown on the FMP and identified by a "W" symbol contained within fine blue line work. The property has 5 reliable water points strategically located across the land for the purpose of watering grazing animals. These water points have a combined estimated capacity of 3,000 kilolitres. Two water tanks situated at the rear of the shed with a combined capacity of 25,000 litres fitted with 50 mm camlock fittings will also supplement existing water sources.

Accessways from firebreaks or compartment boundaries will be installed to access these reliable water points for fire control purposes. The water point volume, access and egress will be monitored prior to and during each fire season. Reliable water points are marked on maps and by signage on the property. In the event water points become unreliable they will be removed from maps and not signed. In the event all water points become un-reliable, a 50,000L tank with a 50 mm and 80 mm camlock fittings will be installed for fire-fighting purposes at either the property entrance point or the Noggerup Fire Shed.

22. FIRE DANGER PERIODS

Alertness will be increased as required during bushfire season, particularly on extreme and catastrophic fire danger rating days. Our response to increased risk may include standby of additional fire suppression resources, fire detection patrols and stand down of contractors operating within the plantation area. The Owner, Forest Manager and contractors will comply with Total Fire Bans or Movement Bans. (See Attachment 6 – Fire Danger Rating Operation Restrictions).

23. FIRE MAPS

Fire management maps will be prepared and reviewed annually to reflect the current forest condition and the latest contact information. Fire maps will be made available to DFES, DBCA, FIFWA Fire Co- operative Group through map revisions and GIS sharing and local volunteer fire brigades. Fire maps will also be held at the property's main entrance point in red coloured waterproof fire tubes at the property access points.

24. SIGNPOSTING

Plantation management signage will be placed at plantation entry points and will provide relevant plantation details and contact numbers for fire control purposes. Reliable water points will also be signposted from major access routes. Dead ends will also be signed. All signage will be updated as required.

25. FIRE FIGHTING TRAINING

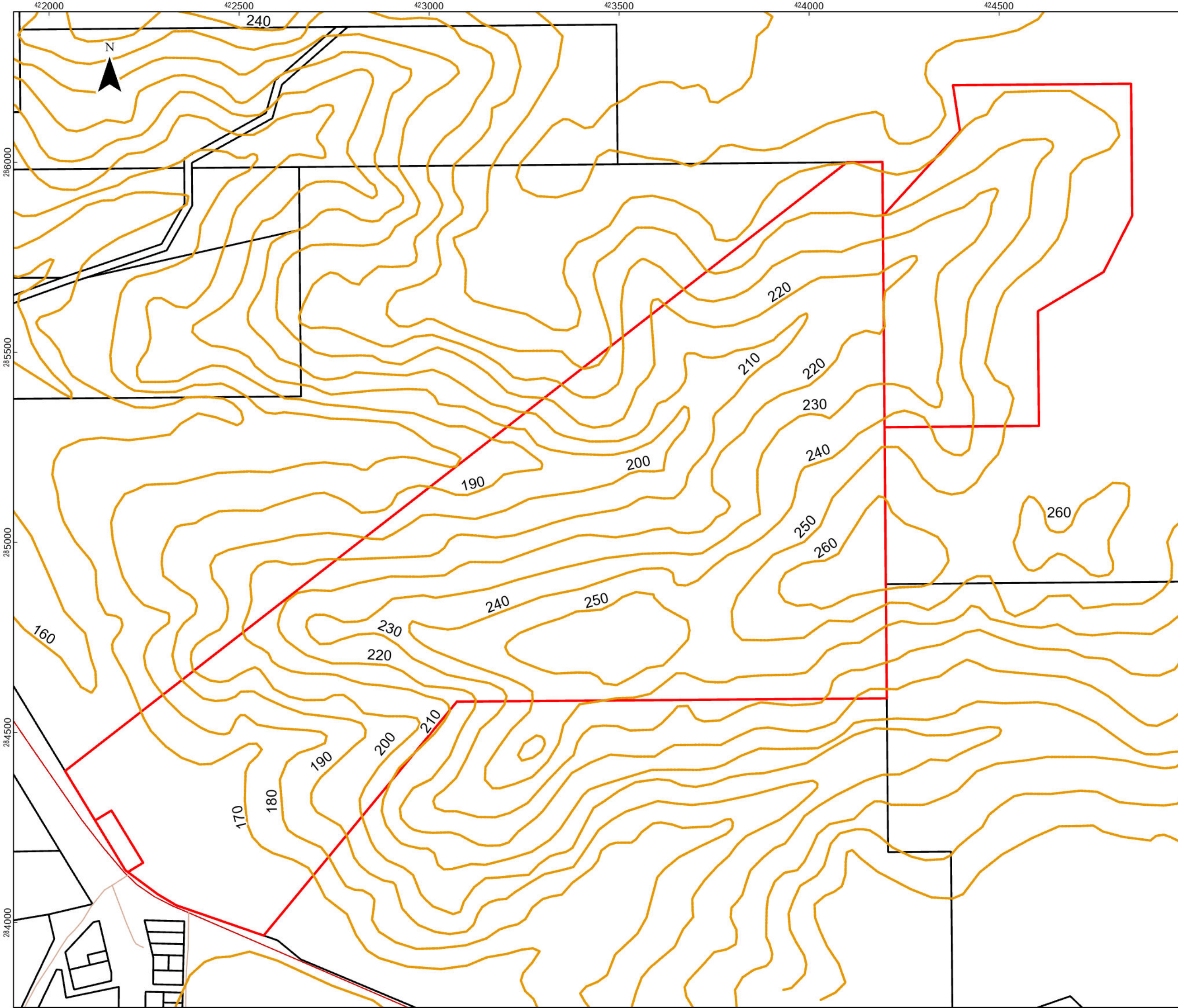
The Forest Manager, operational field staff and contractors that may undertake fire control activities will have attained a basic fire fighter training level or better.

26. HARVEST

The intent is to deploy a cut-to-length harvest system to produce logs for delivery to local and export markets. Prior to any harvest operations a harvest management plan will be developed for endorsement by the local government authority and communication to stakeholders. The harvest management plan shall include a section on harvest residue management to adequately manage fire risk (including the removal of harvest debris from compartment 1 prior to the proceeding fire season), additional fire-fighting resources be in site to manage the heightened risk of fire from machinery, and all operations will comply with harvest and vehicle movement bans. At a minimum a Heavy-Duty resource will be required on site during harvest operations. A decision to continue with the plantation use or otherwise will be made after the clearfell harvest noting the management of stump residues will need to be incorporated into any plans if an alternative land use is contemplated.

Attachments:

1. Topographical Information
2. District Context Plan.
3. Fire and Emergency Plan
4. Plantation Design Plan
5. Surrounding Land Use
6. Fire Danger Rating Operation Restrictions



FORESTRY
NOGGERUP
PLANTATION
Contour Map

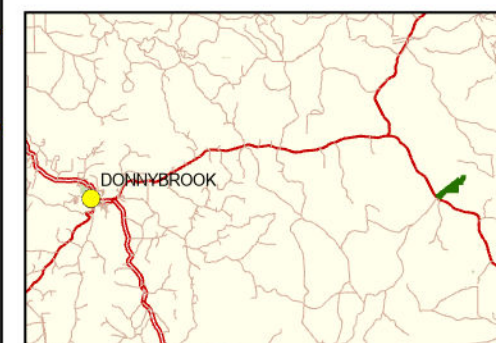
Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Legend

- Contour Line (10m interval)
- Noggerup Boundary
- Surrounding Cadastre

Location



0 100 200 300 400 500 600
Meters

1:9 000 @ A3

DATE: November 2025

Details

Lot 3711 on P201646 and Lot 3134 on P140738

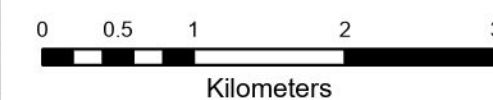
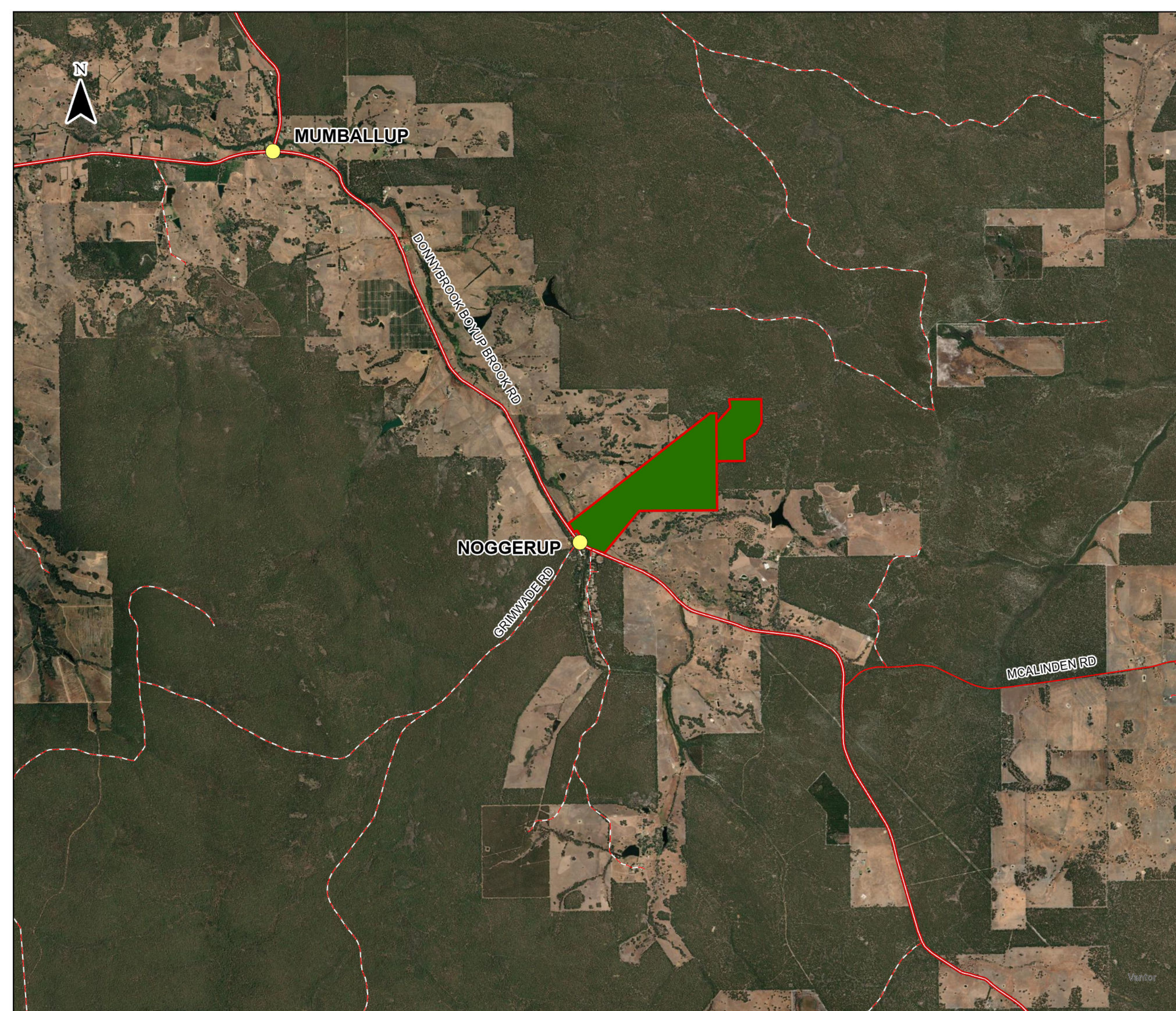
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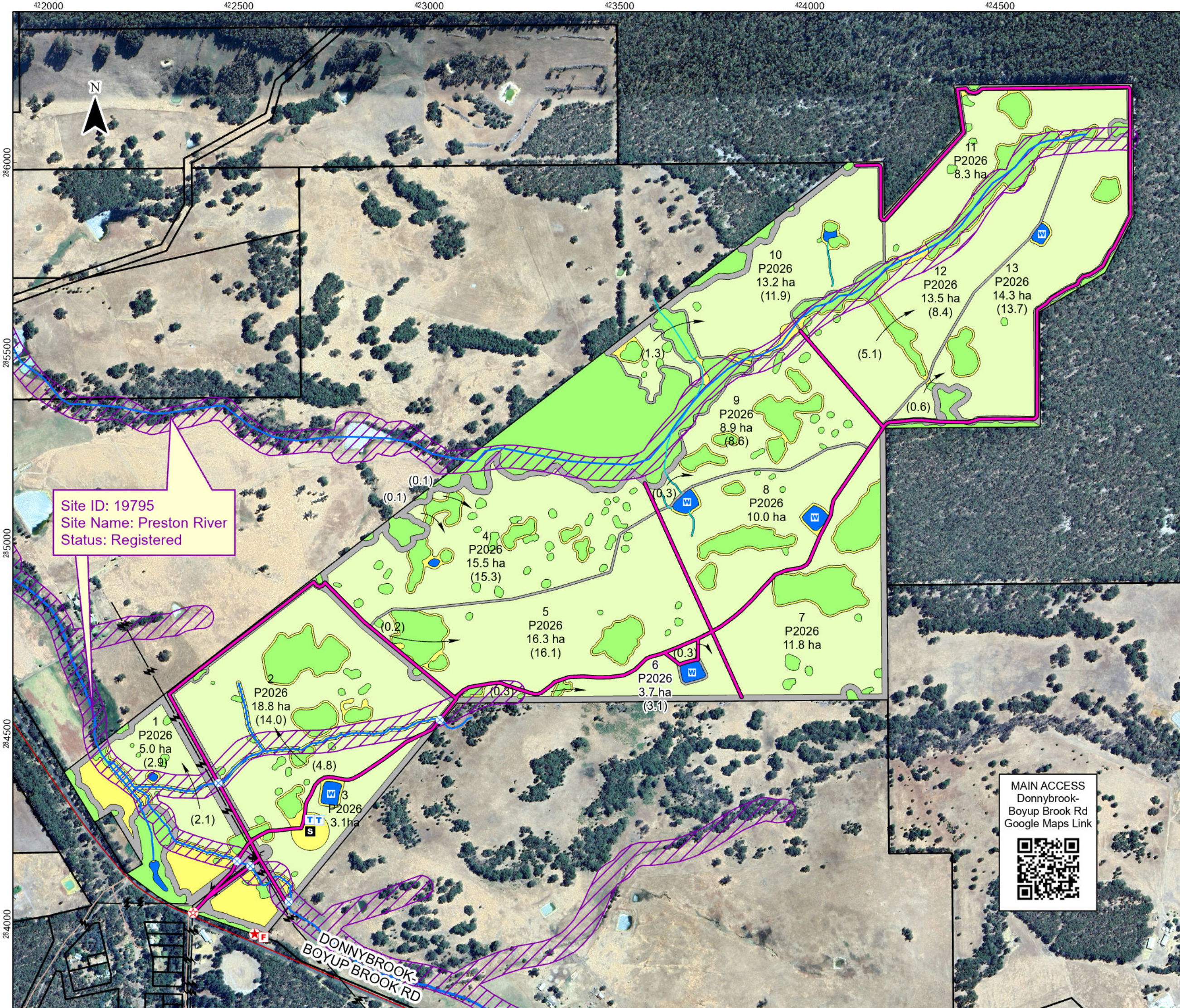
LAND OWNER: Cultura Australia Pty Ltd

ACCESS: Donnybrook-Boyup Brook Rd

Legend

-  Town
-  Highway/Main Road - Sealed
-  Minor Road - Sealed
-  Minor Road - Unsealed
-  Noggerup Plantation





Site ID: 19795
Site Name: Preston River
Status: Registered

MAIN ACCESS
Donnybrook-
Boyup Brook Rd
Google Maps Link



DELTA FORESTRY Noggerup Plantation FIRE AND EMERGENCY PLAN

Fire and Emergency call:000

Delta Forestry (Forest Manager)
24 hr Fireline: (08) 9778 9995
DFES
Regional Office: (08) 9771 6800
Duty Officer: 1800 512 111

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

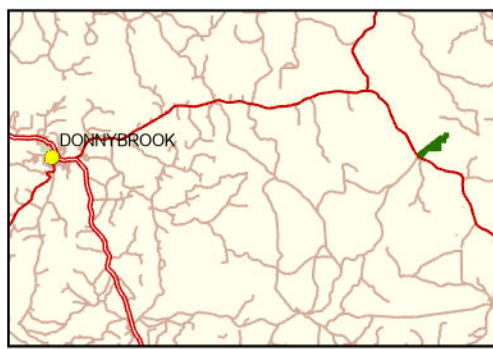
Area Report

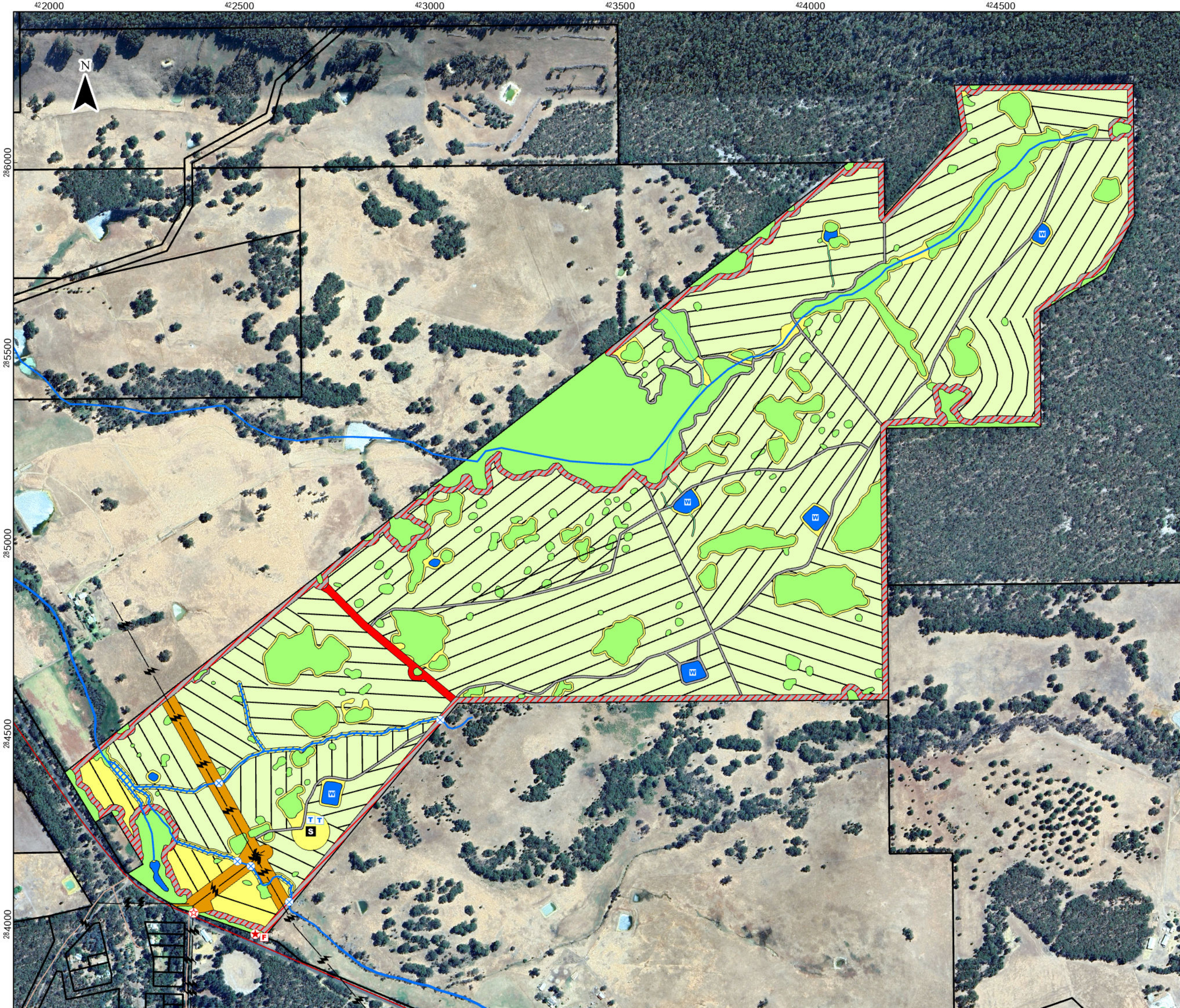
P. radiata P2026.....142.4 ha
TOTAL AREA.....142.4 ha

Legend

- ★ Main Access (EMP)
- ☆ Access Gate
- Ⓡ Fire Map Tube
- ⓧ No Access
- ⓧ Crossing
- 🏠 House
- 🏢 Shed
- 🚰 Waterpoint - Tank 25 000L
- 🚰 Waterpoint
- 🚰 Emergency Access and Egress
- ⚡ Powerline
- 🌊 Drain
- 🌊 Stream
- 🌱 P. radiata
- 🌱 Buffer/ Non Plantable
- 🌱 Riparian Zone (6m)
- 🌱 Firebreak
- 🌱 Retained Veg
- 🌱 Dam/Soak
- 🌱 Wet/Non Plantable
- 🌱 Indigenous Heritage Site

Location





NOGGERUP PLANTATION

Plantation Design Plan Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

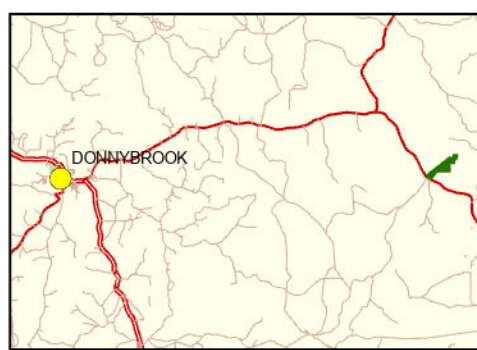
Area Report

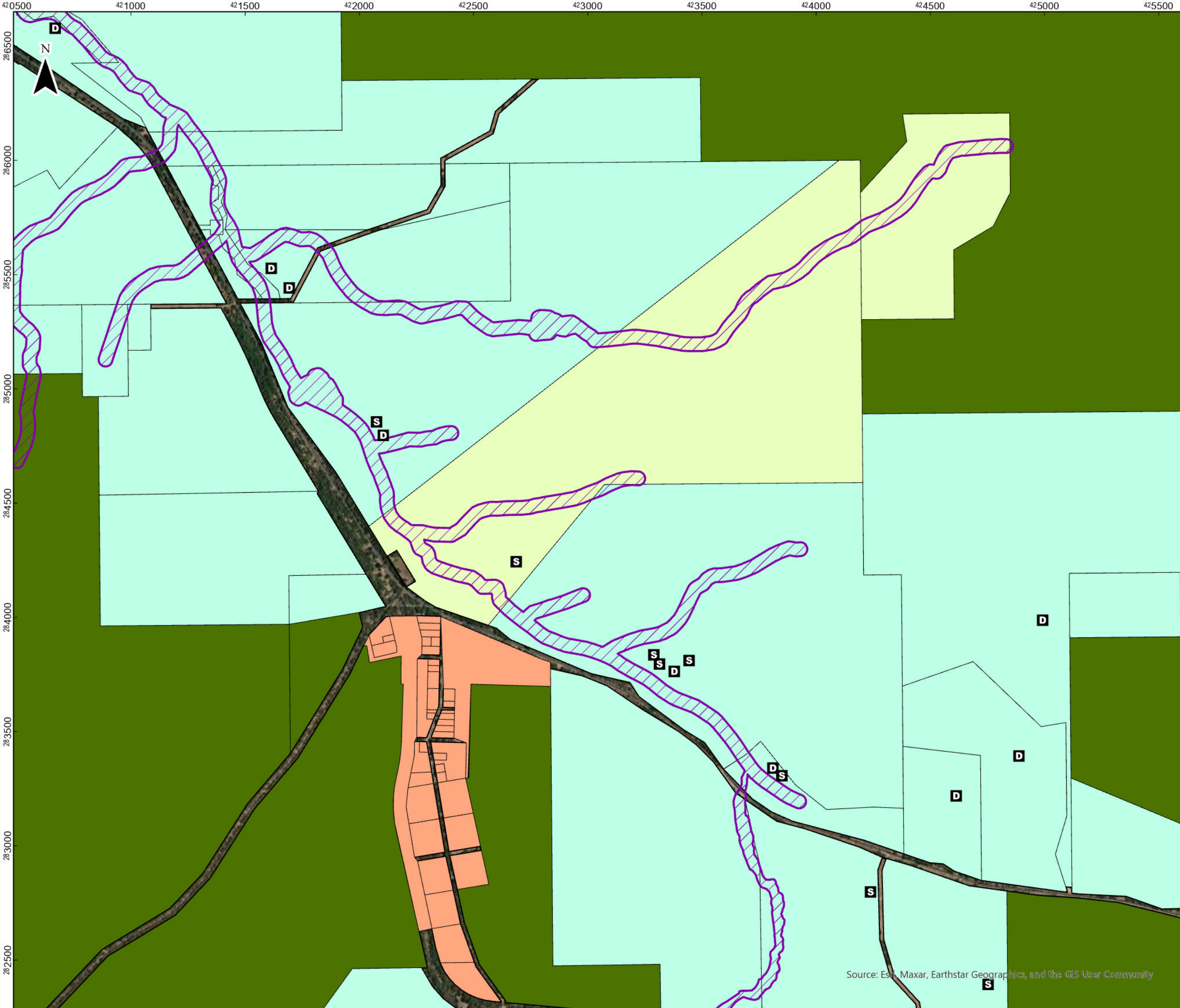
P. radiata P2026.....142.4 ha

TOTAL AREA.....142.4 ha

- ### Legend
- ★ Main Access (EMP)
 - ☆ Access Gate
 - F Fire Map Tube
 - H House
 - S Shed
 - ⊗ No Access
 - ⊗ Crossing
 - T Waterpoint - Tank 25 000L
 - W Waterpoint - Reliable
 - Row Direction (4.0m spacing)
 - ⚡ Powerline
 - - - Track
 - Drain
 - Stream
 - P. radiata (proposed planting)
 - Buffer/ Non Plantable
 - ▨ Riparian Zone (6m)
 - Firebreak 6m Internal
 - ▨ Firebreak 15m External
 - Firebreak 20m Internal
 - Firebreak Powerline 20m offset
 - Retained Veg
 - Dam/Soak
 - Wet/Non Plantable

Location





NOGGERUP PLANTATION Land Use

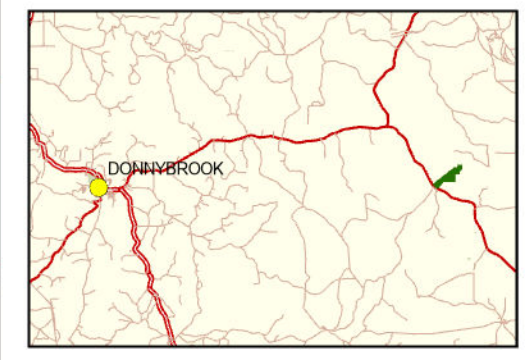
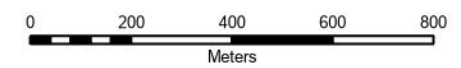
Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd

Legend

- D** Dwelling
- S** Shed
- Noggerup
- General Grazing
- Town Site
- Forested
- Softwood Plantation
- Softwood Plantation
- Cadastre
- Indigenous Heritage Site

Location



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Delta Forestry Operation Restrictions during Fire Danger Period

Region	Operation	Forecast Fire Danger Ratings (Fire Behaviour Index)				
		<12 No rating	12-23 Moderate	24-49 High	50-99 Extreme	>=100 Catastrophic
Blackwood	All operations within the managed estate.	No restrictions required.		The fire risk of all operations should be considered in the regions. Managers should consider ceasing operations by 1500 hours or earlier if the Fire Behaviour Index is expected to be >=40. Operations can continue beyond 1200 hrs where local weather conditions are recorded and considered satisfactory.	No Total Fire Ban in place, operations cease 1200 hours. Operations suspended for all 24hrs of the Total Fire Ban. No approval will be given to return to work until after the Total Fire Ban is over. Operations can continue beyond 1200 hrs where local weather conditions are recorded and considered satisfactory by the Forest Manager in consultation with the Duty Officer.	No operations will be authorised the day of the Total Fire Ban without the direct approval of the Forest Manager in consultation with the Duty Officer. This includes patrolling activities. The location of fire crews and control equipment to be given careful consideration.
Capes						
Southern Forests						
Stirling West						

All operations subject to declared harvest and vehicle movement bans.

Lots 3711 & 3734 Donnybrook–Boyup Brook Road

Desktop Review of the Hydrogeology of 3543
Donnybrook–Boyup Brook Road and its immediate
Surrounds

for

Delta Forestry Pty Ltd



September 2026



REPORT PREPARED BY
LUNDSTROM ENVIRONMENTAL CONSULTANTS PTY LTD

3543 Donnybrook-Boyup Brook Road, Noggerup

Desktop Review of the Hydrogeology of 3543 Donnybrook-Boyup Brook Road and its immediate Surrounds
Version Reference: 0.1

Date: 23rd September 2026

Prepared by Lundstrom Environmental Consultants Pty Ltd for Delta Forestry Pty Ltd

Lundstrom Environmental Consultants Pty Ltd

[Redacted]
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Delta Forestry Pty Ltd

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Front Page: Google Earth Image 2025

Version Register

Version No.	Description	Author	Reviewed by	Date
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0.2	Final	[Redacted]	[Redacted]	23 September 2026

CONTENTS

1. EXECUTIVE SUMMARY.....	3
2. INTRODUCTION.....	4
2.1. Background and Purpose	4
2.2. Location, ownership, tenure and Land-use.....	4
3. PHYSICAL ENVIRONMENT	5
3.1. Topography and drainage	5
3.2. Land Use	5
3.3. Climate	5
3.4. Hydrogeological Context	5
4. CONCLUSIONS.....	7
5. REFERENCES.....	8

LIST OF TABLES

Table 1: Mean Rainfall Data (mm) for The Wold (Station 9927) for Period 1991 to 2025 (BOM, 2026)

Table 2: Hydrogeological Units within the Property

LIST OF FIGURES

Figure 1: Locality Plan

Figure 2: Hydrogeological Units within the Property

LIST OF APPENDICES

Appendix 1. Bore Information Noggerup

1. EXECUTIVE SUMMARY

This desktop hydrogeological review assesses whether the proposed 142 ha pine plantation at 3543 Donnybrook–Boyup Brook Road, Noggerup could affect groundwater conditions within the Noggerup townsite and surrounding properties. The assessment draws on regional geological and hydrogeological mapping at 1:250,000 scale, local elevation data, and bore information provided by the Shire of Donnybrook–Balingup.

The Property is underlain almost entirely by granitoid gneiss, with limited groundwater resources confined to minor, low-yield local aquifers within the weathered profile. Recharge occurs from rainfall infiltration, while discharge is primarily downslope toward the Preston River, with 90% of surface and shallow subsurface flows leaving the Property downstream of Noggerup.

Groundwater beneath Noggerup is hosted within Guildford Formation alluvium, forming a separate superficial aquifer system that is locally recharged from higher ground to the south, not from the proposed plantation area. Responses from Noggerup residents confirm high seasonal water level fluctuations, low yields, and poor water quality, consistent with a small, isolated aquifer.

Based on the geological separation between the Property and the Noggerup superficial aquifer, the downstream orientation of surface and groundwater flow, and the limited groundwater resources within the Property itself, no evidence indicates that the proposed pine plantation will negatively impact groundwater availability or quality within Noggerup.

2. INTRODUCTION

2.1. BACKGROUND AND PURPOSE

Lundstrom Environmental Consultants Pty Ltd was engaged by Delta Forestry Pty Ltd (Delta) to review the hydrogeology of the area proposed for pine plantation and its surrounds. The purpose of the review is to evaluate the potential impact of a proposed 142ha pine plantation on groundwater in the village of Noggerup and adjacent properties.

Specifically the brief is as follows:

- the geological context (including diagrammatic cross-section transect between the Noggerup townsite and the eastern boundary of the Property, including by reference to the:
 - the Noggerup townsite;
 - the Property to the west of the Preston River (not planted to trees); and
 - the Property to the east of the Preston River (planted to trees),including whether the geological context is the same (and if different the location of any boundaries);
- the alignment and nature of inferred fault(s) on or in proximity to the property; and
- the flow direction(s) for surface water within the Preston River catchment within proximity of the Property;
- the flow direction(s) for groundwater within the Noggerup townsite and the Property;
- the likely extent of connectivity between surface water flows of the Preston River and underling groundwater; and
- the likely extent of groundwater connectivity between the Noggerup townsite and the Property east of the Preston River.

It should be noted that the hydrogeological interpretation has been derived from 1:250,000 maps which cover a large area. No ground truthing of the units represented in greater detail in the figures and text in this report has been done by the Author.

2.2. LOCATION, OWNERSHIP, TENURE AND LAND-USE

The property is located approximately 38km east of Donnybrook town site and immediately adjacent to Noggerup. Figure 1 is a locality plan for the project.

Address: 3543 Donnybrook-Boyup Brook Road, Noggerup (Property).

Lot no's: Lot 3711 on Plan 201646 and Lot 3734 on Plan 140738

Area: 225.1 ha

Ownership: Cultura Australia Pty Ltd

The Property is currently used for cattle grazing.

The surrounding area comprises farming land, tree plantations, native forest, and rural lots. Figure 2 illustrates the land use of the properties and their immediate surrounds.

3. PHYSICAL ENVIRONMENT

3.1. TOPOGRAPHY AND DRAINAGE

The review area comprises low slopes of 2 to 3% on the valley floor of the Preston River, in the vicinity of Noggerup, rising to the north-east where slopes are steep at 12 to 14%. The Property falls wholly within the Preston River catchment with minor drainage lines entering the Preston mainly downstream of Noggerup.

3.2. LAND USE

The Property is currently used as pastures with approximately 45ha of native vegetation occupying steeper slopes and drainage lines. Surrounding land use is pastures to the north and south with native forest occupying the high ground to the north and north-east.

3.3. CLIMATE

The closest Bureau of Meteorology weather station with long-term data is The Wold (9927) which experiences a mild, temperate climate with hot, dry summers and cool, wet winters.

Table 1 shows the average monthly and annual rainfall for this station which is approximately 11km from the Property.

Table 1: Mean Rainfall Data (mm) for The Wold (Station 9927) for Period 1991 to 2025 (BOM, 2026)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
15.3	14.0	21.0	45.8	106.6	136.2	152.1	131.7	91.7	52.6	36.8	14.3	818.0

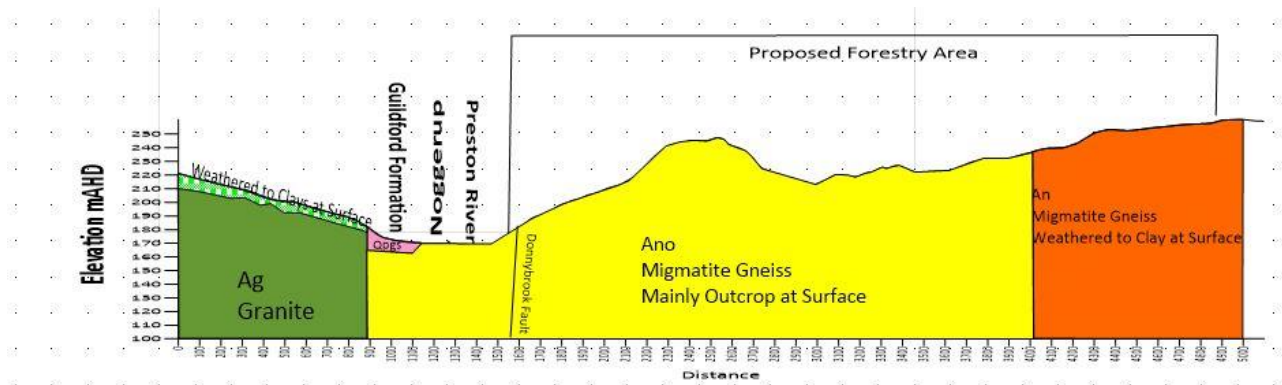
3.4. HYDROGEOLOGICAL CONTEXT

Almost the entire Property is underlain by metamorphic rocks comprising granitoid gneiss. These rocks generally weather to clayey soils in the lower lying areas and in minor valleys. Up to 79% of the area comprises outcrop where rainfall is discharged mainly by overland flow. The remaining area is deeply weathered to depths between several metres up to 40 metres (Rutherford J.L. 2000) (McCombe C.J. 1999). The weathering profile shows a complex zonation of clayey materials with a “grus” or saprolite occurring at the weathering front where a minor aquifer often exists. Hydraulic conductivity in this zone has been estimated at 0.5m/day. Higher in the weathering profile saprolites tend to become ferruginous and hydraulic conductivity can be less than 0.5m/day (Clarke et al 2000). Profile 1 illustrates the geology underlying Noggerup and the full length of the Property. No further detail can be provided since no detailed mapping is available.

Table 2: Hydrogeological Units within the Property

Hydrogeological Unit	Description	Area (ha)
An	Fractured and weathered rocks - local aquifer, very minor or no groundwater resources*.	48
Ano	Granitoid gneiss, migmatite and minor schist; subsurface generally weathered to clay (indicated by lighter colour) (outcrop)- local aquifer, very minor or no groundwater resources*.	177
* McCombe C.J. 1999		

**Profile 1: Cross Section South-west to North-east Through Noggerup
and to the North-east boundary of the Property**



Recharge over the entire profile is by rainfall infiltration through the weathered profile to the water table. Discharge occurs downslope when the water table intersects lower slope positions, at soaks or springs in drainage lines, or by evapotranspiration. Yields are described as being low and variable (Rutherford J.L. 2000).

The materials underlying the Noggerup townsite comprise Guildford Formation alluvial sand, clay, and gravel with minor estuarine and shallow marine lenses over granitoid gneiss (McCombe C.J. 1999). This Surficial aquifer is described as having limited local groundwater resources. Due to the higher topography to the south of Noggerup, winter recharge of the minor aquifer in the Guildford Formation, underneath the town, is from surface and shallow groundwater up the hydraulic gradient. The groundwater below Noggerup is discharged during summer by use, evapotranspiration and throughflow into the Preston River.

A survey of a small group of households within Noggerup by Shire of Donnybrook Balingup who have bores on their properties shows that the aquifer is recharged in winter with water levels approximately four metres below the surface dropping significantly (15 to 18m) in summer. Water quality is described as poor and with low yield. The responses received are included as Appendix 1.

By interpretation of the Collie Hydrogeological Sheet combined with surface elevation data, it can be seen that the recharge of the minor aquifer below Noggerup is not from the proposed pine plantation, but from the higher ground to the south. Figure 2 illustrates this point.

Groundwater flow is generally aligned with drainage lines towards the Preston River where it discharges. Surface drainage lines discharge mainly downstream of Noggerup as illustrated on Figure 2. Discharge from the Property is 90% downstream of Noggerup and it is unlikely that shallow aquifers used in the village are recharged from this source.

Groundwater quality varies from fresh to brackish with an average of 1000mg/l total dissolved solids (TDS). This value is derived from the mapped 1000mg/l TDS halocline that is illustrated on the 1:250,000 Hydrogeology map of the area. Anecdotal reports of soaks and springs confirm these data. This water quality is not suitable for human consumption but may be suitable for animals and limited irrigation.

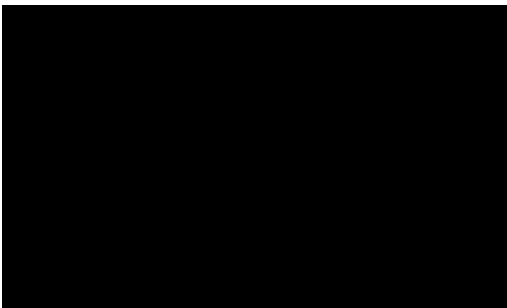
4. CONCLUSIONS

This desktop hydrogeological review evaluated whether establishing a 142ha pine plantation at 3543 Donnybrook–Boyup Brook Road, Noggerup could adversely affect groundwater conditions within the Noggerup townsite or adjacent properties. The assessment relied on regional geological and hydrogeological mapping, local elevation data, and bore information provided by the Shire of Donnybrook–Balingup.

The Property is underlain by granitoid gneiss with limited groundwater resources confined to minor, low-yield local aquifers. As described in the report, these units provide *“very minor or no groundwater resources”* and exhibit low, variable yields. Groundwater beneath Noggerup occurs within a separate superficial aquifer hosted in Guildford Formation alluvium, which is recharged locally from higher ground to the south rather than from the proposed plantation area. Residents with borehole responses confirm significant seasonal fluctuations, with water levels *“dropping significantly (15 to 18m) in summer.”*

Surface and groundwater flow directions indicate that the majority of discharge from the Property occurs downstream of Noggerup, with *“90% downstream of Noggerup”* and no evidence of hydraulic connectivity that would allow plantation recharge or drawdown to influence the townsite aquifer. The mapped 1000 mg/L TDS halocline and anecdotal observations of soaks and springs further support the conclusion that groundwater systems in the area are small, isolated, and of limited quality.

Based on all available information, including geological separation, flow direction analysis, aquifer characteristics, and borehole observations, no evidence indicates that the proposed pine plantation will negatively impact groundwater beneath Noggerup.



Principal of Lundstrom Environmental Consultants Pty Ltd

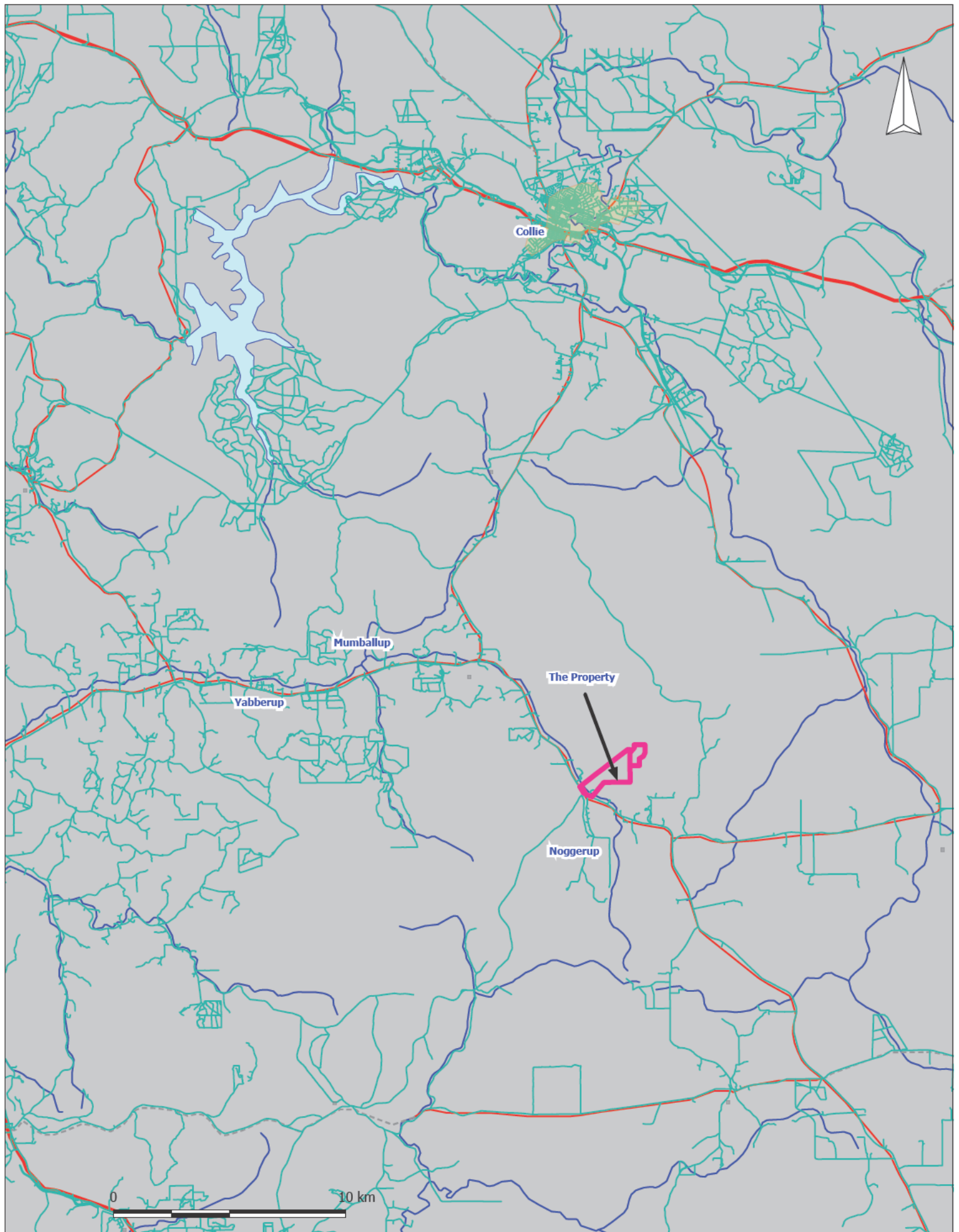
5. REFERENCES

Clarke, C. J., George, R.J., Bennett, D.L., and Bell, R.W., 2000, Geologically related variations in saturated hydraulic conductivity in the regolith of the western wheatbelt of Western Australia and its implications for the development of dryland salinity: Australian Journal of Soil Research, v. 38:p. 555-567.

McCombe C.J. 1999, Collie, WA Sheet SI 50-6: Western Australia, Water and Rivers Commission, 1:250 000 Hydrogeological Series.

Rutherford, J. L., 2000, Hydrogeology of the Collie 1 :250 000 sheet: Western Australia, Water and Rivers Commission, Hydrogeological Map Series Explanatory Notes, Report HM 7, 36p.

FIGURES



**Lundstrom Environmental
Consultants Pty Ltd**

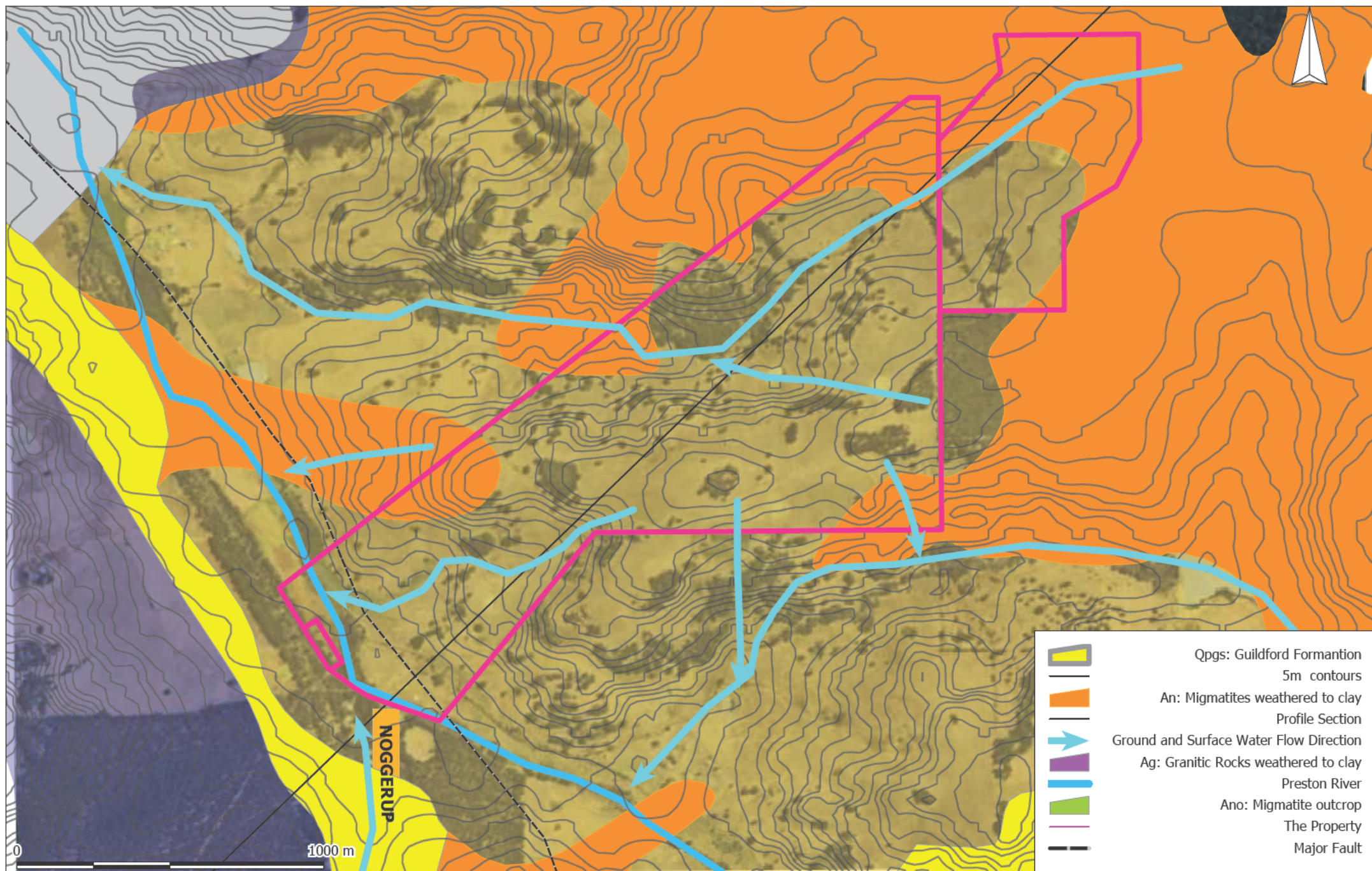
Scale: 1:210000
Original Size: A4
Datum: GDA94
Projection: Australia MGA94 (50)

Client: Delta Forestry Pty Ltd

Project: Pine Plantation

3543 Donnybrook-Boyup Brook Road,
Noggerup

**Figure 1:
Locality Plan**



Lundstrom Environmental Consultants Pty Ltd

Scale: 1:16000
 Original Size: A4
 Air Photo Source: Google Earth 2025
 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: Delta Forestry Pty Ltd
 Project: Pine Plantation Noggerup
 3543 Donnybrook-Boyup Brook Road, Noggerup

Figure 2:
 Hydrogeology

APPENDIX 1

From: [REDACTED]

Sent: Thursday, 3 September 2026 8:07 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: Bore information, Noggerup - DR 96/2026

Good morning [REDACTED]

As discussed during mediation, I reached out to residents within the Noggerup area to see if they would be willing to provide some information about their bore use and observations to assist your consultant in providing the additional information for Council's consideration. There wasn't a huge take up, but hoping this provides a start. There are two entries for the one address as the former landowner also responded.

Address	Bore (yes/no)	Depth of Bore	Depth to Water	Season variation (yes/no & observations)	Use of water
[REDACTED] Macquarie St	Yes	Installed 2025 - 36m; with top of bore at approximately 180m above sea level	4m	Low flows noted towards the end of summer	Irrigation, pets, firefighting, vehicle and equipment washdown, external taps and ancillary dwelling water supply. Secondary water supply to the main dwelling
[REDACTED] Macquarie St (pre -2023)	Yes	Approx. 30m deep	3m in winter; 18m in summer	Yes (depth to water difference of approx.. 15m)	Highly saline; limited use.
[REDACTED] Macquarie St	Yes – 2, approx. 100m apart	1 @ 15m 2 @ 25m	1-3m in winter	Low flows noted towards the end of summer, with significant drop in water level; maximum output limited to 20lpm	Add to rainwater supply for house, vegetable garden and 6 fruit trees
[REDACTED] Macquarie St [REDACTED] [REDACTED]	Yes – newly installed/not yet in use	30m		Previously relied on a dam, which has dried out by January for the last 10 years in a row.	Household, pets, garden and firefighting.
[REDACTED] Donnybrook Boyup Brook Road	No				

Many respondents referred to other property bores drying up in summer.

I also spoke to a local drilling contractor who informed that the majority of the bores in Noggerup are low yielding and drilled to the superficial layer.

I will let you know if I receive any additional responses.

Regards,



[Redacted]

[Redacted]

P: [Redacted]

E: [Redacted]

W: [Redacted]

A: Mon - Fri, 8:30am - 4:00pm

[Redacted]



[Keep Australia Beautiful - Tidy Towns Awards 2021 Category Winner](#)

Our Vision:

A proud community enjoying our rural lifestyle, cultural heritage, and natural environment.



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For further information, please contact the Shire directly via (08) 9780 4200.



FOREST MANAGEMENT PLAN

September 2026

1. DETAILS

Forest Management Plan Details

Name:	Noggerup		
Address	3543 Donnybrook-Boyup Brook Road, Noggerup		
Locality:	Noggerup	Nearest town:	Noggerup
Local Government Authority:	Shire of Donnybrook-Balingup		
Local Fire Brigade:	Mumballup		

Owner's Details

Name:	Cultura Australia Pty Ltd		
Primary Contact Number:	0493 166 159		
Email:	b.donaldson@greshamhouse.com		
Address:	East 13, Federal Mills Park, 33 Mackey Street, North Geelong		
Postcode:	3215	Country:	Australia

Agent's Details

Organisation:	Delta Forestry Pty Ltd		
Primary Contact Number:	08 9778 9995		
Email:	admin@deltaforestry.com.au		
Address:	33 Headstay Cove, Geographe		
Postcode:	6280	Country:	Australia

2. CODE OF PRACTICE PROTOCOL COMPLIANCE¹

Protocol Criteria	Recommended Content	Check
Plantation Map:	<p>A map of the plantation should provide the following:</p> <ul style="list-style-type: none"> • plantation manager details; • an area statement showing plantation categories and areas; • a locality plan and access roads; • cadastral information; • known environmental and OHS hazards; • improvements: • buildings; • roads, tracks, firebreaks, bridges, creek crossings; • fences, gates, utilities, water points; • natural features: • watercourses and wetlands; • areas of native vegetation; and • significant values. 	Complies.
Establishment Plan:	<p>This should outline the following topics and how they are to be managed:</p> <ul style="list-style-type: none"> • areas of native vegetation and significant values; • setback distances to watercourses, wetlands, reservoirs and significant values; • statutory setback distances to dwellings and gazetted infrastructure; • management of harvest residue; • control of declared animals, declared plants and other pest plants; • areas to be planted, compartment sizes; • species to be planted; 	<p>Complies.</p> <p>Weed and pest control prescription provided in separate plan.</p>

¹ The Code states “A *plantation management plan* is prepared to provide relevant information in respect of the way in which plantations are developed and managed, and to demonstrate the means by which the principles of environmental care, cultural, heritage social and economical management objectives are achieved. *Plantation management plans* are dynamic documents and may change from time to time as a result of new information, new or revised laws, or for strategic or operational imperatives. *Plantation management plans* are recommended content; however land managers/owners and/or plantation owners may have other requirements.”

	<ul style="list-style-type: none"> • direction of planting lines in relation to contours and natural drainage; • description of soil preparation methods; • pest and weed control prescription; • planting prescription; • access and firebreaks • fertilising prescription; • sensitive neighbours; • sensitive property; and • security management 	
Maintenance Plan:	<p>This should outline the following management activities to be conducted during the rotation of the plantation and how they intend to be managed:</p> <ul style="list-style-type: none"> • native vegetation management; • pruning and thinning regimes; • control of declared animals, declared plants and other pest plants; • weed and pest control prescription; • fertilising prescription; • access and firebreak maintenance; • grazing strategy; • inventory; • bio-security issues; • infrastructure maintenance; and • significant feature management. 	<p>Complies.</p> <p>Weed and pest control prescription provided in separate plan.</p>
Fire Management Plan:	<p>The fire management plan should contain the following details:</p> <ul style="list-style-type: none"> • Plantation manager's telephone numbers; • names and addresses of local fire control agencies; • locality plans showing access roads, firebreaks, water points etc.; • methods of access and firebreak maintenance; • specific measures to protect services (e.g. power lines and gas pipelines); • a fire fighting equipment register for the locality and details of cooperative arrangements; • direction indicators to water points, road signs and other features; • details of coordination and cooperation between plantation managers, local 	<p>Provided separately.</p>

	government authorities, local volunteer fire brigades, State agency in fire prevention, detection and suppression activities.; and	
	• a fuel reduction program, if applicable.	

3. PURPOSE

The purpose of this forest management plan (**Plan**) is to outline the key features and characteristics of the property and document the sustainable forest management practices to be utilised in undertaking the development and ongoing management.

4. SCOPE

The Plan has been developed in accordance with the Code of Practice for Timber Plantations in Western Australia (**Code**) and the Department of Fire and Emergency services (**DFES**) Guidelines for Plantation Fire Protection (**Guidelines**). The Plan is specific for the property and any surrounding areas detailed within. The scope of use shall include but not limited to site preparation, plantation establishment, ongoing management, thinning and clear fell harvest of a softwood *Pinus radiata* pine plantation.

5. PROPOSED DEVELOPMENT

The establishment and harvesting of a *P. radiata* softwood plantation to supply forest products to domestic and international markets. The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) reported in its 'Australian plantation statistics 2023 update', that Australia's total plantation area had decreased by 15% (304,200 hectares) between 2008–09 and 2021–22. Over the same period, Western Australia's plantation estate decreased by 134,469 hectares (contributing to 44% of the national decrease).

As a result of the reduction in plantation area and the under investment in plantation development reported by ABARES, the Australian Forest Products Association (AFPA) and Master Builders Australia (MBA) are predicting a 250,000

timber house frame supply gap by 2035². Furthermore, in Western Australia, AFPA and MBA are expecting a supply gap of 40,855 timber house frames - the number of house frames to build a city the size of Bunbury. AFPA and MBA predict Australia will need to increase the area of plantations by 400,000 ha to meet the looming national supply deficit. The 400,000 ha represents one tenth of one percent of the land used for agriculture in Australia and is essentially replacing the plantation area which has been recently lost during the period between 2008–09 and 2021–22 reported by ABARES. The development will also contribute to Australia reducing greenhouse gas emissions by 43% below 2005 levels by 2030 and achieving net zero emissions by 2050 by sequestering carbon in trees, soil, and forest products.

6. PROPERTY DESCRIPTION

Planning	
Title Information:	P201646 3711, P140738 3734
Address:	3543 Donnybrook-Boyup Brook Road, Noggerup
Planning Scheme:	Shire of Donnybrook-Balingup Scheme no. 7
Planning Zone:	General Agriculture
Planning Overlays:	SCA7
Existing Land Use:	Grazing livestock
Proposed Use:	Plantation

The plantation is located in the General Agriculture zone in the Shire of Donnybrook-Balingup and is surrounded by other primary production land uses, general grazing, plantations and small vegetated holdings (see Attachment 1&6). The plantation setbacks are designed to minimise the risk of any adverse impact to surrounding land uses. In determining the setbacks in this Plan, we have considered the risk of bushfire, off-site movement in the use of chemicals/fertilisers, and encroachment of machinery into sensitive areas (refer Attachment 2).

Furthermore, there are additional measures which can be taken to minimise the

² https://ausfpa.com.au/wp-content/uploads/2022/08/220804_250000_house_frames_short_by_2035_new_report_confirms_looming_cliff_without_new_plantings_.pdf

risk of bushfire and any adverse impacts to surrounding land uses such as operational planning, standard operating procedures, training and competency assessments, supervision, and buffers.

Plantation Design Setbacks	
Public Roads:	15 m minimum
Title Boundary:	15 m minimum
Compartment Boundary:	6 m minimum
Remnant Vegetation:	6 m minimum
Watercourses:	6 m minimum
Dwellings	100 m minimum
Buildings	50 m minimum
Powerlines	20 m minimum

7. SITE DESCRIPTION

The property lies within a moderate rainfall area which combined with the gentle to moderate slopes and soils found on the property gives the property a moderate erosion risk rating³. Nonetheless, planting and cultivation will be aligned off contour to slow the rate of fall and accumulation of water where required (refer Attachment 7a&b).

Site Features	
Mean Annual Rainfall:	773 mm
Geology:	Granite and gneiss
Land Units:	Balingup moderate slopes, Hester subsystem, Yarragil subsystem, Wilga subsystem
Soils:	Loams to loamy or sandy gravels
Topography:	Gentle to moderate slopes (5-20%)
Catchment	Preston

Biodiversity and Conservation Values

The property has been extensively cleared, and areas with biodiversity and conservation value occur generally along natural drainage lines and an area of

³ 1A Method of Assessing Water Erosion Risk in Land Capability Studies – Swan Coastal Plain and Darling Range. Resource Management Technical Report No.73: 1998. Department of Agriculture Western Australia.

remnant vegetation located on the norther boundary (refer Attachment 3).

The property resides in the Preston River River catchment which has been altered via river straitening near Bunbury and the Glen Mervyn dam. The Preston River has had reducing salinity in recent years potentially due to increased plantation establishment in the catchment reversing the effects of clearing deep-rooted vegetation for agriculture. The establishment of a plantation will continue to improve the water quality of the Preston River.

Biodiversity and Conservation Features	
Vegetation Types:	Medium marri and jarrah forests
Potential Occurrence of Threatened Species ⁴ (CR ⁵ ,VU ⁶ ,EN ⁷):	Western Ring-tail Possum, Forest Red-tailed Black Cockatoo, Carnaby's Cockatoo, Baudin's Cockatoo
TEC ⁸ :	Nil
Vegetation Condition:	Good to poor

Water Management

The property resides in the Preston River catchment. Surface water interception and water usage by a deep-rooted, multi-rotation plantation forest (including firebreaks, buffers and setbacks) will be commensurate with the native vegetation which previously occupied the site. The clearing of the land for agriculture has increased the level of surface water that reaches the waterways. While there are some benefits of increased flow rates with land clearing, it comes with trade-offs such as elevation of water tables, salinisation, erosion and the runoff of sediment, nutrients and other pollutants into waterways and rivers. Carefully prepared and managed, the plantation will moderate surface water flow towards waterway systems via drainage or cultivation which will fall at 1:100 or 1% (refer Attachment 4).

⁴ May or may not be found on or near the property (5km radius from property).

⁵ Critical

⁶ Vulnerable

⁷ Endangered

⁸ Threatened ecological community.

Water Management

The use of chemicals on the property are regulated by the Australian Pesticides and Veterinary Medicines Authority. Chemical use is in accordance with the label rates and applied by licenced and appropriately qualified contractors.

Our chemical use within the plantation is generally limited to the first 18 months of the plantation and targeted to the planting strip. For example, for commonly used chemicals in forestry plantations and canola cropping, the plantation use is less than 1% when compared to canola over a full rotation. The setbacks and buffers in the Plan take into consideration the low level of chemical input and the ground-based, targeted nature of their application.

The short rooted annual pasture species on the property are subject to annual inputs of phosphorus and nitrogenous fertilisers. Trees have developed mechanisms quite different to short-rooted annuals to deal with pulses of nutrient availability (e.g., deep roots, internal storage processes for nutrient uptake over and above their requirements, mycorrhizal associations) and nutrient cycling in plantation forests is highly conserved unlike short-rooted annual species found in cropping and pasture systems (i.e., limited export of nutrients off site).

Soil and foliar tests will be undertaken to determine the requirement for any fertiliser applications to remediate any nutrient deficiencies or imbalances. The plantation industry in conjunction with leading forest scientists have developed novel decision support tools to guide nutrition management in plantations. Given the property's most recent history, it is expected there will be limited requirement to use any fertiliser at establishment or during maintenance of the plantation. Nonetheless, the buffers and setbacks set out in in our Plan are designed to minimise the risk of any potential offsite movement, especially to the local waterways. No chemicals or fertilisers will be stored at the property other than for their immediate use.

Cultural Heritage

Cultural Heritage Features

Representatives:	South West Aboriginal Land and Sea Council
ILUA ⁹ :	Gnaala Karla Booja Indigenous Land Use Agreement
Regional Corporation:	Gnaala Karla Booja Aboriginal Corporation

Cultural Heritage Sites

Site ID 19795	Preston River
---------------	---------------

Site 19795 overlays some of the watercourses on the property, and the Owner is aware of their obligations under the *Aboriginal Heritage Act 1972*.

Stakeholders and Land Use

Neighbouring stakeholders are listed below. Delta Forestry maintains a database of neighbours which will be used for the communication and management of sensitive operations (e.g., aerial spraying, vermin control, harvesting). For privacy reasons, names and contact details of private residence have been omitted.

Stakeholders

Property identification	Contact	Land use
3637 Donnybrook-Boyup Brook Road		Grazing
Lot 1 Donnybrook-Boyup Brook Road		Grazing
Townsite		Rural residential
3472 Donnybrook-Boyup Brook Road		Grazing
3851 Donnybrook-Boyup Brook Road		Grazing
Reserve 47661	DBCA Wellington District (08) 9735 1988	Forest
Reserve 18567	Shire of Donnybrook-Balingup (08) 9780 4200	Recreation

⁹ Indigenous Land Use Agreement

Forest Description

Forest Area Statement (ha)

Plantation:	142
Native Vegetation:	43
Buffers and Water Courses:	14
Firebreaks and Tracks:	24
Dams:	1
Total:	224

8. SILVICULTURE AND MANAGEMENT REGIME

Regime		
Measure	Un-thinned	Thinned
Type:	Pulp/house frame	House frame
Species:	<i>P. radiata</i>	<i>P. radiata</i>
Initial Stocking:	800 stems/ha	1,250 stems/ha
Thinning Year:	None.	10-14
Clear Fell Year:	25-30	20-30

Many management activities are reactive and therefore not determined by a prescriptive schedule in a long-term forest management plan (as described in the following management plan). To cope with the reactive nature of operations, planning is broken down into the following categories:

- long-term or strategic plans (20+ years horizon);
- tactical plans (3-5 year horizon); and
- operational plans (1 year horizon).

The level of detail in operational planning increases as the planning horizon becomes less. The Plan is considered a long-term or strategic plan and does not have the specificity of an operational plan.

Management schedule		
Activity	Year	Description
Road Infrastructure:	<1	Where possible, existing access points and roads will be used to minimise disturbance. Where required, new access points and roads will be established to allow for the safe access and egress through the plantation.
Site Preparation:	<1	Planting lines will be designed to follow closely to the contour at 4 m intervals using either rip/mound or straight rip soil amelioration techniques. Site preparation is required to optimise tree growth.
Planting:	<1	Seedlings will be planted by hand using spades or planting tubes during the winter period.
Monitoring:	<6 months weekly and at least quarterly thereafter	Access, hazards, survival, firebreaks, and water points.
Nutrition:	As required	Based on precision forestry principles the nutrition status will be monitored and any economic imbalances remedied by the application of fertiliser.
Road Maintenance:	As required	Roads will be inspected and maintained to ensure access and to minimise any adverse impacts (e.g., erosion, poor drainage).
Firebreak Maintenance:	Annual	Firebreaks will be maintained in accordance with this Plan and the relevant firebreak and fuel reduction notice published by the Local Government Authority.
Inventory:	>10	Undertaken to monitor plantation performance and forward planning.

Standard Prescriptions

Standard Prescriptions	
Site Preparation:	Rip-mound to 1 m, rip only to 1 m, no mound or rip. Prescription tailored to soil and topography. Mounds usually orientated along contour with a 1:100 fall to minimise risk of erosion.
Establishment Fertiliser:	100-150 g/seedling diammonium phosphate granules or compound blend depending on foliar or soil analysis buried within 10 cm of planted seedling. Generally, not required on fertile ex-pastured sites.
Maintenance Fertiliser:	100-300 kg/ha diammonium phosphate or urea or compound blend depending on foliar or soil analysis. Can occur at anytime not less than 10 years prior to harvest. Generally, not required on fertile ex-pastured sites.
Grazing:	None after establishment.
Fencing:	Internal fencing removed and external fences maintained. Expenses shared with neighbours.
Access and Security:	Permits or licences. Locked gates. Cameras.

Water Supplies and Use

The property has several water points strategically located across the land for the purpose of watering livestock. These water points have a combined estimated capacity of 3,000 kilolitres. The Owner's use of the water supply will be restricted to limited quantities for ordinary and domestic purposes (<5,000 L/annum over the life of the plantation), and fire-fighting.

There is no requirement for a water licence for the planned sources and uses of water. There is no requirement for a bed and banks permit to undertake the development.

Harvest

The intent is to deploy a cut-to-length harvest system to produce logs for delivery to local and export markets. Prior to any harvest operations a harvest management plan will be developed for endorsement by the local government authority and communication to stakeholders. The harvest management plan shall include appropriate water, dust and noise management plans to adequately manage potential adverse impacts to the environment and stakeholders.

Around the final clear-felling of the plantation an assessment will be made on the future use of the property including the appropriate management of harvest residue.

9. HAULAGE AND MARKET INFORMATION

The property has direct access to Donnybrook-Balingup Road allowing for the efficient haulage of logs to key markets via the preferred haulage route found in Attachment 8. Prior to any haulage operations a haulage and traffic management plan will be provided to the Local Government Authority and communicated to stakeholders.

Forest Products	Destination
Environmental Credits:	ACCU Scheme, voluntary markets
Fence Posts:	Timber Treathers Bridgetown
Pulplogs:	Laminex Dardanup, Bunbury Port
Sawlogs:	Wespine Dardanup, Local Sawmillers
Power Poles:	Koppers Dardanup

Attachments:

1. District Context Map
2. Plantation Map
3. Native Veg Map
4. Waterways Map
5. Landuse Map
6. Contour Maps
 - a. With photo
 - b. No photo
7. Haulage Route Map
8. Cultural Heritage Extract

Details

Lot 3711 on P201646 and Lot 3134 on P140738

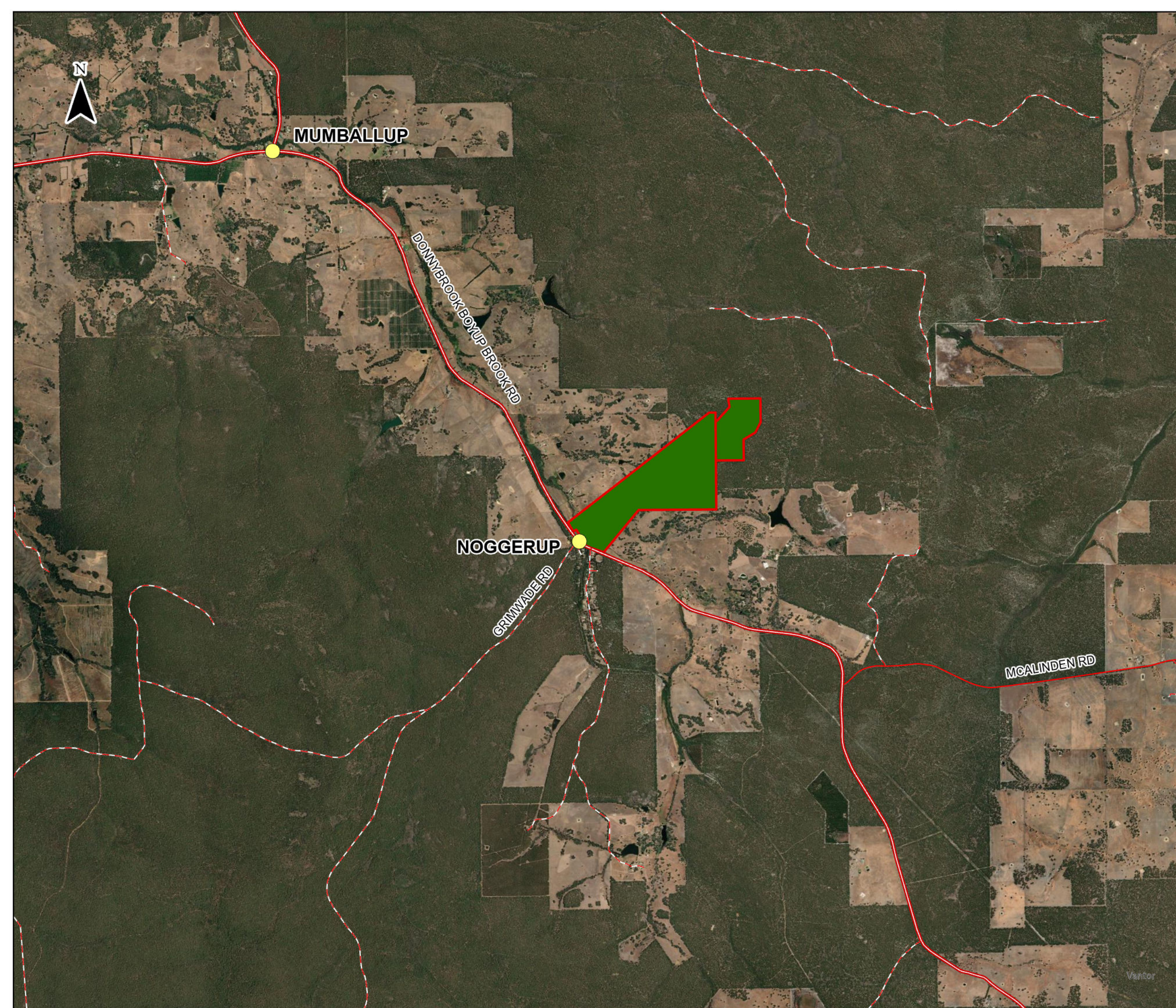
SHIRE: Donnybrook-Balingup

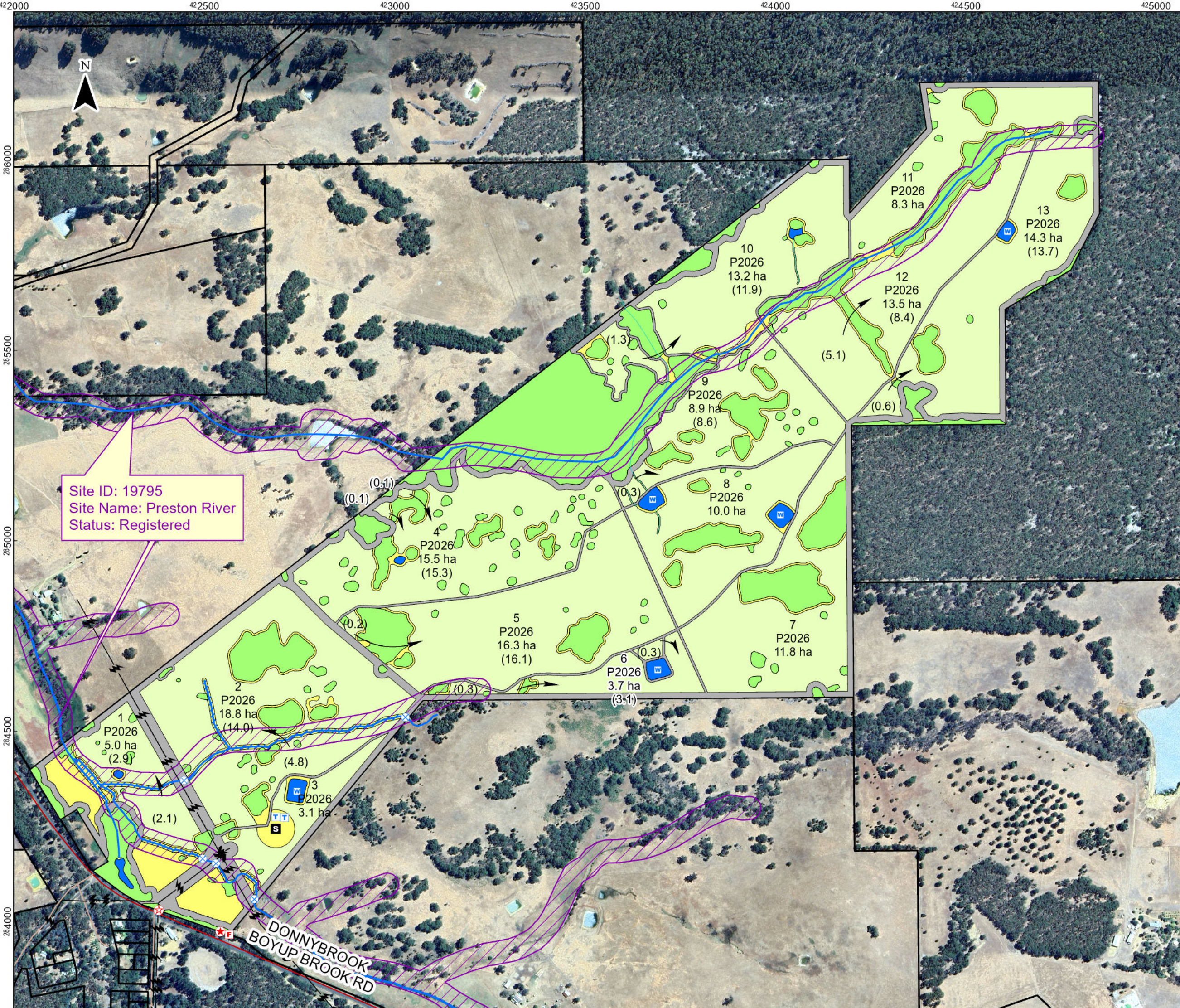
LAND OWNER: Cultura Australia Pty Ltd

ACCESS: Donnybrook-Boyup Brook Rd

Legend

- Town
- Highway/Main Road - Sealed
- Minor Road - Sealed
- - - Minor Road - Unsealed
- Noggerup Plantation





NOGGERUP PLANTATION

Development Application

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
FIREBREAKS: External 15m
Internal 6m
ACCESS: Donnybrook-Boyup Brook Rd

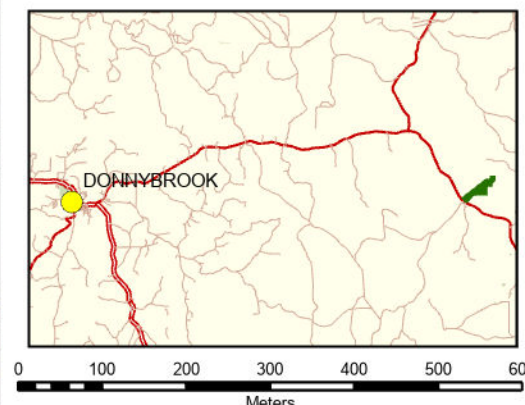
Area Report

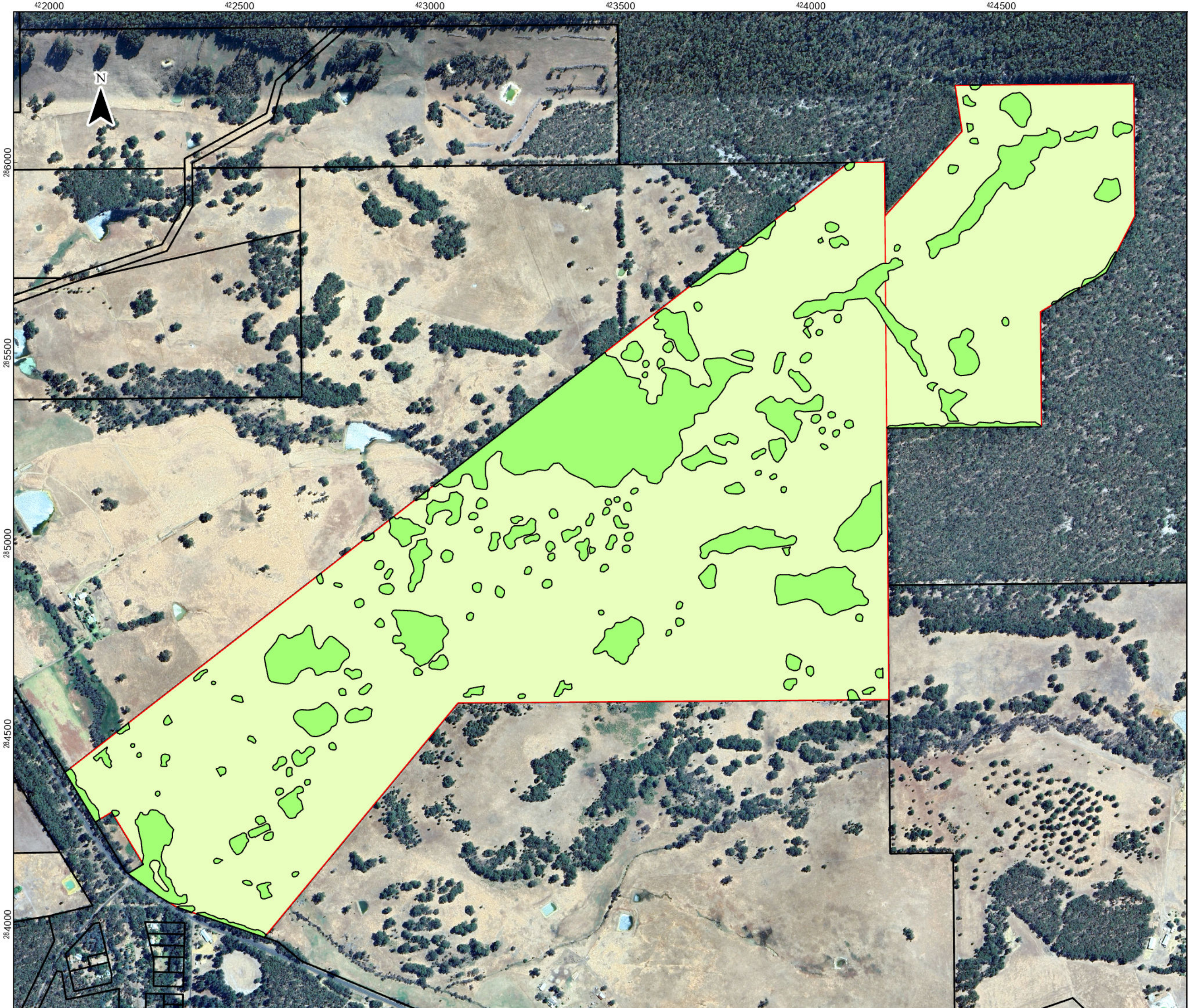
P. radiata P2026.....142.4 ha
TOTAL AREA.....142.4 ha

Legend

- ★ Main Access (EMP)
- ★ Access Gate
- F Fire Map Tube
- H House
- S Shed
- ✗ No Access
- ✕ Crossing
- T Waterpoint - Tank 25 000L
- W Waterpoint - Reliable
- ⚡ Powerline
- - - Track
- Drain
- Stream
- P. radiata (proposed planting)
- Buffer/ Non Plantable
- ▨ Riparian Zone (6m)
- Firebreak
- Retained Veg
- Dam/Soak
- Wet/Non Plantable
- ▨ Indigenous Heritage Site

Location





NOGGERUP PLANTATION Native Vegetation

Details

Lot 3711 on P201646 and Lot 3134 on P140738

SHIRE: Donnybrook-Balingup

LAND OWNER: Cultura Australia Pty Ltd

Area Statement

Remnant Vegetation.....42.9 ha

Legend

- * Declared Rare Flora
- Remnant Vegetation
- Noggerup Property

Sources

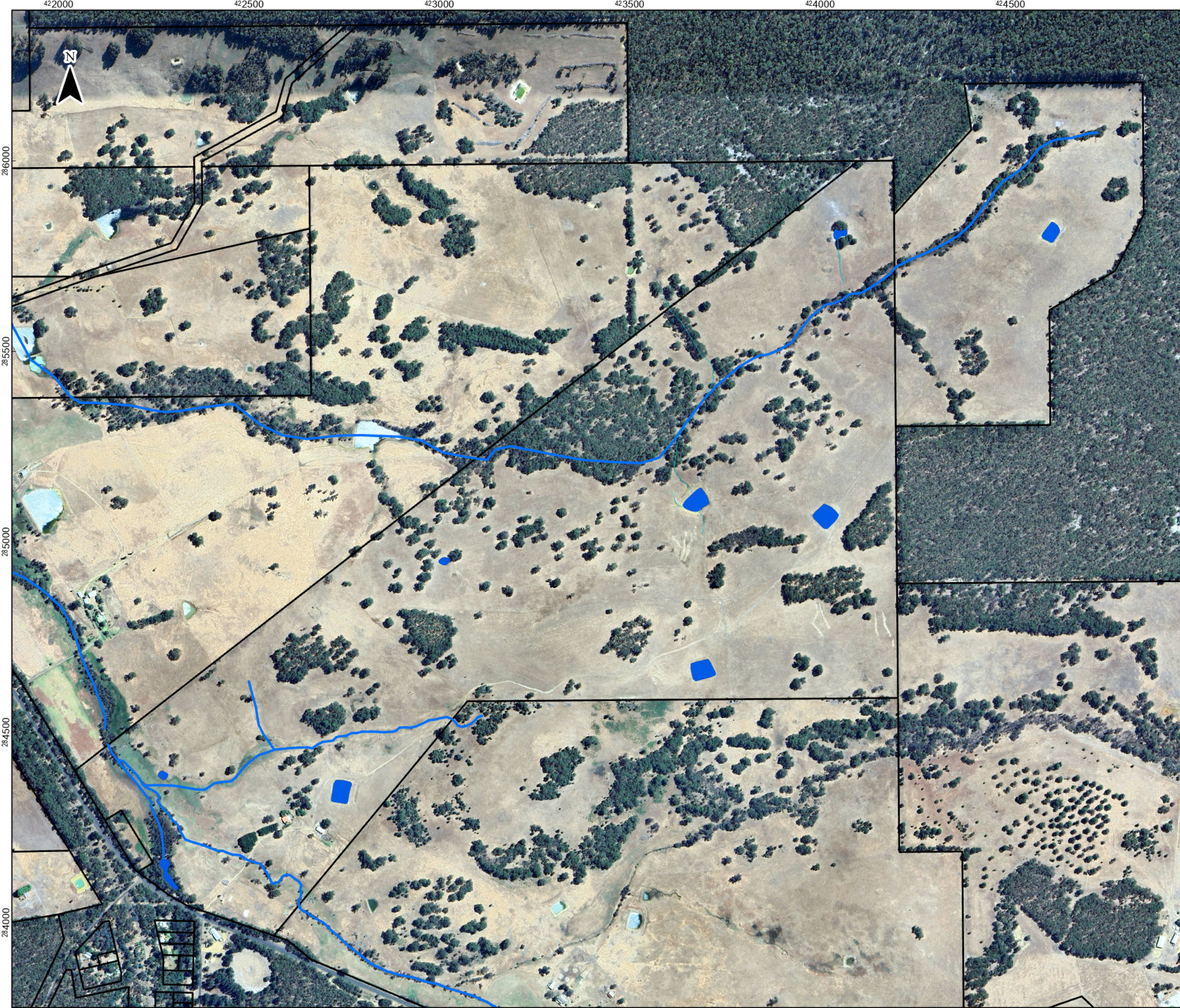
Declared Rare Flora
<https://dandjoo.bio.wa.gov.au/>

Remnant Vegetation
Digitised from Google Earth imagery dated Apr 2024

Location



0 100 200 300 400 500 600
Meters



**NOGGERUP
PLANTATION
Waterways**

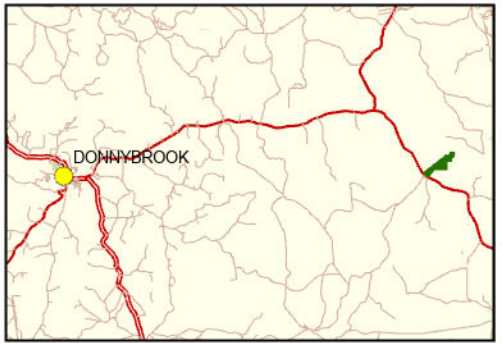
Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd

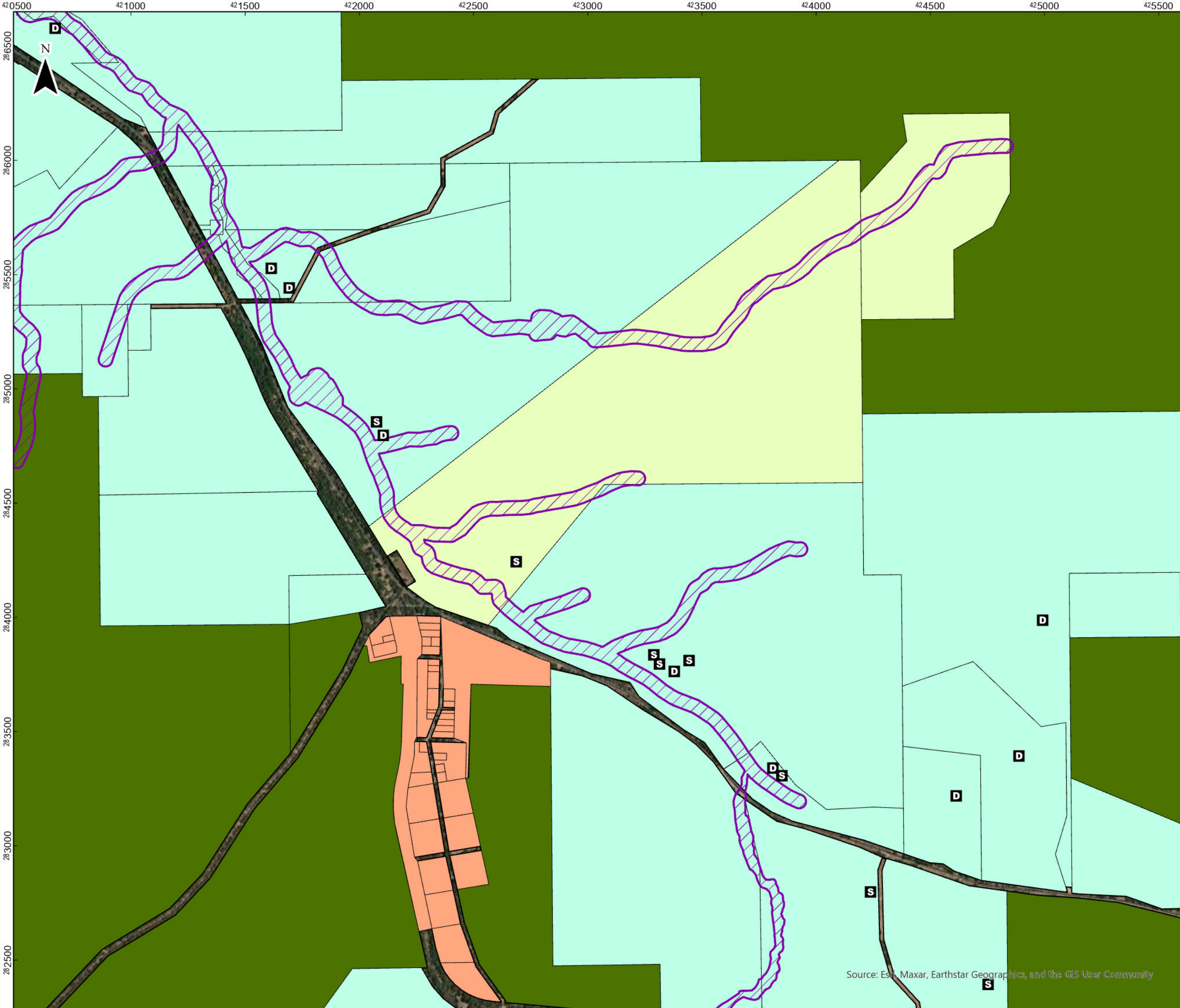
Legend

- Drain
- Waterway
- Dams/Soaks
- Wet Area
- Cadastre

Location



0 100 200 300 400 500 600
Meters



FORESTRY
NOGGERUP
PLANTATION
Land Use

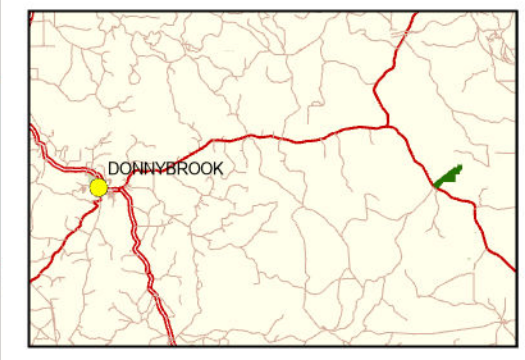
Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd

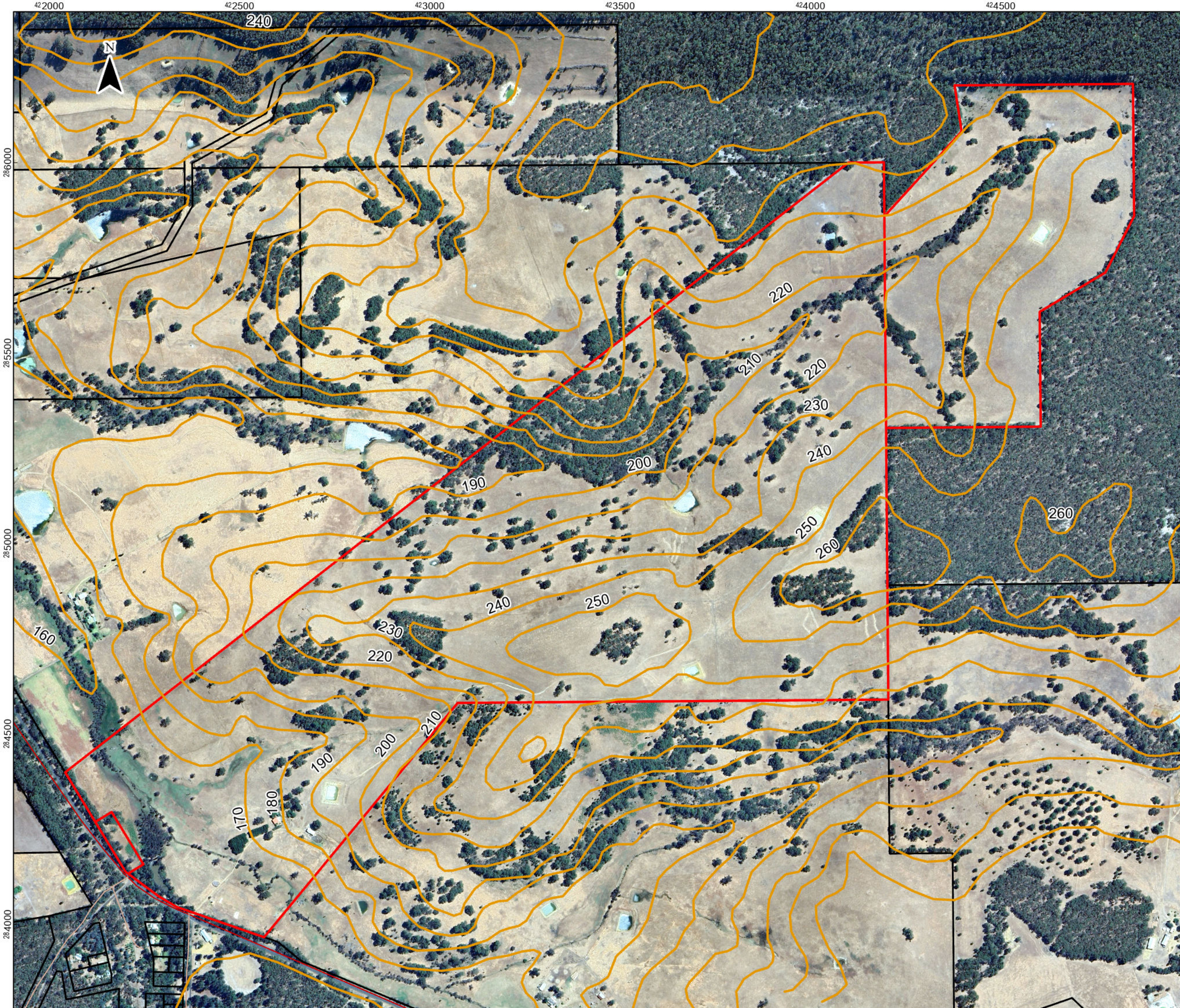
Legend

- D** Dwelling
- S** Shed
- Noggerup
- General Grazing
- Town Site
- Forested
- Softwood Plantation
- Softwood Plantation
- Cadastre
- Indigenous Heritage Site

Location



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



FORESTRY
NOGGERUP
PLANTATION
Contour Map

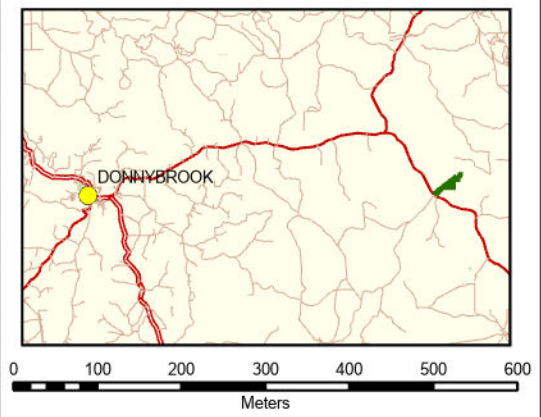
Details

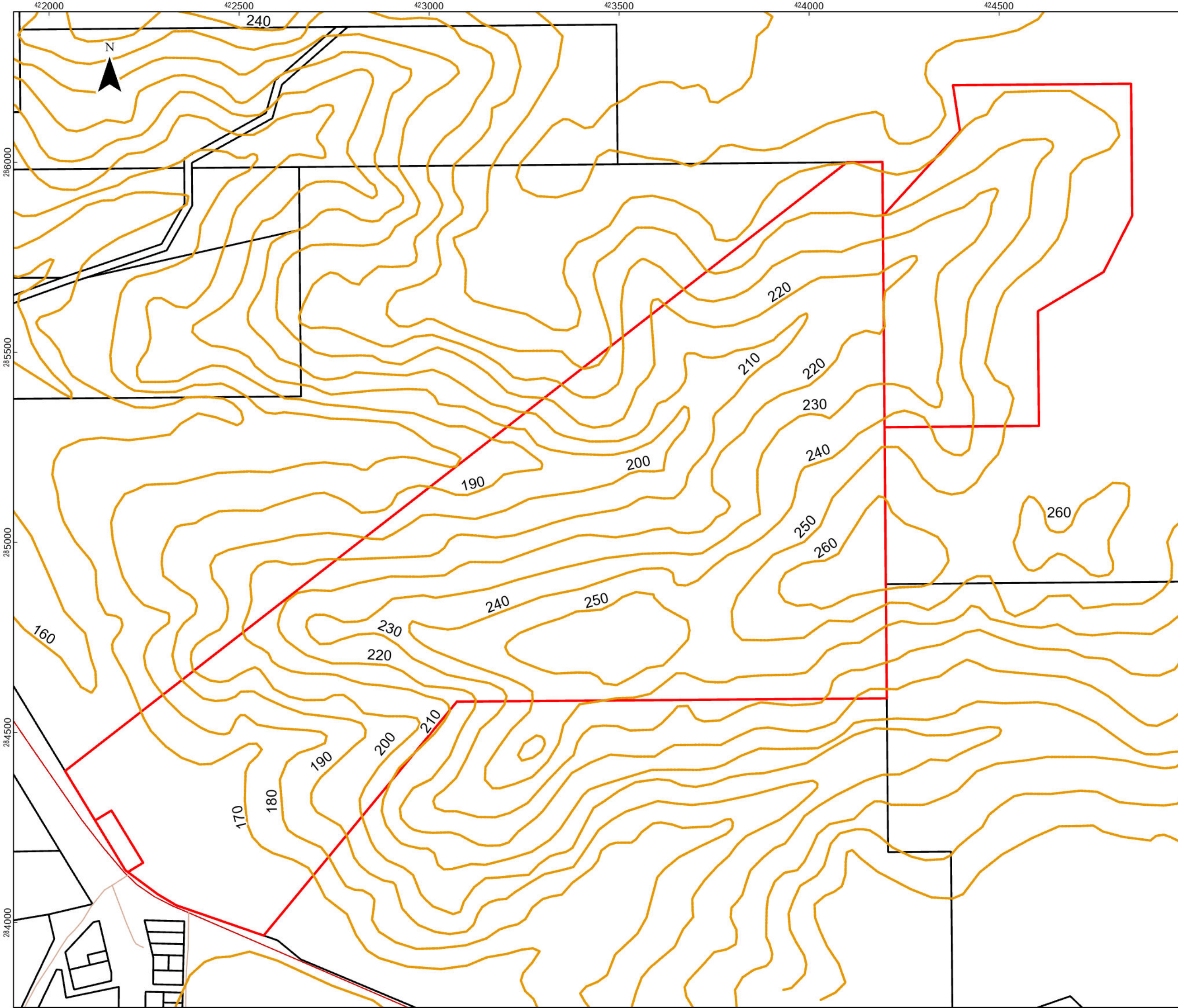
Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Legend

- Contour Line (10m interval)
- Noggerup Boundary
- Surrounding Cadastre

Location





 FORESTRY
NOGGERUP
PLANTATION
Contour Map

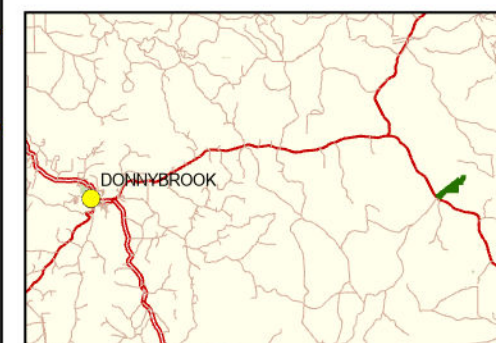
Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Legend

-  Contour Line (10m interval)
-  Noggerup Boundary
-  Surrounding Cadastre

Location



0 100 200 300 400 500 600
Meters

1:9 000 @ A3

DATE: November 2025



NOGGERUP PLANTATION

Proposed Haulage Route

Details

Lot 3711 on P201646 and Lot 3134 on P140738
SHIRE: Donnybrook-Balingup
LAND OWNER: Cultura Australia Pty Ltd
ACCESS: Donnybrook-Boyup Brook Rd

Destination

1. WESPINE INDUSTRIES
241 Moore Rd, Dardanup
2. PORT OF BUNBURY
54 Casuarina Dr, Bunbury

Legend

- Destination
- Haulage Route
- Highway/Main Road - Sealed
- Minor Road - Sealed
- Minor Road - Unsealed
- Noggerup Plantation



DATE: November 2025

BUNBURY

PORT of BUNBURY

SOUTH WESTERN HWY

WILLANGE DR

WESPINE

MOORE RD

GARVEY RD

BOYANUP-PICTON RD

BOYANUP

SOUTH WESTERN HWY

DONNYBROOK-BOYUP BROOK RD

DONNYBROOK

Earthstar Geographics



Search Criteria

Aboriginal Cultural Heritage (ACH) Register ID 19795

Disclaimer

Aboriginal heritage holds significant value to Aboriginal people for their social, spiritual, historical, scientific, or aesthetic importance within Aboriginal traditions, and provides an essential link for Aboriginal people to their past, present and future. In Western Australia Aboriginal heritage is protected under the *Aboriginal Heritage Act 1972*.

All Aboriginal cultural heritage in Western Australia is protected, whether or not the ACH has been reported or exists on the Register.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Planning, Lands and Heritage by third parties. The information is provided solely on the basis that readers will be responsible for making their own assessment as to the accuracy of the information. If you find any errors or omissions in our records, including our maps, it would be appreciated if you provide the details to the Department via <https://achknowledge.dplh.wa.gov.au/ach-enquiry-form> and we will make every effort to rectify it as soon as possible.

South West Settlement ILUA Disclaimer

Your heritage enquiry is on land **within or adjacent to** the following Indigenous Land Use Agreement(s): Gnaala Karla Booja Indigenous Land Use Agreement.

On 8 June 2015, six identical Indigenous Land Use Agreements (ILUAs) were executed across the South West by the Western Australian Government and, respectively, the Yued, Whadjuk People, Gnaala Karla Booja, Ballardong People, South West Boojarah #2 and Wagyl Kaip & Southern Noongar groups, and the South West Aboriginal Land and Sea Council (SWALSC).

The ILUAs bind the parties (including 'the State', which encompasses all State Government Departments and certain State Government agencies) to enter into a Noongar Standard Heritage Agreement (NSHA) when conducting Aboriginal Heritage Surveys in the ILUA areas, unless they have an existing heritage agreement. It is also intended that other State agencies and instrumentalities enter into the NSHA when conducting Aboriginal Heritage Surveys in the ILUA areas. It is recommended a NSHA is entered into, and an 'Activity Notice' issued under the NSHA, if there is a risk that an activity will 'impact' (i.e. by excavating, damaging, destroying or altering in any way) an Aboriginal heritage site. The Aboriginal Heritage Due Diligence Guidelines, which are referenced by the NSHA, provide guidance on how to assess the potential risk to Aboriginal heritage.

Likewise, from 8 June 2015 the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) in granting Mineral, Petroleum and related Access Authority tenures within the South West Settlement ILUA areas, will place a condition on these tenures requiring a heritage agreement or a NSHA before any rights can be exercised.

If you are a State Government Department, Agency or Instrumentality, or have a heritage condition placed on your mineral or petroleum title by DEMIRS, you should seek advice as to the requirement to use the NSHA for your proposed activity. The full ILUA documents, maps of the ILUA areas and the NSHA template can be found at <https://www.wa.gov.au/organisation/departments/premier-and-cabinet/south-west-native-title-settlement>.

Further advice can also be sought from the Department of Planning, Lands and Heritage via <https://achknowledge.dplh.wa.gov.au/ach-enquiry-form>.

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Terminology

ID: ACH on the Register is assigned a unique ID by the Department of Planning, Lands and Heritage using the format: ACH-00000001. For ACH on the former Register the ID numbers remain unchanged and use the new format. For example the ACH ID of the place Swan River was previously '3536' and is now 'ACH-00003536'.

Access and Restrictions:

- **Boundary Reliable (Yes/No):** Indicates whether to the best knowledge of the Department, the location and extent of the ACH boundary is considered reliable.
- **Boundary Restricted = No:** Represents the actual location of the ACH as understood by the Department..
- **Boundary Restricted = Yes:** To preserve confidentiality the exact location and extent of the place is not displayed on the map. However, the shaded region (generally with an area of at least 4km²) provides a general indication of where the ACH is located. If you are a landowner and wish to find out more about the exact location of the place, please contact the Department of Planning, Lands and Heritage.
- **Culturally Sensitive = No:** Availability of information that the Department of Planning, Lands and Heritage holds in relation to the ACH is not restricted in any way.
- **Culturally Sensitive = Yes:** Some of the information that the Department of Planning, Lands and Heritage holds in relation to the ACH is restricted if it is considered culturally sensitive information. This information will only be made available if the Department of Planning, Lands and Heritage receives written approval from the people who provided the information. To request access please contact via <https://achknowledge.dplh.wa.gov.au/ach-enquiry-form>.
- **Culturally Sensitive Nature:**
 - **No Gender / Initiation Restrictions:** *Anyone* can view the information.
 - **Men only:** Only *males* can view restricted information.
 - **Women only:** Only *females* can view restricted information.

Status:

- **Register:** Aboriginal cultural heritage places that are assessed as meeting Section 5 of the *Aboriginal Heritage Act 1972*.
- **Lodged:** Information which has been received in relation to an Aboriginal cultural heritage place, but is yet to be assessed under Section 5 of the *Aboriginal Heritage Act 1972*.
- **Historic:** Aboriginal heritage places assessed as not meeting the criteria of Section 5 of the *Aboriginal Heritage Act 1972*. Includes places that no longer exist as a result of land use activities with existing approvals.

Place Type: The type of Aboriginal cultural heritage place. For example an artefact scatter place or engravings place.

Legacy ID: This is the former unique number that the former Department of Aboriginal Sites assigned to the place.

Coordinates

Map coordinates are based on the GDA 2020 Datum.

Basemap Copyright

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Aboriginal Cultural Heritage Inquiry System

List of Aboriginal Cultural Heritage (ACH) Register

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<https://www.wa.gov.au/terms-of-use>

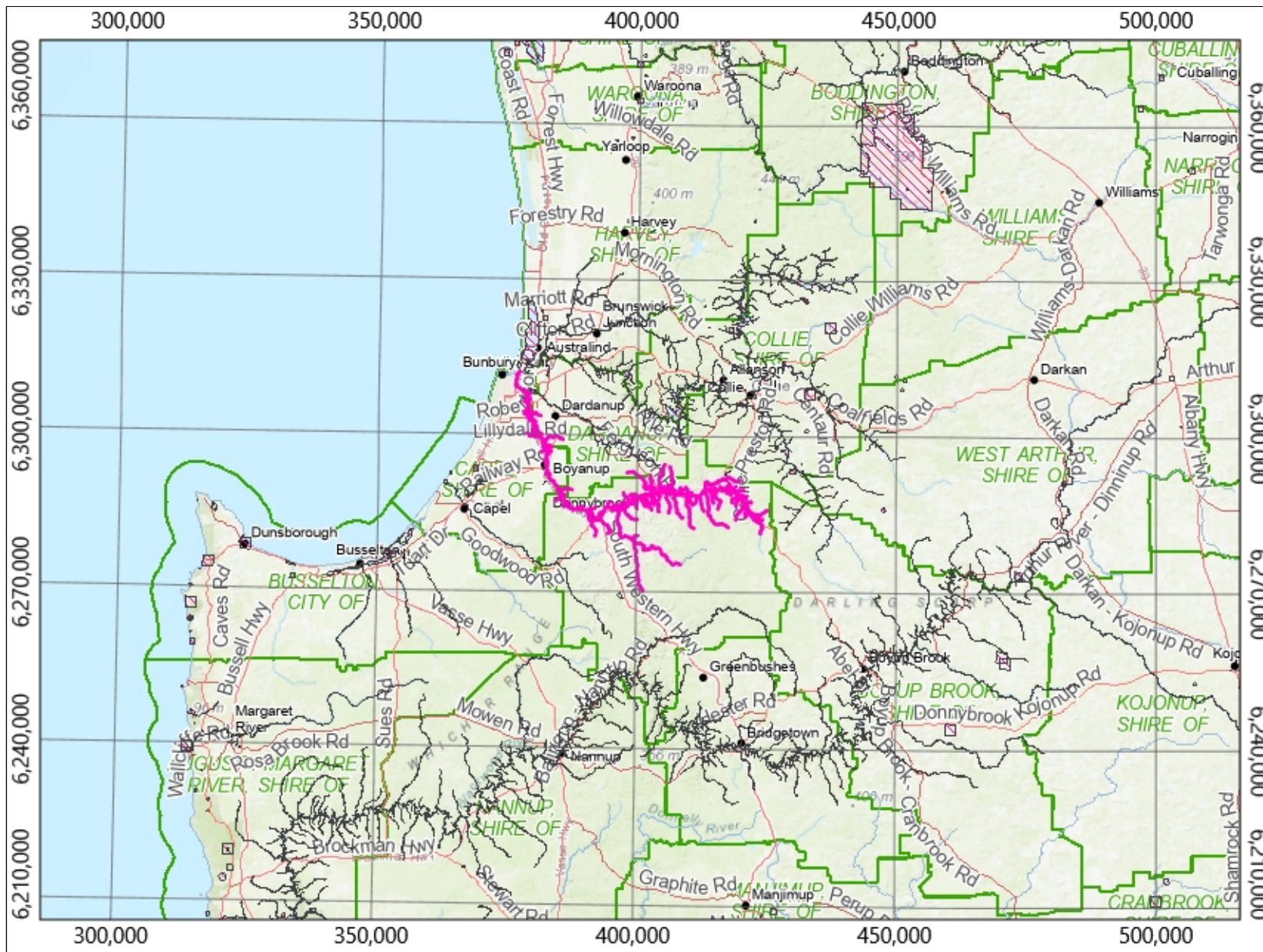
ID	Name	Boundary Restricted	Boundary Reliable	Culturally Sensitive	Culturally Sensitive Nature	Status	Place Type	Knowledge Holders	Legacy ID
19795	Preston River	No	Yes	No	No Gender / Initiation Restrictions	Register	Creation / Dreaming Narrative	*Registered Knowledge Holder names available from DPLH	



Aboriginal Cultural Heritage Inquiry System

Map of Aboriginal Cultural Heritage (ACH) Register

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<https://www.wa.gov.au/terms-of-use>



Legend

- Aboriginal Cultural Heritage (ACH) Register
- Aboriginal Community
 - Permanent
 - Seasonal
 - Town Based
- Town
- Road
- River
- Local Government Authority

44.31 kilometres

Map Scale 1 : 1,340,000

MGA Zone 50 (GDA2020)



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SHIRE OF DONNYBROOK BALINGUP

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)
For the period ended 30 September 2026

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Statement of financial position	2
Statement of financial activity	3
Note 1 Net current assets information	4
Note 2 Cash and financial assets	5
Note 3 Reserve accounts	6
Note 4 Capital acquisitions	7
Note 5 Disposal of assets	10
Note 6 Receivables	11
Note 7 Payables	12
Note 8 Borrowings	13
Note 9 Lease liabilities	14

BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

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

SHIRE OF DONNYBROOK BALINGUP
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

	Estimated Actual 30 June 2026	Actual as at 30 September 2026
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	12,825,377	17,163,191
Trade and other receivables	531,579	4,109,155
Other financial assets	23,159	19,826
Inventories	160,432	161,002
Contract assets	194,849	122,287
Other assets	60,896	62,443
TOTAL CURRENT ASSETS	13,796,292	21,637,904
NON-CURRENT ASSETS		
Trade and other receivables	229,630	217,392
Other financial assets	894,677	906,915
Inventories	1,956,285	1,956,285
Property, plant and equipment	58,715,675	58,999,708
Infrastructure	149,195,941	147,788,503
Intangible assets	377,449	358,630
TOTAL NON-CURRENT ASSETS	211,369,657	210,227,433
TOTAL ASSETS	225,165,949	231,865,337
CURRENT LIABILITIES		
Trade and other payables	1,544,870	1,083,271
Contract liabilities	26,584	1,001
Capital grant/contributions liabilities	1,477,145	2,146,935
Other liabilities	181,205	184,205
Lease liabilities	73,552	44,745
Borrowings	131,419	83,858
Employee related provisions	865,600	865,600
TOTAL CURRENT LIABILITIES	4,300,375	4,409,615
NON-CURRENT LIABILITIES		
Other liabilities	3,932,500	3,932,500
Lease liabilities	144,153	144,153
Borrowings	2,716,889	2,716,889
Employee related provisions	175,554	175,554
Other provisions	2,183,320	2,183,320
TOTAL NON-CURRENT LIABILITIES	9,152,416	9,152,416
TOTAL LIABILITIES	13,452,791	13,562,031
NET ASSETS	211,713,158	218,303,306
EQUITY		
Retained surplus	31,034,067	37,587,301
Reserve accounts	7,755,199	7,792,113
Revaluation surplus	172,923,892	172,923,892
TOTAL EQUITY	211,713,158	218,303,306

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

SHIRE OF DONNYBROOK BALINGUP
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

	Adopted Budget Estimates	YTD Budget Estimates	YTD Actual	Variance* \$	Variance* %	Var.
Note	(a) \$	(b) \$	(c) \$	(c) - (b) \$	((c) - (b))/(b) %	
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	9,034,326	9,025,327	9,036,312	10,985	0.12%	
Grants, subsidies and contributions	1,365,956	529,370	463,492	(65,878)	(12.44%)	▼
Fees and charges	2,924,039	1,617,376	1,608,081	(9,295)	(0.57%)	
Interest revenue	450,800	110,997	90,958	(20,039)	(18.05%)	
Profit on asset disposals	171,342	119,939	0	(119,939)	(100.00%)	▼
	13,946,464	11,403,010	11,198,843	(204,167)	(1.79%)	
Expenditure from operating activities						
Employee costs	(7,280,300)	(1,927,916)	(1,638,034)	289,882	15.04%	▲
Materials and contracts	(4,896,883)	(1,439,406)	(1,291,460)	147,946	10.28%	▲
Utility charges	(517,549)	(129,267)	(102,829)	26,438	20.45%	▲
Depreciation	(7,740,768)	(1,935,179)	(2,003,649)	(68,470)	(3.54%)	
Finance costs	(145,156)	(35,814)	(34,099)	1,715	4.79%	
Insurance	(545,139)	(182,404)	(238,345)	(55,941)	(30.67%)	▼
Other expenditure	(156,708)	(39,162)	(45,131)	(5,969)	(15.24%)	
Loss on asset disposals	(15,636)	(1,017)	(5,497)	(4,480)	(440.51%)	
	(21,298,139)	(5,690,165)	(5,359,044)	331,121	5.82%	
Non cash amounts excluded from operating activities	1(c) 7,585,061	1,816,257	2,003,649	187,392	10.32%	▲
Amount attributable to operating activities	233,386	7,529,102	7,843,448	314,346	4.18%	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	7,503,632	2,028,439	732,453	(1,295,986)	(63.89%)	▼
Proceeds from disposal of assets	409,343	16,500	16,500	0	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans	5,346	0	0	0	0.00%	
Proceeds from financial assets at amortised cost - commercial loans	13,333	3,333	3,333	0	0.00%	
Proceeds from financial assets at amortised cost - other	5,200	1,400	1,400	0	0.00%	
	7,936,854	2,049,672	753,686	(1,295,986)	(63.23%)	
Outflows from investing activities						
Acquisition of property, plant and equipment	(4,449,144)	(1,274,837)	(660,268)	614,569	48.21%	▲
Acquisition of infrastructure	(7,151,909)	(921,583)	(201,162)	720,421	78.17%	▲
	(11,601,053)	(2,196,420)	(861,431)	1,334,989	60.78%	
Amount attributable to investing activities	(3,664,199)	(146,748)	(107,745)	39,003	26.58%	
FINANCING ACTIVITIES						
Inflows from financing activities						
Leases liabilities recognised	220,000	0	0	0	0.00%	
Transfer from reserves	3,917,781	0	0	0	0.00%	
	4,137,781	0	0	0	0.00%	
Outflows from financing activities						
Payments for principal portion of lease liabilities	(75,500)	(51,538)	(28,807)	22,731	44.11%	
Repayment of borrowings	(131,419)	(47,562)	(47,562)	0	0.00%	
Transfer to reserves	(2,270,563)	(36,914)	(36,914)	0	0.00%	
	(2,477,482)	(136,014)	(113,283)	22,731	16.71%	
Non-cash amounts excluded from financing activities	1(d) (220,000)	0	0	0	0.00%	
Amount attributable to financing activities	1,440,299	(136,014)	(113,283)	22,731	16.71%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	1(a) 1,990,513	1,990,513	1,922,530	(67,983)	(3.42%)	
Amount attributable to operating activities	233,386	7,529,102	7,843,448	314,346	4.18%	
Amount attributable to investing activities	(3,664,199)	(146,748)	(107,745)	39,003	26.58%	▲
Amount attributable to financing activities	1,440,299	(136,014)	(113,283)	22,731	16.71%	
Surplus or deficit after imposition of general rates	(1)	9,236,853	9,544,951	308,098	3.34%	

KEY INFORMATION

- ▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.
- ▲ Indicates a variance with a positive impact on the financial position.
- ▼ Indicates a variance with a negative impact on the financial position.

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

SHIRE OF DONNYBROOK BALINGUP
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

1 NET CURRENT ASSETS INFORMATION

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

Current assets

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

Note	Adopted Budget 1 July 2026	Actual as at 30 June 2026	Actual as at 30 September 2026
	\$	\$	\$
	5,997,604	12,825,377	17,163,191
	565,411	531,579	4,109,153
	15,677	23,159	19,826
	250,000	160,432	161,002
	0	194,849	122,287
	0	60,896	62,443
	6,828,692	13,796,292	21,637,902

Less: current liabilities

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

	(331,088)	(1,544,870)	(1,083,271)
	0	(1,684,934)	(2,332,141)
	(75,500)	(73,552)	(44,745)
	(131,404)	(131,419)	(83,858)
	(500,000)	(865,600)	(865,600)
	(1,037,992)	(4,300,375)	(4,409,615)

Net current assets

	5,790,700	9,495,917	17,228,287
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Less: Total adjustments to net current assets

1(b)	(5,790,700)	(7,573,387)	(7,683,336)
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Closing funding surplus / (deficit)

	0	1,922,530	9,544,951
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(b) Current assets and liabilities excluded from budgeted deficiency

Adjustments to net current assets

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

	(5,997,604)	(7,755,199)	(7,792,113)
	0	(23,159)	(19,826)
	75,500	73,552	44,745
	131,404	131,419	83,858

Total adjustments to net current assets

1(a)	(5,790,700)	(7,573,387)	(7,683,336)
------	-------------	-------------	-------------

(c) Non-cash amounts excluded from operating activities

Adjustments to operating activities

Less: Profit on asset disposals
Add: Loss on asset disposals
Add: Depreciation

	(171,342)	(119,939)	0
	15,636	1,017	0
	7,740,767	1,935,179	2,003,649

Total non-cash amounts excluded from operating activities

	7,585,061	1,816,257	2,003,649
--	-----------	-----------	-----------

(d) Non-cash amounts excluded from financing activities

Adjustments to financing activities

Non cash proceeds from new leases

	(220,000)		0
--	-----------	--	---

Total non-cash amounts excluded from financing activities

	(220,000)	0	0
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CURRENT AND NON-CURRENT CLASSIFICATION

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

SHIRE OF DONNYBROOK BALINGUP
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

2 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust	Interest Rate	Maturity Date
		\$	\$	\$	\$		
Floats/Petty Cash on Hand	Cash and cash equivalents	630	0	630	0	NIL	On hand
Municipal Bank Account	Cash and cash equivalents	687,802	0	687,802	0	Variable	Cheque Acc
WA Treasury Term Deposit	Cash and cash equivalents	3,345,118	0	3,345,118	0	4.30%	On Hand
WA Treasury Term Deposit	Cash and cash equivalents	3,216,288	0	3,216,288	0	4.46%	11/2026
CBA Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000	0	5.15%	12/2026
CBA Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000	0	0.26%	01/2027
Bendigo Bank Term Deposit	Cash and cash equivalents	0	3,008,751	3,008,751	0	5.15%	01/2027
ANZ Bank Term Deposit	Cash and cash equivalents	0	2,469,052	2,469,052	0	5.12%	10/2026
WA Treasury Term Deposit	Cash and cash equivalents	0	2,435,550	2,435,550	0	4.54%	10/2026
Trust Fund Cash at Bank	Cash and cash equivalents	0	0	0	56,967	Variable	Cheque Acc
Total		9,249,838	7,913,353	17,163,191	56,967		
Comprising							
Cash and cash equivalents		9,249,838	7,913,353	17,163,191	56,967		
		9,249,838	7,913,353	17,163,191	56,967		

KEY INFORMATION

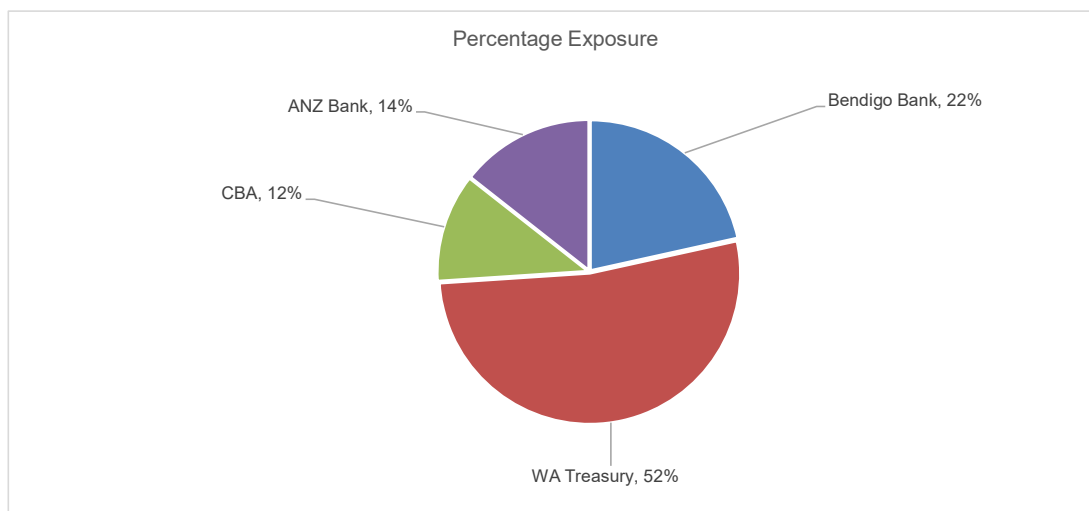
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of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

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

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

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

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 7 - Other assets.



SHIRE OF DONNYBROOK BALINGUP
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 SEPTEMBER 2026

3 RESERVE ACCOUNTS

Reserve account name	Budget				Actual			
	Opening	Transfers	Transfers	Closing	Opening	Transfers	Transfers	Closing
	Balance	In (+)	Out (-)	Balance	Balance	In (+)	Out (-)	Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Reserve accounts restricted by Council								
Employee Entitlement Reserve	137,734	75,000	0	212,734	135,658	2,076	0	137,734
Waste Management Reserve	1,413,620	200,000	(189,600)	1,424,020	1,397,507	3,114	0	1,400,621
Arbuthnott Memorial Scholarship Reserve	2,684	0	(300)	2,384	2,685	0	0	2,685
Strategic Planning Studies Reserve	51,246	25,000	(25,000)	51,246	49,170	3,403	0	52,573
Land Development Reserve	21,259	0	0	21,259	21,259	0	0	21,259
Vehicle Reserve	263,244	510,000	(418,780)	354,464	298,016	5,099	0	303,115
Roadworks Reserve	394,616	15,000	(256,000)	153,616	391,165	3,403	0	394,568
Revaluation Reserve	100,000	40,000	(124,000)	16,000	100,000	0	0	100,000
Buildings Reserve	480,194	440,000	(396,451)	523,743	584,375	8,276	0	592,651
Council Elections Reserve	5,500	22,000	0	27,500	4,462	1,038	0	5,500
Information Technology Reserve	68,178	110,000	(119,000)	59,178	67,140	1,923	0	69,063
Parks and Reserves Reserve	701,166	335,000	(192,282)	843,884	665,130	6,137	0	671,267
Pathways Reserve	0	50,000	(50,000)	0	0	0	0	0
Bridges Reserve	157,436	200,000	(117,834)	239,602	136,959	1,038	0	137,997
Carried Forward Projects Reserve	1,984,121	0	(1,984,121)	0	1,980,801	0	0	1,980,801
Minninup Cottages 1-4 Surplus Reserve	82,722	0	0	82,722	96,189	0	0	96,189
Minninup Cottages 9-12 Surplus Reserve	179,776	0	0	179,776	212,736	0	0	212,736
Langley Villas 1-6 Surplus Reserve	243,439	13,163	(4,413)	252,189	243,439	0	0	243,439
Langley Villas 7-9 Surplus Reserve	146,755	0	0	146,755	146,755	0	0	146,755
Minninup Cottages 5-8 Lt Maintenance Reserve	11,669	0	0	11,669	11,669	0	0	11,669
Minninup Cottages 9-12 Lt Maintenance Reserve	10,628	0	0	10,628	10,628	0	0	10,628
Langley Villas 1-6 Lt Maintenance Reserve	21,023	0	0	21,023	21,023	0	0	21,023
Langley Villas 7-9 Lt Maintenance Reserve	7,200	0	0	7,200	7,200	0	0	7,200
Preston Village Exit Deferred Management Reserve	431,353	0	0	431,353	430,978	1,057	0	432,035
Preston Village Reserve Fund Contribution Reserve	69,532	0	0	69,532	34,829	351	0	35,180
Langley Villas 1-9 Surplus Reserve	15,032	0	0	15,032	37,755	0	0	37,755
Langley Villas 1-9 Long Term Maintenance Reserve	12,181	5,400	0	17,581	12,181	0	0	12,181
Minninup Cottages 5 12 Long Term Maintenance Reserve	8,000	4,000	0	12,000	8,000	0	0	8,000
Minninup Cottages 5-12 Surplus Reserve	19,514	0	0	19,514	42,491	0	0	42,491
27 Pay Periods Reserve	0	25,000	0	25,000	0	0	0	0
Strategic Project Reserve	605,000	201,000	(40,000)	766,000	605,000	0	0	605,000
	7,644,822	2,270,563	(3,917,781)	5,997,604	7,755,199	36,914	0	7,792,113

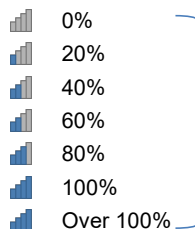
4 CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	3,244,544	1,152,037	553,518	(598,519)
Plant and equipment	1,204,600	122,800	106,751	(16,049)
Acquisition of property, plant and equipment	4,449,144	1,274,837	660,268	(614,569)
Infrastructure - roads	4,506,091	623,779	77,271	(546,508)
Infrastructure - other	256,667	0	113,908	113,908
Infrastructure - footpaths	137,567	0	6,265	6,265
Infrastructure - bridges	2,226,584	297,804	3,527	(294,277)
Acquisition of infrastructure	7,126,909	921,583	200,971	(720,612)
Total capital acquisitions	11,576,053	2,196,420	861,239	(1,335,181)

4 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total

Level of completion indicators



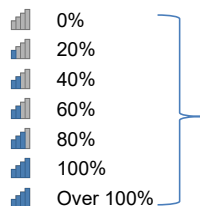
Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

		Adopted			Variance
Account Description		Budget	YTD Budget	YTD Actual	(Under)/Over
Capital Expenditure		\$	\$	\$	\$
Buildings					
B160	Public Toilets - Balingup Oval	16,550	0	0	0
B087	Public Hall (+ Supper Hall) - Noggerup	42,958	0	0	0
B402	Egan Park - Pump Track Clubrooms	100,000	0	0	0
B162	Public Hall - Donnybrook	11,034	0	0	0
B163	Public Hall - Balingup (and Library)	31,934	0	0	0
B164	Public Hall - Kirup	20,000	20,000	8,220	11,780
B165	Public Hall - Newlands	53,684	0	29,114	(29,114)
B369	Public Hall - Yabberup (and tennis shed)	2,445	2,445	0	2,445
B161	Ablutions - Egan Park Transit Park	95,187	95,187	73,379	21,808
B376	Mens Shed workshop and ablutions - Egan Park	51,500	0	0	0
B300	Public Toilets - Ayres Gardens Precinct	25,000	0	0	0
B106	VBFB Station - Argyle / Irishtown	1,543,917	514,638	271,511	243,127
B388	SES Depot - Donnybrook	3,105	3,105	0	3,105
B397	Balingup Recreation Centre	109,310	0	3,130	(3,130)
B078	Donnybrook Recreation Centre	420,842	189,378	104,367	85,011
B379	Ablutions - Balingup Transit Park	20,646	0	7,300	(7,300)
B375	B375 Community Infant Health Clinic - Donnybrook	10,350	0	0	0
B385	Minninup Cottages (Units 1-4)	2,207	0	0	0
B386	Minninup Cottages (Units 5-12)	4,413	0	0	0
B392	Depot - Donnybrook	24,894	0	0	0
B398	VC Mitchell - Park Pavillion	654,568	327,284	56,498	270,787
		3,244,544	1,152,037	553,518	598,519
Plant and Equipment					
4194	Vehicles - Town Planner	36,225	0	0	0
0434	Vehicles - Parks & Reserves	439,320	0	81,293	(81,293)
3554	Vehicles - Transport	513,105	0	25,458	(25,458)
4214	Vehicles - Public Works	122,800	122,800	0	122,800
0554	Vehicles - Administration	93,150	0	0	0
		1,204,600	122,800	106,751	16,049

4 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

		Adopted			Variance
Account Description		Budget	YTD Budget	YTD Actual	(Under)/Over
Capital Expenditure		\$	\$	\$	\$
Infrastructure - Other					
R144	VC Mitchell - Design & Development	0	0	23,834	(23,834)
R164	VC Mitchell - Tennis Tiered Seating	0	0	75,610	(75,610)
R220	VC Mitchell Park - Oval	31,050	0	0	0
R191	Apple Fun Park	73,602	0	10,065	(10,065)
R194	Donnybrook Arboretum	13,997	0	0	0
R189	Donnybrook Townsite (General)	112,268	0	4,399	(4,399)
R201	Yabberup Townsite	25,750	0	0	0
		256,667	0	113,908	(113,908)
Infrastructure - Bridges					
B4474	Bridge 4474 - Upper Capel Road	37,493	37,493	0	37,493
B4855	Bridge 4855 - Kingspring Road	155,250	155,250	0	155,250
B3617	Bridge 3617 - Bridge St	42,849	42,849	2,500	40,349
B3621	Bridge 3621A - Brookhampton Road	853,875	0	0	0
B3622	Bridge 3622A - Brookhampton Road	493,695	0	164	(164)
B3639	Bridge 3639- Bendall Road	570,498	0	863	(863)
B3301	Bridge 3301A - Walter Road	10,712	0	0	0
B3651	Bridge 3651A - Yabberup Road	10,712	10,712	0	10,712
B9315	Bridge 9315- Donnybrook Pedestrian Suspension Bridge	51,500	51,500	0	51,500
		2,226,584	297,804	3,527	294,277
Infrastructure - Footpaths					
C2409	Preston River Path Loop	137,567	0	6,265	(6,265)
C2518	Reserve Street footpath	25,000	0	192	(192)
		162,567	0	6,457	(6,457)
Infrastructure - Roads					
C2601	Palmer St - DBK	550,000	0	523	(523)
C2602	Cullity Road	49,866	49,866	6,533	43,333
C2603	Brookhampton Road	1,036,900	0	19,598	(19,598)
C2604	Brockman and Bailey Heights Intersection	92,000	92,000	0	92,000
C2605	Cundinup Kirup Road	599,330	0	0	0
C2606	Balingup Nannup Road	674,130	0	0	0
C2607	Upper Capel Road	524,129	349,418	18,240	331,178
C2608	Southampton Road	149,665	0	0	0
C2609	Sandhills Road	300,000	0	0	0
C2610	Victoria Lane, Purchase Land	15,000	15,000	0	15,000
4314	Land	0	0	10,905	(10,905)
C2501	Cundinup Kirup Road	137,949	0	19,854	(19,854)
C2502	Southampton Road	117,495	117,495	0	117,495
C2510	Brockman Road - Balingup	197,928	0	1,618	(1,618)
C2511	Upper Capel Road Gravel Pit Rehabilitation	35,000	0	0	0
C2515	Bailey Heights Balingup	10,000	0	0	0
C2516	Sandhills Road Donnybrook	7,900	0	0	0
C2517	Allnut Street Donnybrook	8,800	0	0	0
		4,506,091	623,779	77,271	546,508
Total Capital Acquisitions		11,601,053	2,196,420	861,431	1,334,989

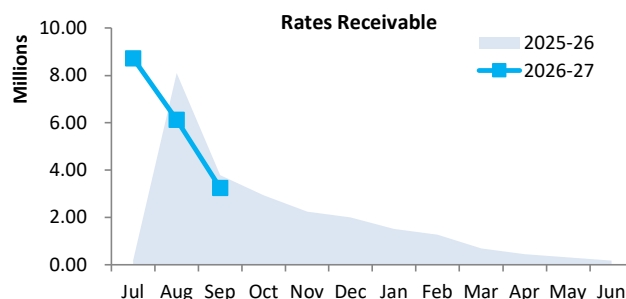
5 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book	Proceeds	Profit	(Loss)	Net Book	Proceeds	Profit	(Loss)
		Value				Value			
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
61285	Tractor - DB1027	19,238	35,000	15,762	0	0	0	0	0
61300	Ute Ballingup - DB8329	10,125	20,700	10,575	0	0	0	0	0
61260	Low Loader Float Trailer - DB18228	17,829	45,000	27,171	0	0	0	0	0
61318	Ute - DB646	15,171	20,700	5,529	0	0	0	0	0
61315	Vehicle PBS - DB631	20,700	20,700	0	0	0	0	0	0
61334	Ride on Mower 60" - DB606	20,579	16,500	0	(4,079)	21,997	16,500	0	(5,497)
61281	Ride on Sweeper - DB271	3,038	5,768	2,730	0	0	0	0	0
61342	Vehicle CEO - DB5	52,957	41,400	0	(11,557)	0	0	0	0
P6292	Tandem Wheel Trailer - DB6292	0	2,575	2,575	0	0	0	0	0
	Land								
20219	Lot 21 Reserve St	94,000	201,000	107,000	0	0	0	0	0
		253,637	409,343	171,342	(15,636)	21,997	16,500	0	(5,497)

6 RECEIVABLES

Rates receivable

	30 Jun 2026	30 Sep 2026
	\$	\$
Opening arrears previous year	256,577	183,435
Levied this year	8,473,187	9,036,312
Less - collections to date	(8,546,329)	(5,980,105)
Net rates collectable	183,435	3,239,642
% Collected	97.9%	64.9%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(5,229)	92,327	18,680	450,956	16,324	573,058
Percentage	(0.9%)	16.1%	3.3%	78.7%	2.8%	
Balance per trial balance						
Trade receivables						573,058
Other receivables						3,800
GST receivable						66,898
Total receivables general outstanding						643,756

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

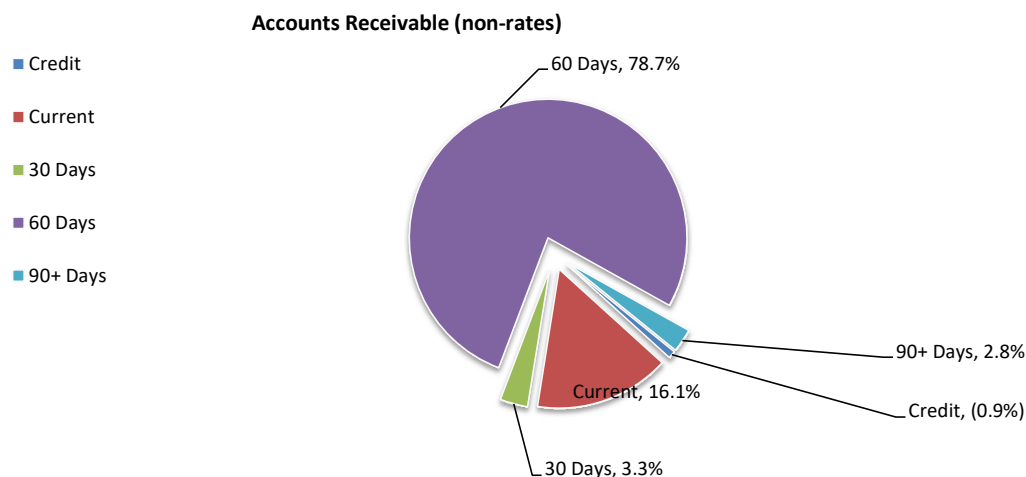
Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment).

The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



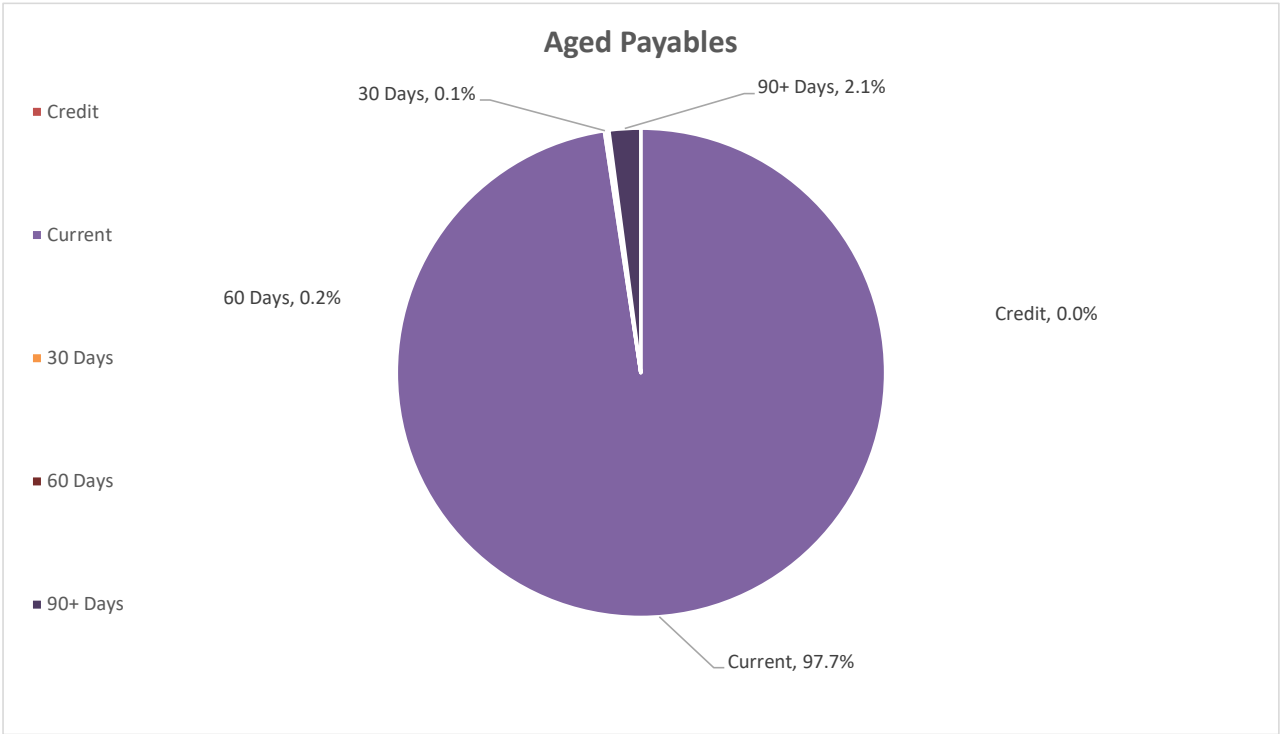
7 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	562,064	560	968	11,987	575,579
Percentage	0.0%	97.7%	0.1%	0.2%	2.1%	
Balance per trial balance						
Sundry creditors						587,350
Prepaid rates						88,678
Bonds and deposits held						407,243
Total payables general outstanding						1,083,271

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



8 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars		Loan No.	1 July 2026	Principal Repayments		Principal Outstanding		Interest Repayments	
				Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$	\$
Tuia Lodge Fire Supression System	93		121,921	0	(29,765)	121,921	92,156	358	(1,809)
VC Mitchell Park	94		2,721,040	(47,562)	(96,308)	2,673,478	2,624,732	(33,158)	(134,429)
			2,842,961	(47,562)	(126,073)	2,795,399	2,716,888	(32,800)	(136,238)
Self supporting loans									
Donnybrook Country Club	90		5,346	0	(5,346)	5,346	0	27	(73)
			5,346	0	(5,346)	5,346	0	27	(73)
Total			2,848,307	(47,562)	(131,419)	2,800,745	2,716,888	(32,773)	(136,311)
Current borrowings			131,419			83,858			
Non-current borrowings			2,716,888			2,716,887			
			2,848,307			2,800,745			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

9 LEASE LIABILITIES

Movement in carrying amounts

Information on leases		New Leases			Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Lease No.	1 July 2026	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Matrix Fitness Equipment	A6ZBG64105	19,872	0	120,000	(9,832)	(45,000)	10,040	94,872	(328)	(1,845)
IT Equipment - Desktops / Laptops	009-0147653-004	77,933	0	100,000	(10,298)	(30,500)	67,635	147,433	(998)	(7,000)
CESM Vehicle	64136 / 1523388	119,898	0	0	(8,677)	0	111,221	119,898	0	0
Total		217,703	0	220,000	(28,807)	(75,500)	188,896	362,203	(1,326)	(8,845)
Current lease liabilities		73,552					44,745			
Non-current lease liabilities		144,153					144,153			
		217,705					188,898			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

Position Description – CAMP HOST VOLUNTEER

Shire of Donnybrook Balingup 000.V.24.1



GENERAL OVERVIEW:

Position Title/Number:	Camp Host Volunteer
Directorate/Division:	Community Services
Reports to:	Manager Community Services
Primary Location:	Donnybrook or Balingup Transit Parks

OUR VISION:

“ A proud community enjoying our rural lifestyle, cultural heritage, and natural environment. ”

POSITION OVERVIEW:

The Camp Host Volunteer provides a welcoming, on-site presence within Shire-managed campgrounds, supporting a safe, well-maintained, and positive visitor experience.

The role assists with visitor engagement, sharing local information, monitoring campground conditions, and promoting compliance with site rules and environmental responsibilities. Camp Hosts act as ambassadors for the Shire, encouraging respectful use of facilities and contributing to the overall presentation and operation of the campground.

The position operates under the direction of Shire staff and is focused on assistance, observation, and reporting, rather than enforcement. Camp Hosts are not responsible for regulatory or compliance actions and are required to escalate issues to the appropriate Shire officer.

The role supports the Shire's vision by enhancing the visitor experience while protecting the natural environment and fostering a welcoming community atmosphere.

POSITION OBJECTIVES:

Visitor Experience

- > Provide a welcoming and visible presence within the campground, assisting visitors and creating a positive and inclusive environment
- > Provide accurate information on campground facilities, local attractions, and community services
- > Promote responsible behaviour and encourage adherence to campground rules, guidelines, and expectations



Position Description – CAMP HOST VOLUNTEER

Shire of Donnybrook Balingup 000.V.24.1



POSITION OBJECTIVES (cont.):

Campground Monitoring & Maintenance

- > Conduct routine inspections of campground areas, amenities, and facilities
- > Identify and report maintenance issues, hazards, or risks to the supervising officer
- > Support general cleanliness and presentation of the campground, including litter collection and basic upkeep

Safety, Compliance & Risk Awareness

- > Promote safe practices including fire safety, environmental care, and hazard awareness
- > Encourage visitors to follow rules and adopt responsible camping behaviours
- > Respond appropriately to incidents by reporting issues and contacting relevant authorities where required

Communication & Program Support

- > Maintain regular communication with Shire staff and report issues in a timely manner
- > Provide feedback on campground operations, visitor trends, and emerging issues
- > Participate in induction processes and comply with Shire policies, procedures, and codes of conduct

What Camp Hosts are NOT Responsible For

- > Enforce laws or regulations
- > Direct or control members of the public
- > Manager aggressive or unsafe behaviour
- > Remove or evict campers
- > Undertake tasks outside of approved duties
- > Represent themselves as Shire officers
- > Provide media statements or comment

ORGANISATIONAL RELATIONSHIPS:

Responsible for: Nil

Internal Relationships: All Shire of Donnybrook Balingup employees and volunteers.

External Relationships: Federal and State government agencies, other local governments, community groups, agencies, contractors, staff associations and organisations, private sector stakeholders, ratepayers, local residents, media, and general public.

EXTENT OF AUTHORITY:

NIL



Position Description – CAMP HOST VOLUNTEER

Shire of Donnybrook Balingup 000.V.24.1



POSITION BENEFITS:

Rostered Day Off (RDO):	No	Vehicle:	No
Mobile Telephone:	No	Laptop/computer:	No
Gym Membership:	No	Wellbeing Program:	Yes

CORPORATE RESPONSIBILITIES:

Budget:	Council adopted
Code of Conduct:	All employees & volunteers are responsible for adhering to the Shire's Code of Conduct and the policies and procedures that support it.
Workplace Health and Safety (OH&S):	The Shire of Donnybrook Balingup is committed to ensuring the health and safety of its employees. All employees & volunteers have responsibilities and accountabilities which are identified in Operational Procedure EXE/OP-7 Work Health and Safety Responsibilities.
Equal Opportunity:	Comply with the Shire's EO requirements and provide, so far as practicable, an environment that is fair, equitable and free of harassment for staff and those we serve.

TRAINING MATRIX:

Training can be achieved through many different mediums, including previous experience, formal qualifications and education. The following programs are provided to you, and are compulsory, as a new employee or volunteer of the Shire of Donnybrook Balingup:

Shire of Donnybrook Balingup Induction:	To be completed within one (1) week of commencement of volunteering.
Workplace Health and Safety (OH&S) Induction:	To be completed within two (2) weeks of commencement of volunteering.



Position Description – CAMP HOST VOLUNTEER

Shire of Donnybrook Balingup 000.V.24.1



SELECTION CRITERIA:

Essential Requirements

- > Demonstrated ability to communicate effectively and engage positively with a diverse range of people
- > Strong customer service focus with a friendly, approachable and professional manner
- > Ability to work independently, use initiative, and manage time effectively
- > Basic awareness of health, safety, and risk management practices, with the ability to identify and report hazards
- > Willingness to comply with Shire policies, procedures, and codes of conduct
- > Genuine interest in camping, tourism, community engagement, and environmental stewardship

Desirable Experience and Qualifications

- > Previous experience in customer service, tourism, volunteering, or community-based roles
- > Knowledge of the local area, including attractions, services, and visitor information
- > Practical skills relevant to campground environments (e.g. basic maintenance, problem solving)
- > First Aid certification or willingness to undertake training
- > Current National Police Check and/or Working with Children Check (where required).

ACKNOWLEDGEMENTS:

The details contained in this position description are an accurate statement of the key duties and responsibilities and other requirements of this position and consideration has been given to any relevant Council Plan objectives.

Manager Name: Simon Peppler

Signature:

A handwritten signature in black ink, appearing to be "SP", written over a horizontal line.

Date: 02/09/2026

I have noted the statement of the key duties and responsibilities and other requirements as noted in this position description. I also acknowledge that other duties and objectives may be assigned to this position as required from time to time to meet the business needs of the organisation.

Position Holder

Name:

Signature:

Date:



Risk Description	Risk Title	Risk Category
Host interacts with difficult or aggressive visitors leading to verbal or physical confrontation	Psychosocial	Health & Safety
Working alone / isolation. Host operates in a remote/low supervision environment	Psychosocial / Emergency response	Health & Safety
Night time work	Slips, trips, falls / Security	Health & Safety
Uneven ground, wet amenities, outdoor environment	Slips, trips, falls	Health & Safety
Lifting equipment, assisting visitors	Musculoskeletal / Ergonomic	Health & Safety
Exposure to natural disaster events (eg. fire, storm)	Emergency response	FinancialHealth & Safety
Biological / hygiene exposure. Contact with waste, amenities or unsanitary conditions	Infection Control	Health & Safety
Role Confusion	Psychosocial	Health & Safety Property
Vehicle/traffic interaction. Movement of vehicles within the park	Working Near Live Traffic	Health & Safety
Aggressive Park visitor pets	Animals	Health & Safety
Outdoor environment	Snakes, spiders, insects	Health & Safety
Host is rude/aggressive towards visitors/improper conduct		Compliance/Legal Reputation
Camp Host - injured while at work		Financial Reputation
Camp Host equipment damage due to negligence / criminal damage		Financial

Unable to obtain camp host resource
Losing a transit park paid space
Camp host not aware of spacetoco bookings

Service Interruption

Financial

Reputation

Camp host extorting funds from visitors

Community
Compliance/Legal
Reputation

Disgruntled camp host

Property

Chemical leaks from camp host equipment

Environment

Camphost is injured and uninsured by Shire

Financial

Likelihood	Consequence	Inherent Risk
Almost Certain (5)	Moderate (3)	High (15)
Almost Certain (5)	Minor (2)	High (10)
Likely (4)	Major (4)	High (16)
Likely (4)	Major (4)	High (16)
Almost Certain (5)	Moderate (3)	High (15)
Almost Certain (5)	Major (4)	Extreme (20)
Likely (4)	Moderate (3)	High (12)
Unlikely (2)	Moderate (3)	Moderate (6)
Almost Certain (5)	Catastrophic (5)	Extreme (25)
Likely (4)	Moderate (3)	High (12)
Possible (3)	Catastrophic (5)	High (15)
Possible (3)	Minor (2)	Moderate (6)
Almost Certain (5)	Moderate (3)	High (15)
Possible (3)	Minor (2)	Moderate (6)

Almost Certain (5)	Minor (2)	High (10)
Almost Certain (5)	Minor (2)	High (10)
Almost Certain (5)	Moderate (3)	High (15)
Likely (4)	Minor (2)	Moderate (8)
Unlikely (2)	Minor (2)	Low (4)
Possible (3)	Minor (2)	Moderate (6)
Likely (4)	Minor (2)	Moderate (8)

Controls

Residual Likelihood

- Training - Conflict avoidance / de-escalation awareness	Almost Certain (5)
- WHS Induction specific to role (clearly define no enforcement or compliance. Observe and report only	
- Provide a list of emergency contacts	
- Explain reporting protocols (ie. Police)	
- Minimum communication requirements (eg. daily check-in)	Unlikely (2)
- Provide a list of emergency contacts	
- Hosts to carry mobile phone	
- Define hazard/incident escalation pathways	
- Encourage limited activity after dark	Unlikely (2)
- Provide adequate lighting	
- PPE torch	
- Appropriate footwear required	Possible (3)
- WHS Induction to include site hazard awareness and reporting	
- WHS Induction - no physical assistance role and no lifting requirements	Rare (1)
- Emergency procedure awareness	Unlikely (2)
- Provide a list of emergency contacts	
- In extreme circumstances, alternative accommodation	
- WHS Induction - no major cleaning duties required, avoid direct contact with waste, contact issues to Works & Services	Unlikely (2)
- PPE - gloves	
Sharps box	
- Defined support contact within the Shire	Rare (1)
- Clear boundaries (no enforcement)	
- WHS Induction : explicit do / don't guidance	
- Written role description and agreement	
- No traffic control duties	Unlikely (2)
- Explore speed limit signage for Egan Access Rd	
- Host remains in designated areas	
- PPE (high vis vest)	
- Reporting protocols (Rangers)	Possible (3)
- Provide leads	
- WHS induction	
- WHS Induction	Unlikely (2)
- First aid kit	
- Reporting protocols (Rangers)	
- Mosquito (repellant)	
Shire of Donnybrook Balingup Code of Conduct	Rare (1)
Police Checks	
Background checks	
Interview Basis (Expression of interest)	
LGIS Insurance	Almost Certain (5)
Confirm on commencement personal insurance is in place	Possible (3)
Stipulations in onboarding documentation	

Expression of interest pool and scheduling (Calendar availability)	Possible (3)
Explore additional areas within transit park which are currently not bookable for camp host	Rare (1)
Donnybrook - Library services to assist and provide daily report	Unlikely (2)
Balingup - Library when open / Shire contact to assist Admin front Counter staff to manage Spacetoco	
Regular check ins with Shire representative	Unlikely (2)
Code of conduct signing	
Spacetoco feedback	
Regular check-ins	Rare (1)
Code of conduct	
WHS Induction	
Background checks	
Sign agreement that camp host mobile equipment is regularly maintained and complies with VSR (WA Vehicle Standard Regulations)	Rare (1)
LGIS Insurance coverage, provided check ins, WHS measures and inductions are completed	Rare (1)

Residual Consequence	Residual Risk	Comments
Minor (2)	High (10)	Financial - cost of alternative accommodation and reduction in cost of damage to camp host equipment
Insignificant (1)	Low (2)	
Moderate (3)	Moderate (6)	
Moderate (3)	Moderate (9)	
Insignificant (1)	Low (1)	
Insignificant (1)	Low (2)	
Minor (2)	Low (4)	
Insignificant (1)	Low (1)	
Moderate (3)	Moderate (6)	
Moderate (3)	Moderate (9)	
Moderate (3)	Moderate (6)	
Insignificant (1)	Low (1)	
Insignificant (1)	Moderate (5)	
Insignificant (1)	Low (3)	

Insignificant (1)	Low (3)
Insignificant (1)	Low (1)
Minor (2)	Low (4)
Minor (2)	Low (4)
Insignificant (1)	Low (1)
Insignificant (1)	Low (1)
Insignificant (1)	Low (1)

Standards for CEO Recruitment, Performance and Termination

Shire of Donnybrook Balingup Council Policy EXE/CP-16



Strategic Outcome Supported: 10.1 – Provide strategically focussed, open and accountable governance.

OBJECTIVE

1. This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

SCOPE

2. These are the Shire of Donnybrook Balingup Standards for CEO Recruitment, Performance and Termination.

DEFINITIONS

3. **Act** means the *Local Government Act 1995*.
4. **Additional performance criteria** means performance criteria agreed by the local government and the CEO under clause 39(b).
5. **Applicant** means a person who submits an application to the local government for the position of CEO.
6. **CEO** means Chief Executive Officer.
7. **Contract of employment** means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO.
8. **Contractual performance criteria** means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;
9. **Job description form** means the job description form for the position of CEO approved by the local government.
10. **Local government** means the Shire of Donnybrook Balingup;
11. **Selection criteria** means the selection criteria for the position of CEO determined by the local government;
12. **Selection panel** means the selection panel established by the local government for the employment of a person in the position of CEO.

POLICY STATEMENTS

DIVISION 2 — STANDARDS FOR RECRUITMENT OF CEOS

Overview of Division

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

Application of Division

14. Except as provided in clause 15, this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
15. This Division does not apply —
 - a. if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - b. in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 36.

Determination of Selection Criteria and Approval of Job Description Form

16. The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
17. The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - a. the duties and responsibilities of the position; and
 - b. the selection criteria for the position determined in accordance with clause 16.

Advertising Requirements

18. If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
19. If clause 36 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

Job Description Form to be Made Available by Local Government

20. If a person requests the local government to provide to the person a copy of the job description form, the local government must —
 - a. inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
 - b. if the person advises the local government that the person is unable to access that website address —
 - i. email a copy of the job description form to an email address provided by the person; or
 - ii. mail a copy of the job description form to a postal address provided by the person.

Establishment of Selection Panel for Employment of CEO

21. In clause 22—
- independent person*** means a person other than any of the following —
- a council member;
 - an employee of the local government;
 - a human resources consultant engaged by the local government.
22. The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
23. The selection panel must comprise —
- council members (the number of which must be determined by the local government); and
 - at least one (1) independent person.

Recommendation by Selection Panel

24. Each applicant's knowledge, experience, qualifications, and skills must be assessed against the selection criteria by or on behalf of the selection panel.
25. Following the assessment referred to in clause 24, the selection panel must provide to the local government —
- a summary of the selection panel's assessment of each applicant; and
 - unless clause 26 applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
26. If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
27. The selection panel must act under clauses 24, 25 and 26 —
- in an impartial and transparent manner; and
 - in accordance with the principles set out in section 5.40 of the Act.
28. The selection panel must not recommend an applicant to the local government under clause 25(b) unless the selection panel has —
- assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications, and skills meet the selection criteria; and
 - verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

- c. whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance, and any other claims made by the applicant.
29. The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

Application of Clauses 16 and 17 Where New Process Carried Out

30. This clause applies if the local government accepts a recommendation by the selection panel under clause 26 (a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
31. Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
- a. Clauses 16 and 17 do not apply to the new recruitment and selection process; and
 - b. the job description form previously approved by the local government under clause 17 is the job description form for the purposes of the new recruitment and selection process.

Offer of Employment in Position of CEO

32. Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —
- a. the making of the offer of employment to the applicant; and
 - b. the proposed terms of the contract of employment to be entered into by the local government and the applicant.

Variations to Proposed Terms of Contract of Employment

33. This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 32 negotiates with the local government a contract of employment (the **negotiated contract**) containing terms different to the proposed terms approved by the local government under clause 32(b).
34. Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

Recruitment to be Undertaken on Expiry of Certain CEO Contracts

35. In clause 36—
- commencement day** means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
36. This clause applies if —
- a. upon the expiry of the contract of employment of the person (the **incumbent CEO**) who holds the position of CEO —

- i. the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - ii. a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day; and
 - iii. the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- b. Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- c. This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause 36(b) to be employed in the position of CEO.

Confidentiality of Information

37. The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

DIVISION 3 — STANDARDS FOR REVIEW OF PERFORMANCE OF CEOS

Overview of Division

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

Performance Review Process to be Agreed Between Local Government and CEO

39. The local government and the CEO must agree on —
- a. the process by which the CEO's performance will be reviewed, including the adoption of an annual performance review process approved by resolution of an absolute majority of the Council; and
 - b. any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
40. Without limiting clause 39, the process agreed under clause 39(a) must be consistent with clauses 42-45 (inclusive) .
41. The matters referred to in clause 39 must be set out in a written document.

Carrying out a Performance Review

42. A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

43. The local government must —
- collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

Endorsement of Performance Review by Local Government

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

CEO to be Notified of Results of Performance Review

45. After the local government has endorsed a review of the performance of the CEO under clause 44, the local government must inform the CEO in writing of —
- the results of the review; and
 - if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

DIVISION 4 — STANDARDS FOR TERMINATION OF EMPLOYMENT OF CEOS

Overview of Division

46. This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

General Principles Applying to any Termination

47. The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
48. The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
- informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - notifying the CEO of any allegations against the CEO; and
 - giving the CEO a reasonable opportunity to respond to the allegations; and
 - genuinely considering any response given by the CEO in response to the allegations.

Additional Principles Applying to Termination for Performance-Related Reasons

49. This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.

50. The local government must not terminate the CEO's employment unless the local government has —
- in the course of carrying out the review of the CEO's performance referred to in clause 51 or any other review of the CEO's performance, identified any issues (the **performance issues**) related to the performance of the CEO; and
 - informed the CEO of the performance issues; and
 - given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
51. The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

Decision to Terminate

52. Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

Notice of Termination of Employment

53. If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
54. The notice must set out the local government's reasons for terminating the employment of the CEO.

DELEGATION AND AUTHORISATION

55. Nil.

LEGISLATION

- *Local Government Act 1995*

APPENDIX

56. Nil.

Standards for CEO Recruitment, Performance and Termination

Shire of Donnybrook Balingup Council Policy EXE/CP-16



GOVERNANCE

Related Policy(s):

Nil.

Related Procedure(s):

Nil.

Revision Requirements and Version Control:

Responsible Department(s):		Executive		
Review to be conducted by:		Executive Manager Corporate		
Revision Frequency:		☐ Annual (1yr)	☒ Triennial (3yr)	☐ Quinquennial (5yr)
Current Version Date:		28/10/2026	Next Due:	10/2029
Policy Version Details and Information:				
#:	Synopsis:	Date:	Ref.:	Record:
1	Initial creation and adoption of Council Policy.	28/10/2026	TBA	MONARCH-1594159990-179

LOCAL GOVERNMENT ACT 1995
Shire of Donnybrook Balingup

PARKING AND PARKING FACILITIES LOCAL LAW 2027

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Donnybrook-Balingup resolved on [insert date] to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Donnybrook-Balingup *Parking and Parking Facilities Local Law 2027*.

1.2 Commencement

This local law comes into operation 14 days after the date of publication in the *Government Gazette*.

1.3 Repeal

The Shire of Donnybrook-Balingup Parking and Parking Facilities Local Law 2000 published in the *Government Gazette* on 17 October 2000 and amended by the Parking and Parking Facilities Amendment Local Law 2008 published in the *Government Gazette* on 3 June 2008 are repealed.

1.4 Interpretation

In this local law unless the context otherwise requires –

Act means the *Local Government Act 1995*;

authorized person means a person appointed by the local government under section 9.10 of the Act, to perform any of the functions of an authorized person under this local law;

authorised vehicle means a vehicle authorised by the local government, CEO, authorized person or by any written law to park on a thoroughfare or parking facility;

bicycle has the meaning given to it by the Code;

bicycle path has the meaning given to it by the Code;

bus has the meaning given to it by the Code;

bus embayment has the meaning given to it by the Code;

bus stop has the meaning given to it by the Code;

bus zone has the meaning given to it by the Code;

caravan means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;

carriageway means a portion of thoroughfare that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and where a thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

centre in relation to a carriageway, means a line or a series of lines, marks or other indications –

- (a) for a two-way carriageway – placed so as to delineate vehicular traffic travelling in different directions; or
- (b) in the absence of any such lines, marks or other indications – the middle of the main, travelled portion of the carriageway;

children’s crossing has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

Code means the *Road Traffic Code 2000*;

commercial vehicle means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

disability parking permit means a current document issued by the National Disability Service (ACN 008 445 485), consisting of—

- (a) an Australian Disability Parking Permit; and
- (b) an ACROD Parking Program Card;

district means the district of the local government;

driver means any person driving or in control of a vehicle;

edge line for a carriageway means a line marked along the carriageway at or near the far left or the far right of the carriageway;

emergency vehicle has the meaning given to it by the Code;

footpath has the meaning given to it by the Code;

GVM (which stands for gross vehicle mass) has the meaning given to it by the Code;

Loading Zone means a parking bay which is set aside for use by commercial vehicles if there is a sign referable to that bay marked “Loading Zone”;

local government means the Shire of Donnybrook-Balingup;

mail zone has the meaning given to it by the Code;

median strip has the meaning given to it by the Code;

motorcycle has the meaning given to it by the Code;

motor vehicle means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;

no parking area has the meaning given to it by the Code;

no parking sign means a sign with the words “no parking” in red letters on a white background, or the letter “P” within a red annulus and a red diagonal line across it on a white background;

no stopping area has the meaning given to it by the Code;

no stopping sign means a sign with the words “no stopping” or “no standing” in red letters on a white background or the letter “S” within a red annulus and a red diagonal line across it on a white background;

occupier has the meaning given to it by the Act;

owner

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that Road Traffic Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

park, in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of –

- (a) avoiding conflict with other traffic; or
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (maximum of 2 minutes);

parking area has the meaning given to it by the Code;

parking facilities includes land, buildings, shelters, parking bays and other facilities open to the public generally for the parking of vehicles and signs, notices and facilities used in connection with the parking of vehicles;

parking region means the area described in Schedule 1;

parking bay means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

parking station means any land, or structure provided for the purpose of accommodating vehicles;

pedestrian crossing has the meaning given to it by the Code;

public place means any place to which the public has access whether or not that place is on private property;

reserve means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” within section 3.53 of the Act;

Road Traffic Act means the *Road Traffic Act 1974*;

Schedule means a Schedule to this local law;

shared zone has the meaning given to it by the Code;

sign includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

special purpose vehicle has the meaning given to it by the Code;

stop in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;

symbol includes any symbol specified in the Code for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

taxi has the meaning given to it by the Code;

taxi zone has the meaning given to it by the Code;

thoroughfare has the meaning given to it by the Act;

traffic island has the meaning given to it by the Code;

trailer means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

vehicle has the meaning given to it by the Code; and

verge means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

1.5 Application of Particular Definitions

- (1) For the purposes of the application of the definitions 'no parking area' and 'parking area' an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

1.6 Application and pre-existing signs

- (1) Subject to subclause (2), this local law applies to the parking region.
- (2) This local law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 4, then the facility or station shall be deemed to be a parking station to which this local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2).
- (5) A sign that –
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
 - (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this local law to have been erected by the local government under the authority of this local law.
- (6) An inscription or symbol on a sign referred to in subclause (5) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it shall be deemed for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.

- (7) The provisions of Parts 2, 3, and 4 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.7 Classes of vehicles

For the purpose of this local law, vehicles are divided into classes as follows –

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.8 Part of thoroughfare to which sign applies

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which –

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

1.9 Powers of the local government

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

PART 2 - PARKING BAYS AND PARKING STATIONS

2.1 Determination of parking bays and parking stations

- (1) The local government may by resolution constitute, determine and vary –
 - (a) parking bays;
 - (b) parking stations;
 - (c) permitted time and conditions of parking in parking bays and parking stations which may vary with the locality;
 - (d) permitted classes of vehicles which may park in parking bays and parking stations;
 - (e) permitted classes of persons who may park in specified parking bays or parking stations; and
 - (f) the manner of parking in parking bays and parking stations.

- (2) Where the local government makes a determination under subsection (1) it shall erect signs to give effect to the determination.

2.2 Vehicles to be within parking bays on thoroughfare

- (1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking bay in a thoroughfare otherwise than –
 - (a) parallel to and as close to the kerb as is practicable;
 - (b) wholly within the bay; and
 - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the bay is situated.
- (2) Subject to subclause (3) where a parking bay in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that bay wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking bay then the person parking the vehicle shall do so within the minimum number of parking bays needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

2.3 Parking prohibitions and restrictions

- (1) A person shall not –
 - (d) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
 - (e) except with the permission of the local government or an authorised person park a vehicle on any part of a parking station contrary to a sign referable to that part;
 - (f) permit a vehicle to park on any part of a parking station, if an authorised person directs the driver of such vehicle to move the vehicle; or
 - (g) park or attempt to park a vehicle in a parking bay in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a bay marked “M/C”, if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle –
 - (a) in a parking bay other than in a bay marked “M/C”; and
 - (b) in such bay other than against the kerb.

- (3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a permissive parking bay or station (except in a parking area for persons with a disability) for twice the length of time allowed, provided that –
 - (a) the driver's vehicle displays a disability parking permit; and
 - (b) a person with a disability to which that disability parking permit relates is either the driver of or a passenger in the vehicle.

PART 3 - PARKING GENERALLY

3.1 Restrictions on parking in particular areas

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station –
 - (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2)
 - (a) This subclause applies to a driver if –
 - (i) the driver's vehicle displays a disability parking permit; and
 - (ii) a person with a disability to which the disability parking permit relates is either the driver of the vehicle or a passenger in the vehicle.
 - (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
- (3) A person shall not park a vehicle:
 - (a) in a no parking area;
 - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
 - (c) in a bay marked “M/C” unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (4) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking bay unless the bay is marked “M/C”.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating “Authorised Vehicles Only”.

3.2 Parking vehicle on a carriageway

- (1) A person parking a vehicle on a carriageway other than in a parking bay shall park it –
 - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any vehicle on the carriageway,unless otherwise indicated on a parking regulation sign or markings on the roadway.
- (2) In this clause, 'continuous dividing line' means –
 - (a) a single continuous dividing line only;
 - (b) a single continuous dividing line to the left or right of a broken dividing line; or
 - (c) 2 parallel continuous dividing lines.

3.3 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is:

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

3.4 When angle parking applies

- (1) This clause does not apply to:
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over 3 tonnes; or
 - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

3.5 General prohibitions on parking

- (1)
 - (a) This clause does not apply to a vehicle parked in a parking bay nor to a bicycle in a bicycle rack.
 - (b) Subclauses (2)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (2) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is –
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
 - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
 - (f) on any footpath or pedestrian crossing;
 - (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
 - (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;

- (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or
- (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked,

unless a sign or markings on the carriageway indicate otherwise.

- (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of –
 - (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children’s crossing or pedestrian crossing.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of –
 - (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a children’s crossing or pedestrian crossing.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

3.6 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

3.7 Authorised person may mark tyres

- (1) An authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

3.8 No movement of vehicles to avoid time limitation

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least 2 hours.

3.9 No parking of vehicles exposed for sale and in other circumstances

A person shall not park a vehicle on any portion of a thoroughfare –

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

3.10 Parking on private land

- (1) In this clause a reference to “land” does not include land –
 - (a) which belongs to the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*;
 - (c) which is an “otherwise unvested facility” within section 3.53 of the Act;
 - (d) which is the subject of an agreement referred to in clause 1.5(2); or
 - (e) which is identified in Schedule 4.
- (2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

3.11 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.12 Suspension of parking limitations for urgent, essential or official duties

- (1) Whereby a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

PART 4 – PARKING AND STOPPING GENERALLY

4.1 No stopping and no parking signs, and yellow edge lines

- (1) No stopping

A driver shall not stop on a length of carriageway, or in an area, to which a “no stopping” sign applies.
- (2) No parking

A driver shall not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver is –

 - (a) dropping off, or picking up, passengers or goods;
 - (b) does not leave the vehicle unattended; and
 - (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

unattended, in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.
- (3) No stopping on a carriageway with yellow edge lines

A driver shall not stop at the side of a carriageway marked with a continuous yellow edge line.

PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES

5.1 Stopping in a loading zone

A person shall not stop a vehicle in a loading zone unless it is:

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers,

but, in any event, shall not remain in that loading zone:

- (c) for longer than a time indicated on the “loading zone” sign; or
- (d) longer than 30 minutes (if no time is indicated on the sign).

5.2 Stopping in a taxi zone or a bus zone

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the “bus zone” sign applying to the bus zone.

5.3 Stopping in a mail zone

A person shall not stop a vehicle in a mail zone.

5.4 Other limitations in zones

A person shall not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.

PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED

6.1 Stopping in a shared zone

A driver shall not stop in a shared zone unless –

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

6.2 Double parking

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to –
 - (a) a driver stopped in traffic; or
 - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

6.3 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

6.4 Stopping on a bridge or in a tunnel, etc.

- (1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless –
 - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) A driver shall not stop a vehicle in a tunnel or underpass unless –
 - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

6.5 Stopping on crests, curves, etc.

- (1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

6.6 Stopping near a fire hydrant etc

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless –
 - (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
 - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause a driver leaves the vehicle “unattended” if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

6.7 Stopping at or near a bus stop

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless –
 - (a) the vehicle is a public bus stopped to take up or set down passengers; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) In this clause –
 - (a) distances are measured in the direction in which the driver is driving; and
 - (b) a trailer attached to a public bus is deemed to be a part of the public bus.

6.8 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

6.9 Stopping on verge

- (1) A person shall not –
 - (a) stop a vehicle (other than a bicycle);
 - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
 - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,

so that any portion of it is on a verge.

- (2) Subclause (1)(a) does not apply to the person if they are the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

6.10 Obstructing access to and from a path, driveway, etc.

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless –
 - (a) the driver is dropping off, or picking up, passengers; or
 - (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.
- (2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless –
 - (a) the driver is dropping off, or picking up, passengers; or
 - (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.

6.11 Stopping near a letter box

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver –

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

6.12 Stopping on a carriageway – heavy and long vehicles

- (1) A person shall not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes –
 - (a) on a carriageway in a built-up area, for any period exceeding 1 hour, unless engaged in the picking up or setting down of goods; or
 - (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.

- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

6.13 Stopping on a carriageway with a bicycle parking sign

The driver of a vehicle (other than a bicycle) shall not stop on a length of carriageway to which a “bicycle parking” sign applies, unless the driver is dropping off, or picking up, passengers.

6.14 Stopping on a carriageway with motor cycle parking sign

The driver of a vehicle shall not stop on a length of carriageway, or in an area, to which a 'motor cycle parking' sign applies, or an area marked “M/C” unless –

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

PART 7 - MISCELLANEOUS

7.1 Removal of notices on vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an authorised person.

7.2 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government –

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

7.3 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

7.4 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.

- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

7.5 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of –

- (a) a special purpose vehicle may, only in the course of their duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of their duties and when it is expedient and safe to do so or where they honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

7.6 Vehicles not to obstruct a public place

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

PART 8 - PENALTIES

8.1 Offences and penalties

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

8.2 Form of notices

For the purposes of this local law:

- (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;

- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

Schedule 1 - Parking region

The parking region is the whole of the district, but excludes the following portions of the district:

1. the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
2. prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
3. any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.

Schedule 2 – Prescribed offences

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1	2.2	Failure to park wholly within parking bay	40
2	2.2(4)	Failure to park wholly within parking area	40
3	2.3(1)(a)	Causing obstruction in parking station	50
4	2.3(1)(b)	Parking contrary to sign in parking station	50
5	2.3(1)(c)	Parking contrary to directions of authorised person	50
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking bay occupied by another vehicle	40
7	3.1(1)(a)	Parking wrong class of vehicle	40
8	3.1(1)(b)	Parking by persons of a different class	45
9	3.1(1)(c)	Parking during prohibited period	45
10	3.1(3)(a)	Parking in no parking area	50
11	3.1(3)(b)	Parking contrary to signs or limitations	40
12	3.1(3)(c)	Parking vehicle in motor cycle only area	40
13	3.1(4)	Parking motor cycle in bay not marked “M/C”	40
14	3.1(5)	Parking without permission in an area designated for “Authorised Vehicles Only”	45
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	40
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	40
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	45
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	45

19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	40
20	3.2(1)(e)	Causing obstruction	50
21	3.3(b)	Failure to park at approximate right angle	40
22	3.4(2)	Failure to park at an appropriate angle	40
23	3.5(2)(a) and 6.2	Double parking	45
24	3.5(2)(b)	Parking on or adjacent to a median strip	40
25	3.5(2)(c)	Denying access to private drive or right of way	45
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	50
27	3.5(2)(e)	Parking within 10 metres of traffic island	45
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	50
29	3.5(2)(g)	Parking contrary to continuous line markings	45
30	3.5(2)(h)	Parking on intersection	45
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	50
32	3.5(2)(j)	Parking within 3 metres of public letter box	45
33	3.5(2)(k)	Parking within 10 metres of intersection	45
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	50
35	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	50
36	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	50
37	3.6	Parking contrary to direction of authorised person	50
38	3.7(2)	Removing mark of authorised person	55

39	3.8	Moving vehicle to avoid time limitation	40
40	3.9(a)	Parking in thoroughfare for purpose of sale	40
41	3.9(b)	Parking unlicensed vehicle in thoroughfare	40
42	3.9(c)	Parking a trailer/caravan on a thoroughfare	40
43	3.9(d)	Parking in thoroughfare for purpose of repairs	40
44	3.10(1) or (2)	Parking on land that is not a parking facility without consent	55
45	3.10(3)	Parking on land not in accordance with consent	40
46	3.11	Driving or parking on reserve	40
47	4.1(1)	Stopping contrary to a “no stopping” sign	40
48	4.1(2)	Parking contrary to a “no parking” sign	40
49	4.1(3)	Stopping within continuous yellow lines	40
50	5.1	Stopping unlawfully in a loading zone	40
51	5.2	Stopping unlawfully in a taxi zone or bus zone	40
52	5.3	Stopping unlawfully in a mail zone	40
53	5.4	Stopping in a zone contrary to a sign	40
54	6.1	Stopping in a shared zone	40
55	6.3	Stopping near an obstruction	45
56	6.4	Stopping on a bridge or tunnel	40
57	6.5	Stopping on crests/curves etc	55
58	6.6	Stopping near fire hydrant	55
59	6.7	Stopping near bus stop	45
60	6.8	Stopping on path, median strip or traffic island	40

61	6.9	Stopping on verge	40
62	6.10	Obstructing path, a driveway etc	40
63	6.11	Stopping near letter box	40
64	6.12	Stopping heavy or long vehicles on carriageway	45
65	6.13	Stopping in bicycle parking area	40
66	6.14	Stopping in motorcycle parking area	40
67	7.6	Leaving vehicle so as to obstruct a public place	50
68		All other offences not specified	35

Schedule 3 – Forms

LOCAL GOVERNMENT ACT 1995

FORM 1

PARKING AND PARKING FACILITIES LOCAL LAW 2027

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)

at (4) your vehicle:

make: ;

model: ;

registration: ,

was involved in the commission of the following offence -

.....
.....
.....
.....

contrary to clause of the **Parking and Parking Facilities Local Law 2027**.

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless:

- (a) within 28 days after being served with this notice;
 - (i) you inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5)

(6)

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Signature of authorised person
- (6) Name and title of authorised person giving notice

LOCAL GOVERNMENT ACT 1995

FORM 2

PARKING AND PARKING FACILITIES LOCAL LAW 2027

INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)
at (4)
in respect of vehicle:

make: ;

model: ;

registration: ,

you committed the following offence:

.....
.....
.....

contrary to clause of the **Parking and Parking Facilities Local Law 2027**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6)

(7)

Insert:

- (1) Name of alleged offender or 'the owner'
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

LOCAL GOVERNMENT ACT 1995

FORM 3

PARKING AND PARKING FACILITIES LOCAL LAW 2027

INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)
at (4)
in respect of vehicle:

make: ;

model: ;

registration: ,

you committed the following offence:

.....
.....
.....

contrary to clause of the **Parking and Parking Facilities Local Law 2027**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice:

(a) you pay the modified penalty; or

(b) you:

- (i) inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or

- (ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6)

(7)

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (8) Name and title of authorised person giving notice

LOCAL GOVERNMENT ACT 1995

FORM 4

PARKING AND PARKING FACILITIES LOCAL LAW 2027

WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

of: (2)

Infringement Notice No. dated / /

in respect of vehicle:

make: ;

model: ;

registration: ,

for the alleged offence of

.....

.....

has been withdrawn.

The modified penalty of \$

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3)

(4)

Insert:

(1) Name of alleged offender to whom infringement notice was given or 'the owner'.

(2) Address of alleged offender.

(3) Signature of authorised person

(4) Name and title of authorised person giving notice

Dated..... 20__

Mayor/President



SHIRE OF DONNYBROOK-BALINGUP

PARKING AND PARKING FACILITIES LOCAL LAW

TABLE OF CONTENTS

PART 1 – DEFINITION AND OPERATION

- 1.1 Commencement
- 1.2 Repeal
- 1.3 Interpretation
- 1.4 Application and pre-existing signs
- 1.5 Classes of vehicles
- 1.6 Part of thoroughfare to which sign applies

PART 2 – PARKING STALLS AND PARKING STATIONS

- 2.1 Determination of parking stalls and parking stations
- 2.2 Vehicles to be within parking stall on thoroughfare
- 2.3 Vehicles to be within parking stall in parking station
- 2.4 Parking prohibitions and restrictions

PART 3 – PARKING GENERALLY

- 3.1 Prohibition and regulation of parking by signs
- 3.2 Restrictions on parking in particular areas
- 3.3 Parking vehicle on a carriageway
- 3.4 Vehicle to be wholly within parking area
- 3.5 When parallel and right-angled parking apply
- 3.6 When angle parking applies
- 3.7 General prohibitions on parking
- 3.8 Parking on verges
- 3.9 Limitation on parking of vehicles with tare in excess of 2,000 kgs on carriageway
- 3.10 Limitation on parking of over length vehicles on carriageway
- 3.11 Authorised person may order vehicle on thoroughfare to be moved
- 3.12 Authorised person may mark tyres
- 3.13 No movement of vehicles to avoid time limitation
- 3.14 No parking of vehicles exposed for sale and in other circumstances
- 3.15 Parking on private land
- 3.16 Parking on reserves
- 3.17 Suspension of parking limitations for urgent, essential or official duties

PART 4 - MISCELLANEOUS

- 4.1 Removal of notices on vehicle
- 4.2 Unauthorised signs and defacing of signs
 - 4.3 Signs must be complied with
 - 4.4 General provisions about signs
 - 4.5 Special purpose and emergency vehicles
 - 4.6 Vehicles not to obstruct a public place

PART 5 - PENALTIES

- 5.1 Offences and penalties
- 5.2 Averment on complaint as to clause 1.4(2) agreement
- 5.3 Form of notices

SCHEDULE 1 - PARKING REGION

SCHEDULE 2 - PRESCRIBED OFFENCES

SCHEDULE 3 - FORM 1

FORM 2

FORM 3

FORM 4

SCHEDULE 4 - DEEMED PARKING STATIONS

LOCAL GOVERNMENT ACT 1995
Shire of Donnybrook-Balingup
PARKING AND PARKING FACILITIES LOCAL LAW

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the Shire of Donnybrook-Balingup resolved to make the following Local Law on the 28th day of June 2000.

PART 1 - DEFINITION AND OPERATION

1.1 Commencement

This Local Law will come into operation on the fourteenth day after the day on which it is published in the Government Gazette.

1.2 Repeal

The Shire of Donnybrook-Balingup Local Law – Parking published in the Government Gazette on 20th August 1954 is repealed.

1.3 Interpretation

(1) In this Local Law unless the context otherwise requires:

“Act” means the *Local Government Act 1995*;

“Authorised Person” means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an Authorised Person under this Local Law;

“authorised vehicle” means a vehicle authorised by the local government, Chief Executive Officer, Authorised Person or by any written law to park on a thoroughfare or parking facility;

“bicycle” means any wheeled vehicle that is designed to be propelled solely by human power;

“bus” means an omnibus as defined by the Road Traffic Act;

“bus embayment” has the meaning given to it in the Code;

“caravan” means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;

“carriageway” means a portion of thoroughfare that is improved, designed or ordinarily used for vehicles and includes the shoulders and areas including embayments at the side or centre of the carriageway, used for the parking of vehicles; and where a thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

“centre” in relation to a carriageway, means a line or a series of lines, marks or other indications placed at, or near, the middle of the carriageway or, in the absence of any such lines, marks or other indications, the middle of the main travelled portion of the carriageway;

“children’s crossing” has the meaning given to it in the Code;

“CEO” means the Chief Executive Officer of the local government;

“Code” means the *Road Traffic Code 2000*

- “commercial vehicle” means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;
- “district” means the district of the local government;
- “driver” means any person driving or in control of a vehicle;
- “emergency vehicle” has the meaning given to it in the Code;
- “Loading Zone” means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked ‘Loading Zone’;
- “local government” means the Shire of Donnybrook-Balingup;
- “median strip” has the meaning given to it in the Code;
- “motorcycle” means a motor vehicle that has two wheels or, where a sidecar is attached, three wheels;
- “motor vehicle” means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;
- “no parking area” means a portion of a carriageway that lie -
- (a) between two consecutive signs inscribed with the words “No Parking” or with an equivalent symbol depicting this purpose and each with an arrow pointing generally towards the other of them; or
 - (b) between a sign inscribed with the words “No Parking” or with an equivalent symbol depicting this purpose, and the end of the carriageway or an area in which parking is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “occupier” has the meaning given to it in the Act;
- “owner” where used in relation to a vehicle, means a person who is the registered holder of the requisite vehicle licence under the Road Traffic Act in respect of that vehicle, or if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession; and where used in relation to land has the meaning given to it by the Act;
- “park”, in relation to a vehicle, means to permit a vehicle, whether occupied or not by any person, to remain stationary for any period of time except for the purpose of –
- (a) avoiding conflict with other traffic; or
 - (b) complying with the provisions of any law when the vehicle is being driven;
- “parking area” means a portion of a carriageway -
- (a) between two consecutive signs inscribed with the word “Parking” or with an equivalent symbol depicting this purpose and each with an arrow pointing generally towards the other of them; or
 - (b) extending from a sign inscribed with the word “Parking” or with an equivalent symbol depicting this purpose in the general direction indicated by the arrow inscribed on the sign, to any other sign inscribed with the words “No Parking” or with an equivalent symbol depicting this purpose, or to the end of the carriageway or an area in which the parking of vehicles is prohibited,
- and is on that side of the carriageway of the thoroughfare nearest the sign;

“parking facilities” includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles, and signs, notices and facilities used in connection with the parking of vehicles;

“parking region” means the area described in the First Schedule;

“parking stall” means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

“parking station” means any land, or structure provided for the purpose of accommodating vehicles;

“pathway” includes every pathway, pedestrian access way or other place -

- (a) intended for the use of pedestrians only, or in the case of a dual use path, for the use of pedestrians and bicyclists only; or
- (b) habitually used by pedestrians and not by vehicles or, in the case of a dual use path, by pedestrians and bicyclists and not by vehicles other than bicycles;

“pedestrian crossing” has the meaning given to it in the Code;

“public place” means any place to which the public has access whether or not that place is on private property;

“reserve” means any land –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” within section 3.53 of the Act;

“Road Traffic Act” means the *Road Traffic Act 1974*;

“Schedule” means a Schedule to this Local Law;

“sign” includes a traffic sign, inscription, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

“special purpose vehicle” means a public utility service truck, a tow truck, a vehicle being used for official duties by a member of the Police Service, a motor breakdown service vehicle or a vehicle being used by a government authority or a local government in connection with its functions, but does not include an emergency vehicle;

“symbol” includes any symbol specified by Australian Standard 1742.11-1989 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol;

“taxi” has the same meaning as “taxi-car” in section 47Z of the *Transport Co-ordination Act 1966*;

“thoroughfare” has the meaning given to it in the Act;

“trailer” means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

“vehicle” includes every conveyance not being a train, vessel or aircraft, and every object capable of being propelled or drawn on wheels by any means; and

“verge” means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

- (2) For the purposes of the application of the definitions “no parking area” and “parking area” an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (3) Unless the context otherwise requires, where a term is used, but not defined, in this Local Law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

1.4 Application and pre-existing signs

- (1) Subject to subclause (2), this Local Law applies to the parking region.
- (2) This Local Law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this Local Law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in the Fourth Schedule, then the facility or station shall be deemed to be a parking station to which this Local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2).
- (5) A sign that -
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this Local Law; and
 - (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this Local Law to have been erected by the local government under the authority of this Local Law.
- (6) An inscription or symbol on a sign referred to in subclause (5) operates and has effect according to its tenor, and where the inscription or symbol relates to the standing of vehicles, it shall be deemed for the purposes of this Local Law to operate and have effect as if it related to the parking of vehicles.

1.5 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows -

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.6 Part of thoroughfare to which sign applies

Where under this Local Law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which -

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

1.7 Powers of council

The council may, by resolution, prohibit or regulate by signs or other wise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

Part 2 - Parking Stalls and Parking Stations

2.1 Determination of parking stalls and parking stations

The local government may by resolution constitute, determine and vary and also indicate by signs -

- (a) parking stalls;
- (b) parking stations;
- (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
- (d) permitted classes of vehicles which may park in parking stalls and parking stations;
- (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
- (f) the manner of parking in parking stalls and parking stations.

2.2 Vehicles to be within parking stall on thoroughfare

- (1) Subject to subclause (2), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than -
 - (a) parallel to and as close to the kerb as is practicable;
 - (b) wholly within the stall; and
 - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

2.3 Vehicles to be within parking stall in parking station

Unless otherwise directed by an Authorised Person, a person shall not park a vehicle in a parking station otherwise than wholly within a parking stall.

2.4 Parking prohibitions and restrictions

- (1) A person shall not -
 - (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
 - (b) except with the permission of the local government or an Authorised Person park a vehicle on any part of a parking station contrary to a sign referable to that part;
 - (c) permit a vehicle to park on any part of a parking station, if an Authorised Person directs the driver of such vehicle to move the vehicle; or
 - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked "M/C", if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle -
 - (a) in a parking stall other than in a stall marked "M/C"; and
 - (b) in such stall other than against the kerb.

Part 3 - Parking Generally

3.1 Prohibition and regulation of parking by signs

The local government may by resolution prohibit or regulate by signs or otherwise the parking of any vehicle or class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law.

3.2 Restrictions on parking in particular areas

- (1) A person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station -
 - (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) A person shall not park a vehicle -
 - (a) in a no parking area;
 - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this Local Law;
 - (c) in a stall marked "M/C" unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (3) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked "M/C".
- (4) A person shall not, without the prior permission of the local government, the CEO, or an Authorised Person, park a vehicle in an area designated by a sign stating "Authorised Vehicles Only".
- (5) In a Loading Zone, a person shall not -
 - (a) park a vehicle other than a commercial vehicle which is being loaded or unloaded with goods; or
 - (b) park a commercial vehicle which is being loaded or unloaded with goods for more than 30 minutes.
- (6) In paragraph (b) of subclause (5) "goods" means an article or collection of articles weighing at least 13.6kg and of which the cubic measurement is not less than 0.17m³.

3.3 Parking vehicle on a carriageway

A person parking a vehicle on a carriageway shall park it -

- (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
- (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
- (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or between the vehicle and a vehicle parked on the farther side of the carriageway;
- (d) so that it is not less than 1.2 metres from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this Local Law;
- (e) so that it does not obstruct any vehicle on the carriageway; and
- (f) so that it is entirely within the confines of any parking stall marked on the carriageway.

3.4 Vehicle to be wholly within parking area

A person shall not park a vehicle partly within and partly outside a parking area.

3.5 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates or marks on the carriageway indicate that vehicles have to park in a different position where the parking area is-

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

3.6 When angle parking applies

- (1) This clause does not apply to -
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
 - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

3.7 General prohibitions on parking

- (1)
 - (a) this clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.
 - (b) paragraphs (c), (e) and (g) of subclause (2) do not apply to a vehicle which parks in a bus embayment.
- (2) A person shall not park a vehicle so that any portion of the vehicle is -
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
 - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
 - (f) on any footpath or pedestrian crossing;
 - (g) on a bridge or other elevated structure or within a tunnel or underpass;
 - (h) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
 - (i) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (j) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
 - (k) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or
 - (l) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked.
- (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of -

- (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a children’s crossing established on a two-way carriageway; or
 - (c) the nearest rail of a railway level crossing.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of -
 - (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a pedestrian crossing or children’s crossing; or
 - (c) the nearest rail of a railway level crossing.

3.8 Parking on verges

- (1) A person shall not –
 - (a) park a vehicle;
 - (b) park a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
 - (c) park a vehicle during any period when the parking of vehicles on that verge is prohibited by a sign adjacent and referable to that verge, so that any portion of it is on a verge.
- (2) Subclause 1(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to park the vehicle so that any portion of it is on the verge.
- (3) Subclause 1(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a footpath.

3.9 Limitation on parking of vehicles with tare in excess of 2,000 kgs on carriageway

A person shall not park a vehicle having a tare in excess of 2,000 kgs on a carriageway for more than two hours consecutively.

3.10 Limitation on parking of over length vehicles on carriageway

A person shall not park a vehicle or any combination of vehicles that together with anything in or on that vehicle is more than 8 metres in length, on a carriageway for more than two hours consecutively.

3.11 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this Local Law after an Authorised Person has directed the driver to move it.

3.12 Authorised person may mark tyres

- (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

3.13 No movement of vehicles to avoid time limitation

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least two hours.

3.14 No parking of vehicles exposed for sale and in other circumstances

A person shall not park a vehicle on any portion of a thoroughfare -

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

3.15 Parking on private land

- (1) In this clause a reference to “land” does not include land –
 - (a) which belongs to the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*;
 - (c) which is an “otherwise unvested facility” within section 3.53 of the Act;
 - (d) which is the subject of an agreement referred to in clause 1.4 (2); or
 - (e) which is identified in the Fourth Schedule.
- (2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

3.16 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.17 Suspension of parking limitations for urgent, essential or official duties

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an Authorised Person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an Authorised Person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

PART 4 - MISCELLANEOUS

4.1 Removal of notices on vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an Authorised Person.

4.2 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government -

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this Local Law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this Local Law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this Local Law.

4.3 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this Local Law.

4.4 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this Local Law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

4.5 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this Local Law, the driver of -

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

4.6 Vehicles not to obstruct a public place

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

PART 5 - PENALTIES

5.1 Offences and penalties

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this Local Law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this Local Law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of the Second Schedule directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

5.2 Averment on complaint as to clause 1.4 (2) agreement

An averment on a complaint that this Local Law applies to a parking facility or a parking station under an agreement referred to in clause 1.4 (2), shall be sufficient proof that this Local Law applies to that facility or station, unless there is proof to the contrary that such an agreement does not exist.

5.3 Form of notices

For the purposes of this Local Law -

- (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in the Third Schedule;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in the Third Schedule;
- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in the Third Schedule; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in the Third Schedule.

FIRST SCHEDULE

PARKING REGION

The parking region is the whole of the district, but excludes the following portions of the district -

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (c) any thoroughfare which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that thoroughfare has been delegated by the Commissioner of Main Roads to the local government.

SECOND SCHEDULE
PRESCRIBED OFFENCES
PARKING AND PARKING FACILITIES LOCAL LAW

ITEM NO	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1	2.4 (1) (a)	Causing obstruction in parking station	50
2	2.4 (1) (b)	Parking contrary to sign in parking station	50
3	2.4 (1) (c)	Parking contrary to directions of Authorised Person	50
4	3.2 (1) (a)	Parking wrong class of vehicle	40
5	3.2 (1) (b)	Parking by persons of a different class	45
6	3.2 (1) (c)	Parking during prohibited period	45
7	3.2 (2) (a)	Parking in no parking area	50
8	3.2 (2) (b)	Parking contrary to signs or limitations	40
9	3.2 (2) (c)	Parking vehicle in motor cycle only area	40
10	3.2(3)	Parking motor cycle in stall not marked "M/C"	40
11	3.2 (5) (a)	Parking in Loading Zone	40
12	3.3 (a)	Fail to park on the left of two-way carriageway	40
13	3.3 (b)	Fail to park on boundary of one-way carriageway	40
14	3.3 (a)+(b)	Parking against the flow of traffic	45
15	3.3 (c)	Parking when distance from farther boundary less than 3 metres	45
16	3.3 (e)	Causing obstruction	50
17	3.7 (2) (a)	Double parking	45
18	3.7 (2) (c)	Denying access to private drive or right of way	45
19	3.7 (2) (d)	Parking beside excavation or obstruction so as to obstruct traffic	50
20	3.7 (2) (e)	Parking within 9 metres of traffic island	45
21	3.7 (2) (f)	Parking on footpath/pedestrian crossing	50
22	3.7 (2) (g)	Parking on bridge or in tunnel	45
23	3.7 (2) (i)	Parking on intersection	45
24	3.7 (2) (l)	Parking within 6 metres of intersection	45
25	3.7 (3) (a)	Parking vehicle within 9 metres of departure side of bus stop	50
26	3.7 (4) (a)	Parking vehicle within 18 metres of approach side of bus stop	50
27	3.7 (4) (b)	Parking vehicle within 18 metres of approach side of pedestrian/children's crossing	50
28	3.8 (1) (b)	Parking commercial vehicle, bus or caravan on verge	40
29	3.8 (1) (c)	Parking on verge contrary to sign	40
30	3.9	Parking vehicle with tare of over 2000kgs for over 2 hours	55
31	3.10	Parking over length vehicle in excess of 2 hours	55
32	3.11	Parking contrary to direction of Authorised Person	50
33	3.14 (c)	Parking a trailer/caravan on a thoroughfare	40
34	3.15 (2)	Parking on land that is not a parking facility without consent	55
35	3.15 (3)	Parking on land not in accordance with consent	40
36	3.16	Driving or parking on reserve	40
37	4.6 (1)	Leaving vehicle so as to obstruct a public place	50
38		All other offences not specified	35

THIRD SCHEDULE

LOCAL GOVERNMENT ACT 1995

SHIRE OF DONNYBROOK-BALINGUP

FORM 1

PARKING AND PARKING FACILITIES LOCAL LAW
NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)

at (4) your vehicle:

make: ;

model: ;

registration: ,

was involved in the commission of the following offence -

.....

.....

.....

contrary to clause of the **Parking and Parking Facilities Local Law**.

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless:

(a) within 28 days after being served with this notice;

(i) you inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and

(ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

(b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5)

(6)

Insert:

(1) Name of owner or "the owner"

(2) Address of owner (not required if owner not named)

(3) Time of alleged offence

(4) Location of alleged offence

(5) Signature of authorised person

(6) Name and title of authorised person giving notice

THIRD SCHEDULE
LOCAL GOVERNMENT ACT 1995
SHIRE OF DONNYBROOK-BALINGUP

FORM 2
PARKING AND PARKING FACILITIES LOCAL LAW
INFRINGEMENT NOTICE

Serial No
Date / /

To: (1)
of: (2)

It is alleged that on / / at (3)
at (4)
in respect of vehicle:
make: ;
model: ;
registration: ,
you committed the following offence -
.....
.....
.....
contrary to clause of the **Parking and Parking Facilities Local Law**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6)

(7)

Insert:

- (1) Name of alleged offender or "the owner"
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

THIRD SCHEDULE

LOCAL GOVERNMENT ACT 1995
SHIRE OF DONNYBROOK-BALINGUP
FORM 3

PARKING AND PARKING FACILITIES LOCAL LAW INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)

of: (2)

It is alleged that on / / at (3)

at (4)

in respect of vehicle:

make: ;

model: ;

registration: ;

you committed the following offence -

.....

.....

.....

contrary to clause of the **Parking and Parking Facilities Local Law**.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice -

(a) you pay the modified penalty; or

(b) you:

(i) inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or

(ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6)

(7)

Insert:

- (1) Name of owner or "the owner"
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

THIRD SCHEDULE
LOCAL GOVERNMENT ACT 1995
SHIRE OF DONNYBROOK-BALINGUP

FORM 4

PARKING AND PARKING FACILITIES LOCAL LAW
WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No

Date / /

To: (1)
of: (2)

Infringement Notice No. dated / /

in respect of vehicle:

make: ;

model: ;

registration: ,

for the alleged offence of

.....

.....

.....

has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed.
- * has not been paid and should not be paid.
- * *delete as appropriate.*

(3)

(4)

Insert:

- (1) Name of alleged offender to whom infringement notice was given or "the owner".
- (2) Address of alleged offender.
- (3) Signature of authorised person
- (4) Name and title of authorised person giving notice

FOURTH SCHEDULE

PARKING AND PARKING FACILITIES LOCAL LAW

DEEMED PARKING STATIONS

Dated this 5th day of October 2000.

The Common Seal of the)
Shire of Donnybrook-Balingup)
was affixed in the presence of:)

Shire President
WB Hearman

Chief Executive Officer
JR Attwood

The Shire of Donnybrook-Balingup Parking and Parking Facilities Amendment Local Law 2008 was adopted by Council on 28 May 2008.

The Common Seal of the)
Shire of Donnybrook-Balingup)
was affixed in the presence of:)

Shire President

Chief Executive Officer

Comparison of Parking Local Laws

Primary document: Current Parking and Parking Facilities Local Law 2000.doc

Secondary document: Parking and Parking Facilities Local Law 2027 Draft

Topic	Current Local Law (2000)	Proposed Local Law (2027)	Difference / Impact
Structure	5 Parts	8 Parts	Draft adds dedicated stopping controls, zones, restricted places and reorganises content.
Citation/Preliminaries	No citation clause	Adds citation clause 1.1 and expanded preliminary provisions	Modern drafting format.
Definitions	Older definitions tied to Road Traffic Act references	Expanded definitions including disability parking permit, bus stop/zone, mail zone, shared zone, GVM, no stopping signs, bicycle path etc.	Major expansion.
Parking for People with Disability	Not specifically addressed	Additional concessions allowing extended parking times for disability permit holders. Note that offences related to disability parking are not included in this local law as they exist in the <i>Local Government (Parking for People With Disability) Regulations 2014</i>	New policy provision.

		which are applied across the Shire already.	
Parking Bays	Basic requirements	Adds oversized vehicle provisions and parking area requirements	More detailed regulation.
Stopping Controls	Limited to parking offences	Introduces Part 4-6 regulating no stopping, loading zones, taxi zones, bus zones, mail zones, shared zones and other stopping restrictions	Major new content.
Heavy/Long Vehicles	2,000kg tare limit and >8m length, max 2 hours	7.5m length or >4.5t GVM restrictions, different framework	Substantially revised.
Railway Crossing	10m/20m approach-departure rules	20m both sides of level crossings	Changed distances.
Verge Control	Parking on verge provisions	Stopping on verge provisions broadened	Scope expanded from parking to stopping.
Private Land	Clause 3.15	Clause 3.10 with similar effect	Renumbered and modernised.
Parking Stations	Includes separate clause 2.3 vehicles within stall	2027 draft removes stand-alone clause and incorporates controls into 2.3	Restructured.
Authorised Persons	Similar powers	Retains powers and modernises terminology	Minor update.
Penalties Schedule	38 offence items	68 offence items	Many new offences added for stopping controls.
Forms	Forms 1-4	Forms retained and updated to 2027 law	Administrative update.
Schedules	Same core	Schedules retained	Continuity

	schedules	with updated offence schedule	retained.
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CP Project ID	Priority Project	Executive Lead	Responsible Team	2026-27	26/27-Q1 Status	26/27-Q1 Update
Click on me to open the COUNCIL PLAN						
	Outcome 1: Diverse, inclusive and supported communities					
Objective 1.1: Attract and retain more young adults and families with children.						
CP-1.1.02	Facilitate the establishment of family daycare services by community or private service providers to deliver inclusive childcare, afterschool care and school holiday programs.♥	Colin Young	Community	* - Resourcing/funding secured	In Progress	A variation to the regional childcare attraction and retention grant was executed in August 2026, extending the project to 31 December 2026 and allowing remaining funding to support educator training resources, a community event and targeted promotion of family daycare opportunities.
CP-1.1.04	Upgrade the Pump Track Building for use by local youth organisations, and to provide a hireable facility for community use and special events.♥	Colin Young	Community	\$ - Additional operating/capital budget required	In Progress	This is currently in the planning stage and it is expected an RFQ will be requested in the second quarter.
CP-1.1.03	Provide a range of formal and informal recreation opportunities for young people through the development and implementation of the Balingup Recreational & Sporting Master Plan.	Ross Marshall	Executive	* - Resourcing/funding secured	In Progress	Draft master plan and presentation material were received and reviewed during the quarter. Executive and Council discussion was requested to resolve affordability, prioritisation and the balance between renewal and expansion before the plan is finalised for further Community consultation.
CP-1.1.01	Advocate for Transport WA to provide safer bus stops along school bus routes. ♥	Nick O'Connor	Executive	* - Resourcing/funding secured	In Progress	Liaison occurred during the quarter with the Department of Education and Donnybrook District High School regarding parking, traffic management and safety around the junior campus. The Department advised that potential solutions were under consideration and further engagement was requested to clarify the proposed approach. Continue liaison with the relevant State agencies to clarify proposed safety improvements and identify any actions required from the Shire.
Objective 1.2: Support older people in the community to positively age in place.						
CP-1.2.03	Review the business model for operating Shire-owned aged care and social housing, including Tuia Lodge, Preston Village, Minninup Cottages and Langley Villas, to ensure the facilities are able to meet current and future needs	Loren Clifford	Corporate Finance	\$ - Additional operating/capital budget required	In Progress	Background research, preliminary assessments and resident consultation were completed. Council resolved to commence discussions with the Department of Communities regarding Minninup Cottages and Langley Villas and undertake an EOI process for Preston Retirement Village. Broader review work remains ongoing.
CP-1.2.02	Collaborate with Arthritis & Osteoporosis WA and local service providers to facilitate the delivery of targeted exercise programs for seniors to ease arthritis symptoms, reduce falls, and boost overall health and social wellbeing. ♥	Colin Young	Community	* - Resourcing/funding secured	In Progress	Preparatory work was undertaken to support targeted exercise and allied-health programs at the Donnybrook Recreation Centre. This included updating the exercise-readiness assessment and formalising facility-use requirements for allied-health professionals and personal trainers, covering client assessments, rehabilitation sessions and access to the Wellness Room and gym.
CP-1.2.01	Advocate for government, private and community transport providers to improve the delivery and promotion of transport options for residents to access essential services outside of the Shire. ♥	Nick O'Connor	Community	* - Resourcing/funding secured	Not Started	Scheduled to commence in Q3.
Objective 1.3: Improve access and inclusion for people facing barriers.						
CP-1.3.01	Audit community halls to assess universal access and inclusion needs to include costed and prioritised works in the Shire's Asset Management Plans. ♥	Ross Marshall	Operations	* - Resourcing/funding secured	Not Started	This objective is planned for commencement in Q3.
CP-1.3.05	Review and update the Shire's Procurement Policy to encourage greater use of inclusive employers to complete projects and works, contributing towards actively removing barriers to create employment opportunities for people with disability.	Colin Young	Finance	* - Resourcing/funding secured	Not Started	Will be carried out after the annual audit.
CP-1.3.04	Provide a sensory tent for use or hire at local community events.	Colin Young	Community	* - Resourcing/funding secured	Completed	Sensory tent now available for hire and use for Shire events.
	Outcome 2: A sense of identity and belonging through culture, heritage and the arts					
Objective 2.1: Grow recognition and respect for local history, heritage and all cultures.						
CP-2.1.01	Collaborate with Donnybrook District High School to launch the new Yarning Circle program.	Colin Young	Community	* - Resourcing/funding secured	Completed	Completed and yarning circle now open.
CP-2.1.07	Review the Cemeteries Local Law.	Loren Clifford, Ross Marshall	Community	* - Resourcing/funding secured	Monitor	Preliminary review work has commenced. The State Government is currently progressing reforms to the Cemeteries Act 1986 and associated regulations. To avoid duplicating work, the Shire will monitor the reforms and defer amendments to the Cemeteries Local Law until the legislative changes are finalised. The project will be reviewed again next quarter when the reform process is clearer.
CP-2.1.05	Establish a reference group to support and provide advice on heritage projects, along with volunteer training to recognise historical artifacts, people and places across the Shire.	Colin Young	Community Executive		Not Started	
Objective 2.2: Facilitate, encourage and support a diverse range of festivals, community events, arts and cultural activities.						
CP-2.2.01	Partner with community hall committees to scope and implement a community hall revitalisation program. ♥	Colin Young, Nick O'Connor	Community Executive		Not Started	Project Scoping Meeting scheduled for late October 2026.
	Outcome 3: Community health and wellbeing					
Objective 3.1: Improve access to facilities and services to support community health and wellbeing.						
	Outcome 4: Community safety and resilience					
Objective 4.1: Maintain community safety.						
Objective 4.2: Encourage responsible animal management.						
CP-4.2.01	Develop public education resources to raise awareness of how to care for animals in an emergency.	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	CESM has commenced the project with preliminary information gathering.
Objective 4.3: Develop community readiness to cope with natural disasters and emergencies.						
CP-4.3.01	Partner with DFES to construct the new fire station for the Argyle Irishtown Volunteer Bush Fire Brigade (VBFB).	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	The new shed works have commenced on site. The bulk earthworks have been completed and the concrete foundations and slab has been laid.

CP Project ID	Priority Project	Executive Lead	Responsible Team	2026-27	26/27-Q1 Status	26/27-Q1 Update
CP-4.3.02	Undertake a fire risk management assessment of Balingup Brook	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	CESM has commenced the project with preliminary information gathering and ground proofing.
	Outcome 5: A healthy and sustainable natural environment					
	Objective 5.1: Care for the natural environment.					
CP-5.1.04	Through the WBAC, investigate a subregional wide urban forest and street tree strategy aimed towards reducing heat island effects in regional towns. ♥	Nick O'Connor	Operations	* - Resourcing/funding secured	Monitor	The WBAC operating model and program priorities were reviewed through a CEO strategic forum and extraordinary Board process during the quarter. The endorsed program structure includes a Sustainability Officers Group to review and implement agreed Climate Action Reference Group initiatives, providing a governance pathway for this project.
CP-5.1.05	Through the WBAC, undertake a subregional wide assessment of various water efficiency opportunities to reduce potable use and improve overall water security. ♥	Nick O'Connor	Operations	* - Resourcing/funding secured	Monitor	WBAC governance and program-delivery arrangements were reviewed and endorsed during Q1, including establishment of a Sustainability Officers Group to progress agreed regional climate-action initiatives.
	Objective 5.2: Encourage the adoption of sustainable practices.					
CP-5.2.04	Participate in the WBAC Climate Action Reference Group (CARG) to establish a sub-regional climate change policy and implement the associated outcomes	Nick O'Connor	Operations	\$ - Additional operating/capital budget required	Monitor	WBAC CEOs reviewed the Alliance's future operating model and established Shared Services, including CARG activities, as a defined program stream. The WBAC September extraordinary meeting endorsed the program arrangements, with SODB CEO and Manjimup CEO identified as CEO sponsors and a Sustainability Officers Group included to review and implement agreed CARG actions.
	Objective 5.3: Facilitate a sustainable, low-waste, circular economy.					
CP-5.3.04	Implement the Landfill Closure Management Plan, and identify a preferred option and location for a waste transfer station in Donnybrook. ♥	Michelle Dennis, Ross Marshall	Operations	\$ - Additional operating/capital budget required	Deferred	The assessment report provided as part of the recent licence has identified a need to review the LCMP so that landfill gas is managed. An updated LCMP has been prepared by a consultant and forms the basis for a licence amendment, lodged with DWER. DWER has requested additional information to process the amendment. Quotes for these specialised services (Landfill Gas Management Plan and construction drawings) are being sought.
CP-5.3.01	Collaborate with neighbouring councils to review regional waste options to reduce landfill, such as FOGO and waste-to-energy facilities. ♥	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	Waste management was reaffirmed as a Warren Blackwood Alliance of Councils strategic priority, with a proposed governance model involving a chief executive sponsor, staff lead and quarterly reporting.
CP-5.3.02	Collaborate with WBAC to develop and implement a subregional waste strategy, including an assessment of localised industry hubs for priority recycled materials and green waste (GO/FOGO), and the development of a business case for value-adding waste streams. ♥	Nick O'Connor, Ross Marshall	Operations	* - Resourcing/funding secured	Monitor	The WBAC work program specifically includes securing funding for a subregional strategy covering all waste streams and overseeing its development and implementation.
CP-5.3.03	Continue implementing Containers for Change Exchange Points throughout the Shire.	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	The pilot project has received positive feedback. Additional points will be identified an installed throughout the district in the next period.
	Outcome 6: Responsible urban design and housing diversity					
	Objective 6.1: Facilitate residential, industrial and commercial land release and development to meet local needs.					
CP-6.1.10	Revise the Shire's Local Planning Scheme	Ross Marshall	Development	* - Resourcing/funding secured	Not Started	The Local Planning Strategy is currently under review with DPLH. Post feedback and approval, the Local Planning Scheme will be progressed. The DPLH timeline is currently undefined.
CP-6.1.04	Advocate for state government agencies to subsidise headworks on green field sites to enable the release of more land for housing, prioritising Kelly Street, Grimwade Road and Palmer Street	Nick O'Connor	Executive	* - Resourcing/funding secured	In Progress	Housing-enabling infrastructure progressed during Q1 through commencement of the Victoria Parade project and a project start-up meeting on 10 September involving Shire officers and the project consultant. The work supports investigation of infrastructure and access constraints affecting residential land release.
CP-6.1.02	Advocate for infill sewerage in priority drinking water areas within the Shire to protect drinking water quality, and to provide opportunities for infill development. ♥	Nick O'Connor	Executive	* - Resourcing/funding secured	In Progress	Advocacy actions continue, with direct engagement with Water Corporation at the WLGA Annual convention.
CP-6.1.03	Advocate for infill sewerage in residential zoned areas within the Shire to enable landowners throughout the district the opportunity to construct additional dwellings on their properties (including ancillary dwellings) or subdivide, providing housing choice. ♥	Nick O'Connor	Executive	* - Resourcing/funding secured	In Progress	Advocacy actions continue, with direct engagement with Water Corporation at the WLGA Annual convention.
CP-6.1.05	Collaborate with the South West Development Commission to develop a business case exploring options to increase housing diversity along Victory Lane, and deliver identified outcomes.	Nick O'Connor	Executive	\$ - Additional operating/capital budget required	In Progress	Initial discussions with SWDC have occurred to confirm project concept. Positive discussions have been held with the Donnybrook Museum Association regarding potential relocation from the Victory Lane site.
CP-6.1.07	Finalise the Temporary Accommodation Policy to enable landowners to reside on their property lawfully in a caravan or tiny home on wheels.	Michelle Dennis, Ross Marshall	Development	* - Resourcing/funding secured	Not Started	The Draft Policy has been developed. Further consultation is planned in the next period, and a report for Council in Q3.
CP-6.1.01	Advocate for improved mobile and high-speed internet coverage throughout the Shire, targeting identified black spots such as Argyle, Kirup, Paynedale, Mullalyup and Balingup	Nick O'Connor	Executive	* - Resourcing/funding secured	Monitor	Regional advocacy has occurred through the WBAC and WALGA SWCZ. More localised community engagement to occur in Q2.
	Outcome 7: Attractive and welcoming public places					
	Objective 7.1: Create vibrant, attractive and welcoming towns and public places.					
CP-7.1.01	Complete stage 2 of the Donnybrook Community, Sporting, Recreation & Events Precinct (VC Mitchell Park) Project. ♥	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	Financial and grant acquittal records were updated in August. Works have progressed in the last period with concrete ramps and stairs to the Tennis Club and court access. The Recreation Centre carpark turnaround has also been commenced.
CP-7.1.04	Engage with the community to create a concept plan for a recreation precinct in Yabberup. ♥	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	Initial discussions have commenced with stakeholders, noting there has been a change in building scope to reduce to a basic structure. Awaiting further information.
CP-7.1.02	Continue developing the Balingup Recreational & Sporting Master Plan to guide future decisions and infrastructure planning. ♥	Ross Marshall	Operations	* - Resourcing/funding secured	In Progress	The Draft Plan has been completed and presented to Councillors for review and feedback. This plan will be brought to Council in October for endorsement to carryout round 2 (closing the loop) Community consultation.
	Objective 7.2: Provide attractive, well-maintained streetscapes.					

CP Project ID	Priority Project	Executive Lead	Responsible Team	2026-27	26/27-Q1 Status	26/27-Q1 Update
CP-7.2.02	Fund and deliver the Urban Canopy Growth Program. ♥	Damien Morgan, Ross Marshall	Operations	* - Resourcing/funding secured	Not Started	This is embedded as an annual program within Operations. Will be advised prior to commencement of next winter.
	Outcome 8: Safe, efficient and sustainable transport networks					
	Objective 8.1: Improve road safety, connectivity and traffic flow for all users.					
CP-8.1.02	Advocate for Main Roads WA to undertake a safety review of the intersection of Marmion Street and the South Western Highway.	Ross Marshall	Operations	* - Resourcing/funding secured	Monitor	Correspondence and a concept design were sent to Main Roads WA in August. Main Roads acknowledged the request and advised it would review, noting that there is no current budget for the works.
CP-8.1.01	Advocate for Main Roads WA to continue community consultation and making safety improvements to state government roads in the Shire, prioritising those listed (see below).	Ross Marshall	Executive	* - Resourcing/funding secured	Monitor	Engagement with the new Main Roads WA South West Regional Director commenced, with project material formally submitted and an acknowledgement received.
CP-8.1.03	Deliver the 5-year Forward Roadworks Program to improve Shire-owned roads, prioritising those listed (see below).	Ross Marshall	Works & Services	* - Resourcing/funding secured	In Progress	Three priority 2026–27 road projects, Palmer Street, Brookhampton Road and Brockman Street, progressed through detailed design, public tender and evaluation. Council was presented with recommendations to award all three contracts, with a proposed budget reallocation having no net impact on the adopted budget. Council awarded the projects at the September OCM.
CP-8.1.05	Develop a communications plan for the 5-year Forward Roadworks Program to provide clear information and consistent community updates via the Shire website.	Loren Clifford, Ross Marshall	Corporate Works & Services	* - Resourcing/funding secured	Not Started	The communications plan had not commenced however the project status report has been developed. Coordination planning will commence in Q2 to confirm content, timing, website presentation and project responsibilities.
CP-8.1.04	Deliver the Bridge Asset Management Plan works, prioritising those listed (see below).	Ross Marshall	Works & Services	\$ - Additional operating/capital budget required	In Progress	Project planning has commenced, further engagement with MRWA planned in the next period..
	Objective 8.2: Provide sufficient parking for all needs.					
CP-8.2.01	Review the Shire Parking & Parking Facilities Local Law to consider diverse parking needs.	Loren Clifford, Ross Marshall	Corporate Works & Services	* - Resourcing/funding secured	In Progress	Preliminary review work has commenced. The current Local Law has been reviewed and a comparison undertaken against a number of other local government Parking and Parking Facilities Local Laws to identify potential improvements and areas for amendment. Review work will continue next quarter, with findings to be assessed and incorporated into the draft review process.
	Objective 8.3: Provide safe, well-connected paths and trails for all users.					
CP-8.3.01	Collaborate with WBAC to develop the Warren Blackwood Regional Trails Strategy. ♥	Colin Young, Nick O'Connor	Executive	\$ - Additional operating/capital budget required	In Progress	The principal consultation phase neared completion during Q1, with workshops and drop-in sessions conducted across ten towns and 512 Regional Trails Survey responses recorded. The consultant commenced drafting the regional context, findings, gaps, opportunities and priorities, and the project remained on schedule.
CP-8.3.03	Develop an Asset Management Plan for paths. ♥	Colin Young, Ross Marshall	Community Finance Works & Services	* - Resourcing/funding secured	In Progress	Path requirements were being incorporated into broader asset planning. This is currently out for RFQ.
CP-8.3.02	Construct a footpath on Marmion Street to address the missing link next to the railway line crossing. ♥	Ross Marshall	Operations	* - Resourcing/funding secured	Monitor	Correspondence and a concept design were sent to Main Roads WA in August. Main Roads acknowledged the request and advised it would review, noting that there is no current budget for the works. The Shire has also submitted an application for this project to be funded by the Active Transport Fund, awaiting decision.
	Outcome 9: A thriving economy					
	Objective 9.1: Attract and retain a diverse mix of businesses, investment and employment opportunities.					
CP-9.1.01	Collaborate with key partners, including RDA, SWDC, DBCCI, and local businesses, to continue developing the Shire's Tourism & Economic Development Strategy.	Colin Young	Community Executive	* - Resourcing/funding secured	In Progress	Expect adoption of the plan December OCM
CP-9.1.02	Provide in-kind support to the proponents of the Balingup Academy to support local skill development in traditional and contemporary crafts	Nick O'Connor	Executive	* - Resourcing/funding secured	Monitor	This is a community driven initiative with Council staff available to continue to provide project and land use planning advice as required.
	Objective 9.2: Encourage more people to stop, shop and experience the Shire of Donnybrook Balingup.					
CP-9.2.02	Consider alternative delivery methods and business models for visitor services, including tourism support and information-sharing.	Colin Young, Nick O'Connor	Community	* - Resourcing/funding secured	In Progress	A strategic review of tourism service delivery was undertaken by staff during the quarter, including an internal tourism program review in late August. A future direction of visitor services report is scheduled for December 2026.
CP-9.2.06	Through WBAC, participate in the 2026 UCI World Gravel Championships Steering Committee to leverage local tourism opportunities.	Colin Young	Executive	* - Resourcing/funding secured	Completed	Rainbow Rides event held from the 4-6 October.
CP-9.2.05	Investigate installing visitor shower facilities in Balingup to attract and support Bibbulmun Track walkers.	Ross Marshall	Operations	* - Resourcing/funding secured	Not Started	Draft master plan and presentation material were received and reviewed during the quarter. Executive and Council discussion was requested to resolve affordability, prioritisation and the balance between renewal and expansion before the plan is finalised for further Community consultation..
CP-9.2.03	Develop a strategy for the Donnybrook and Balingup Transit Parks to support ongoing management and future decision-making, including tourism and promotion opportunities	Colin Young, Ross Marshall	Executive Operations	* - Resourcing/funding secured	In Progress	Options have been considered and will be seeking input form Council at the November OCM.
	Outcome 10: Effective governance and partnerships					
	Objective 10.1: Provide strategically focused, open and accountable governance.					
CP-10.1.01	Develop an annual community financial report that communicates the Shire's short-term financial commitments and overall financial health	Colin Young	Finance	* - Resourcing/funding secured	Not Started	Will be carried out after the annual audit.
CP-10.1.06	Review the Rating Objectives Strategy and develop a Rates and Revenue Policy in accordance with the relevant legislation, ensuring the final strategic documents meet and contribute towards the Shire's financial objectives	Colin Young	Finance	* - Resourcing/funding secured	In Progress	Currently seeking data.

CP Project ID	Priority Project	Executive Lead	Responsible Team	2026-27	26/27-Q1 Status	26/27-Q1 Update
CP-10.1.03	Review and prioritise the Shire’s asset portfolio to better align with both present and future community needs, reduce risk, and improve financial sustainability by continuing the Asset Optimisation Project.	Nick O'Connor	Executive	\$ - Additional operating/capital budget required	In Progress	An initial review of Council's fleet was undertaken as part of the annual asset management plan review process. Further work to be undertaken on plant utilisation to occur in Q2. A new light fleet motor vehicle operational policy has been approved, which includes optional change over intervals for Council's light fleet. Council's Property Management Framework continues to provide policy direction for shared use of community buildings.
CP-10.1.07	Through the Shire's Workforce Plan, explore opportunities to deliver more apprenticeships and traineeships within the organisation.	Loren Clifford, Nick O'Connor	Executive	\$ - Additional operating/capital budget required	Monitor	Investigations have been undertaken, including consultation with neighbouring councils. Two potential apprenticeship/traineeship positions have been identified; however, delivery would require two additional FTE positions and a significant ongoing financial commitment from the Shire, with limited external funding available. The CEO will continue exploring potential opportunities through WBAC.
CP-10.1.02	Implement the ICT Strategy and Roadmap (digital transformation program)	Loren Clifford	Executive	\$ - Additional operating/capital budget required	In Progress	Council adopted the ICT Strategy and Roadmap in August 2026. Implementation has commenced through staged ICT governance, cyber security, risk management, system resilience and digital transformation activities.
Objective 10.2: Collaborate with key stakeholders, community organisations and community champions to meet local needs.						
CP-10.2.02	Develop an advocacy plan to support the promotion of local priorities to various levels of government, industry and other key stakeholders	Nick O'Connor	Executive	\$ - Additional operating/capital budget required	Monitor	This project is scheduled to commence in Q3.
CP-10.2.03	Empower community champions and organisations to deliver one-off projects, local services and events by providing grants, donations and in-kind support.	Colin Young	Community	\$ - Additional operating/capital budget required	Not Started	To be established through the endorsement of the Economic Development and Tourism Strategy.
	Outcome 11: An engaged community with positive customer experiences					
Objective 11.1: Deliver quality engagement, communication and customer service.						
CP-11.1.05	Review the Customer Service Charter, focusing on identifying opportunities to improve service delivery, and aligning with community and workplace values.	Colin Young	Executive Finance	* - Resourcing/funding secured	Not Started	Will be carried out after the annual audit.
CP-11.1.03	Develop the Community Engagement Framework, and embed it in Shire operations.	Colin Young, Loren Clifford	Community Corporate Executive	* - Resourcing/funding secured	In Progress	The Community Engagement Framework was finalised and adopted during Q1. Implementation is underway, including development of supporting tools and a reporting and communications framework to embed the Framework’s principles across the organisation.
CP-11.1.02	Develop an online customer service portal to allow customers to access services and make payments online, prioritising accessibility, data security, and meeting privacy requirements	Loren Clifford	Corporate	\$ - Additional operating/capital budget required	In Progress	Preliminary work has commenced to address data security, privacy and PRIS requirements as part of the ERP replacement project. Customer portal scoping will commence once these foundational requirements have been established.
CP-11.1.04	Provide mobile and fixed electronic noticeboards for use in key community locations to deliver critical information and timely updates	Loren Clifford, Ross Marshall	Executive	* - Resourcing/funding secured	In Progress	Scoping and planning of the fixed electronic noticeboard is underway, including technical requirements, software options and procurement quotations. Mobile noticeboard has been delivered, training and testing to be carried out in the next period.

Shaun Nelson
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7 October 2026
The Chief Executive Officer
Shire of Donnybrook-Balingup
1 Bentley Street
DONNYBROOK WA 6239

RE: Expression of Interest – License for Land Use R 9791

Dear Nick,

I am writing to formally submit an Expression of Interest (EOI) to obtain a license to utilize a portion of land managed by the Shire.

Below are the details regarding the specific block of land and the proposed use:

- **Property Description:** Reserve # 9791 53 South West Highway Donnybrook WA 6239
- **Proposed Use:** New Museum Building and outside static display area.
- **Proposed Term:** Longest term for license available – 50 years plus
- **Community / Economic Benefit:** The new Museum will provide Donnybrook Historical Society with modern larger premises, providing long term stability for the Donnybrook Historical Society Inc. and will free up valuable land held by the Shire
- Donnybrook Historical Society Inc are local community representatives originally formed in 1961 and are committed to maintaining the block in accordance with all Shire guidelines, environmental regulations, and safety standards. We are also prepared to hold the necessary public liability insurance required for this license.

I am more than happy to provide any additional information required by the Council.

Thank you for your time and consideration.

Yours sincerely,



Shaun Nelson
Chairman
Donnybrook Historical Society Inc



Shire of
Donnybrook Balingup

PROPERTY MANAGEMENT FRAMEWORK

CONTENTS

FRAMEWORK.....	3
BACKGROUND	3
GUIDING PRINCIPLES – OBJECTIVES.....	3
STRATEGIC CONTEXT.....	3
TYPES OF OCCUPANCY AGREEMENTS.....	3
GOVERNANCE.....	4
LEASES	4
LICENCES	4
MANAGEMENT AGREEMENT	4
CLASSIFICATION OF TENANT	4
EXISTING TENANCY TRANSITION.....	4
FUTURE TENANCY ARRANGEMENTS.....	5
ANNUAL TENANCY FEE METHODOLOGY.....	5
COMMUNITY BENEFIT MATRIX	5
SUBSIDY FORMULA	5
ELIGIBILITY & APPLICATION.....	5
GLOSSARY.....	5
CAPITAL RENEWAL	5
CAPITAL UPGRADE	5
CONTRACTUAL RIGHT	6
EMERGENCY SERVICES LEVY (ESL).....	6
GROSS RENTAL VALUE.....	6
HEALTH CHECK	6
MAINTENANCE RESPONSIBILITIES	6
NOT-FOR-PROFIT COMMUNITY GROUPS.....	6
OUTGOINGS	6
PROPRIETARY RIGHT	6
PEAK BODY	6
STANDARD RENTAL FEE AND EXPENSES	8
CATEGORY ONE (1) SMALL COMMUNITY GROUPS...	8
CATEGORY TWO (2) SPORTING CLUBS, COMMUNITY GROUPS AND ORGANISATIONS	10

CATEGORY THREE (3) COMMERCIAL ENTITIES, STATE AND NATIONAL CLUBS, ASSOCIATIONS, AND COMMUNITY ORGANISATIONS	12
CATEGORY FOUR (4) GOVERNMENT AGENCIES	14
SUMMARY OF ESSENTIAL CONDITIONS AND TERMS TEMPLATE.....	16
CATEGORY ONE (1) SMALL COMMUNITY GROUPS ..	16
CATEGORY TWO (2) SPORTING CLUBS, COMMUNITY GROUPS AND ORGANISATIONS.....	20
CATEGORY THREE (3) COMMERCIAL ENTITIES, STATE AND NATIONAL CLUBS, ASSOCIATIONS, AND COMMUNITY ORGANISATIONS	24
CATEGORY FOUR (4) GOVERNMENT AGENCIES	29
SCHEDULE OF MAINTENANCE RESPONSIBILITIES	34
CATEGORY ONE (1) SMALL COMMUNITY GROUPS ..	34
CATEGORY TWO (2) SPORTING CLUBS, COMMUNITY GROUPS AND ORGANISATIONS.....	43
CATEGORY THREE (3) COMMERCIAL ENTITIES, STATE AND NATIONAL CLUBS, ASSOCIATIONS, AND COMMUNITY ORGANISATIONS	50
CATEGORY FOUR (4) GOVERNMENT AGENCIES	58
APPENDIX.....	66
Appendix A - Community Group Health Check Form	66
Appendix B - Shire Tenant Category Classification Flowchart.....	72
Appendix C - Community Benefit Subsidy Matrix ...	73
Appendix D – Occupancy Arrangement Process	74

FRAMEWORK

BACKGROUND

After a review of the management of Shire properties, a revised and structured leasing and licensing framework (Framework) has been developed to ensure the Shire is meeting the demands and needs of the community. The Framework is supported by a policy containing the overarching objectives. The Framework provides a classification for leases and licences, along with an equitable methodology for calculating annual lease and licence fees.

The Shire's properties are leased or licenced to a range of community groups, sport and recreation clubs or associations, government agencies and commercial entities.

The Framework provides community groups and sporting clubs in categories One and Two with a Community Benefit Subsidy if they demonstrate their use of the property benefits the community.

The Framework also establishes general terms and conditions that the Shire will use as the basis for negotiating all leases and licences, along with a detailed Maintenance Responsibility Guide.

GUIDING PRINCIPLES – OBJECTIVES

The objectives of the Framework are:

- To meet Objective 13.1 of Council Plan's to 'Enable community organisations and community champions to deliver services and projects to meet local needs', by developing a standardised community lease for community and sporting groups; and
- To establish and clarify a common set of responsibilities and costs with parity between leases/tenants; and
- To ensure transparency and equity, all financial and in-kind subsidisation by Council will be recognised where Shire

owned, and managed properties are used to meet demonstrated community needs; and

- To establish manageable governance and administration for both the tenant and the Shire; and
- To enable innovation, capacity building and revenue opportunities for lease/tenants; and
- To ensure sustainable Shire owned and managed properties, effective asset management and demonstrated sound financial management will be prioritised.

STRATEGIC CONTEXT

Council Plan 2022 - 2032

Priority Project

13. Increased community capacity

Objective

13.1. Enable community organisations and community champions to deliver services and projects to meet local needs.

Priority Project

13.1.2. Develop a standardised community lease for community and sporting groups.

Property Management Framework 2022

TYPES OF OCCUPANCY AGREEMENTS

The Shires main types of occupancy agreements include:

- Lease – exclusive occupation and use; and
- Licence – contractual right to non-exclusive occupation and/or use; and
- Management Agreement – contractual arrangement outlining the terms and

conditions associated with usage, as negotiated.

- Property hire (regular or occasional use of a property to deliver community-based programs, events, and activities) on an hourly or daily rate, is not covered within the Framework.

GOVERNANCE

With respect to leases/licences over Crown property managed by the Shire under a Management Order, prior approval will be obtained from the Minister of Lands, in accordance with the *Land Administration Act 1997*.

Lease/licence agreements will be advertised by a Local Public Notice unless the organisation is a not-for-profit charitable, benevolent, religious, cultural, educational, recreational, or sporting one, in accordance with the *Local Government Act 1995*.

LEASES

A lease is a right granted by the owner of land for an occupant to have the exclusive use of that land for a specified period in exchange for an agreed rental payment.

In the sporting context, lease agreements are usually used where the site is either fully occupied for a specific purpose, for example bowling greens, tennis courts and synthetic hockey pitches; or where a club has made substantial contributions to the development of the site.

If a tenant has exclusive occupancy over the land or facility, it follows that the maintenance and management expectations placed on the tenant will usually be greater than they are under licence or hire agreements that are not exclusive.

LICENCES

Under the terms and conditions of a licence contract, the tenant is granted permission to

access property for a specified purpose(s), such as conduct of a sporting activity at specified times and under specified conditions. Licenses are usually used in cases where the facility or premises is shared by several groups, rather than lease agreements.

A license agreement does not provide for exclusive use of a facility beyond the specified times of access, so no 'interest' in the land is created. It is reasonable to expect the rights and obligations of the lessee in respect to maintenance and management of the facility would be less stringent under a license agreement than a lease agreement.

MANAGEMENT AGREEMENT

A management agreement is a contractual arrangement between the Shire and a tenant that outlines the terms and conditions associated with usage. The terms and conditions are not standard and are negotiated between the two parties.

CLASSIFICATION OF TENANT

Under this framework, all tenants or prospective tenants of Shire properties will fall into one of four categories. Tenants are classified using the Tenant Category Classification Flowchart (Appendix B).

The categories are:

Category One	Small community groups
Category Two	Sporting clubs, community groups and organisations
Category Three	Commercial entities, state and national clubs, associations, and community organisations
Category Four	Government agencies

EXISTING TENANCY TRANSITION

Existing tenants will be asked to move over to the new Framework to ensure consistency and equity between all leases. Tenants will not be able to take advantage of the rent subsidy

offered unless they are categorised under this Framework.

Existing Commercial leases are not required to change until such time as their agreements expire.

FUTURE TENANCY ARRANGEMENTS

Where a prospective tenant/group makes a requests/requires a new tenancy agreement for a new building on Shire owned/managed land a lease agreement and a management agreement are to be drawn up, with no expense to the Shire.

The Shire's Building Service Level Hierarchy is to be taken into consideration before approving any lease, licence, or management agreement.

See the Occupancy Agreement Process Flowchart for more detailed information.

ANNUAL TENANCY FEE METHODOLOGY

The Shire is committed to providing access to property for the benefit of the Donnybrook Balingup community. The Shire does not seek to derive profit from leases in categories One or Two.

The annual fee methodology is based on the minimum Gross Rental Value (GRV) of the property with a subsidy applied based on a community benefit matrix.

Rent for category Three and Four tenants is negotiated by reference to a current Market Rental Valuation for the property.

COMMUNITY BENEFIT MATRIX

To make Shire properties accessible and readily available, subsidies are available to organisations within categories One and Two. See Appendix C.

SUBSIDY FORMULA

The Shire will credit a category One or Two tenant with the appropriate percentage reduction based on the community benefit matrix. See Appendix C.

ELIGIBILITY & APPLICATION

For community groups and clubs to be assessed for the community benefit subsidy, the tenant must provide the required documentation via the Annual Health Check.

GLOSSARY

CAPITAL RENEWAL

Relates to expenses incurred to restore the original function of the facility by replacing elements that have a life cycle shorter than planned for the entire facility. For example, replacing carpets.

The Shire is responsible for capital renewal and repairs, which relate to major structural elements of the building such as the roof or load bearing walls. The Shire is also responsible for expenses incurred to restore the original function of the facility by replacing elements that have a life cycle shorter than planned for the entire facility.

CAPITAL UPGRADE

Refers to enhancements to the existing facility to provide a higher level of service and/or enhancement which extends the original functionality or space. Capital upgrades extend the asset to cater for growth or additional service levels. Capital upgrades are at the Shire's sole discretion and must demonstrate an alignment with the Shire's Strategic Objectives.

The tenant may apply to Council for financial assistance to upgrade a leased/licenced facility with requests being considered as part of the budget process in the year in which the

requests are received. The Shire will also work to assist groups when applying for funding.

CONTRACTUAL RIGHT

A right arising out of a contractual arrangement, for example the right to non-exclusive use of a property under a Licence or Management Agreement.

EMERGENCY SERVICES LEVY (ESL)

The Emergency Services Levy (ESL) is a Department of Fire and Emergency Services compulsory levy for all buildings, which funds Western Australia's fire and emergency services, including career fire stations, volunteer fire brigades, State Emergency Service units, the Volunteer Marine Rescue Service, and the multi-purpose Volunteer Emergency Service units.

GROSS RENTAL VALUE

The Gross Rental Value is an annual rental value for a property determined by the Valuer General. This means properties are valued on their potential rental income rather than their capital value.

HEALTH CHECK

The Health Check is a document required to be completed by community groups and sporting clubs in category One and Two. It includes contact details and information on committee contacts, committee, membership, and financial management. The Health Check will be provided to groups and must be completed and returned to the Shire with the required supporting information within a reasonable timeframe. See Appendix A.

MAINTENANCE RESPONSIBILITIES

Facility maintenance includes minor day-to-day maintenance that can be performed by a non-tradesperson and more significant programmed and non-programmed asset renewal maintenance requiring the services of

a qualified tradesperson or experienced maintenance person.

All maintenance obligations and maintenance standards will be clearly articulated in specific schedules to lease and licence documents and are highlighted in the Schedule of Maintenance Responsibility.

Each tenant is required to maintain the facility in accordance with the maintenance schedule attached to their lease or licence using the services of registered and qualified tradespeople.

The maintenance schedule outlines the responsibilities of the Shire and the tenant.

NOT-FOR-PROFIT COMMUNITY GROUPS

Are groups incorporated under the *Associations Incorporation Act 1987* and have their primary base of operation located within the Shire of Donnybrook Balingup.

OUTGOINGS

Outgoings are fees or charges associated with the use of a property. These may include utilities such as water, electricity, and gas. Outgoings are charged in addition to rent, licence fees and rates and taxes. The Shire may require outgoings to be paid by instalments, based on an annual estimated budget for the premises (variable outgoings). Outgoings and variable outgoings are subject to annual review.

PROPRIETARY RIGHT

A right to use or occupy property which allows exclusion of others from use, alienates other interests and is enforceable against all except those with a better proprietary right.

PEAK BODY

A non-government organisation whose membership consists of smaller organisations of allied interests. The peak body thus offers a

strong voice for the specific community sector in the areas of lobbying government, community education and information sharing between member groups and interested parties.

STANDARD RENTAL FEE AND EXPENSES

CATEGORY ONE (1) SMALL COMMUNITY GROUPS

RENTAL FEE AND EXPENSES		
Agreement Type	Licence	Lease
50% Market Rental Valuation Costs		
Air-conditioning Capital Repairs		
Air-conditioning Servicing, Maintenance & Repairs	●	●
Alterations	●	●
Auxiliary Power Supply & Costs	●	●
Bank Guarantee/Cash Bond		
Building Insurance Excess	●	●
Capital Upgrades		
Consumables	●	●
Costs to Restore Premises on Termination	●	●
Drainage and Sewerage Rates		
Electricity	●	●
Emergency Services Levy		
Gas	●	●
Installation/Connection Costs	●	●
Insurance - Building		
Insurance – Fixtures & Fittings, Equipment & Stock	●	●
Insurance - Public Liability	●	●
Insurance – Workers Compensation	●	●
Legal Costs – Lease Drafting		
Legal Costs – Sub-Lease Drafting		●
Local Government Rates & Service Charges		
Metre Rent	●	●
Minor Maintenance & Repairs	●	●
Other Consumption Charges	●	●
Pest Inspection (Rodents/Insects)	●	●
Phone/Internet	●	●
Redecorating Costs		
Rental Fee	Min. GRV	Min. GRV
Rubbish/ Recycling Bins	●	●
Safety & Testing Obligations – Australian Standards & DFES Requirements		

Safety & Testing Obligations - OSH	●	●
Security Systems		
Sewage Disposal		●
Statutory Compliance		
Stormwater Disposal		
Structural Maintenance		
Taxes		
Termite Inspections		
Water & Associated Water Charges	●	●

CATEGORY TWO (2) SPORTING CLUBS, COMMUNITY GROUPS AND ORGANISATIONS

RENTAL FEE AND EXPENSES		
Agreement Type	Licence	Lease
50% Market Rental Valuation Costs		
Air-conditioning Capital Repairs		
Air-conditioning Servicing, Maintenance & Repairs	●	●
Alterations	●	●
Auxiliary Power Supply & Costs	●	●
Bank Guarantee/Cash Bond		
Building Insurance Excess	●	●
Capital Upgrades		
Consumables	●	●
Costs to Restore Premises on Termination	●	●
Drainage and Sewerage Rates		
Electricity	●	●
Emergency Services Levy		
Gas	●	●
Installation/Connection Costs	●	●
Insurance - Building		
Insurance – Fixtures & Fittings, Equipment & Stock	●	●
Insurance - Public Liability	●	●
Insurance – Workers Compensation	●	●
Legal Costs – Lease Drafting		
Legal Costs – Sub-Lease Drafting		●
Local Government Rates & Service Charges		
Metre Rent	●	●
Minor Maintenance & Repairs	●	●
Other Consumption Charges	●	●
Pest Inspection (Rodents/Insects)	●	●
Phone/Internet	●	●
Redecorating Costs		
Rental Fee	Min. GRV	Min. GRV
Rubbish/ Recycling Bins	●	●
Safety & Testing Obligations – Australian Standards & DFES Requirements		
Safety & Testing Obligations - OSH	●	●
Security Systems		
Sewage Disposal		●

Statutory Compliance		
Stormwater Disposal		
Structural Maintenance		
Taxes		
Termite Inspections		
Water & Associated Water Charges	●	●

CATEGORY THREE (3) COMMERCIAL ENTITIES, STATE AND NATIONAL CLUBS, ASSOCIATIONS, AND COMMUNITY ORGANISATIONS

RENTAL FEE AND EXPENSES		
Agreement Type	Licence	Lease
50% Market Rental Valuation Costs	●	●
Air-conditioning Capital Repairs		
Air-conditioning Servicing, Maintenance & Repairs	●	●
Alterations	●	●
Auxiliary Power Supply & Costs	●	●
Bank Guarantee/Cash Bond	●	●
Building Insurance Excess	●	●
Capital Upgrades	●	●
Consumables	●	●
Costs to Restore Premises on Termination		
Drainage and Sewerage Rates	●	●
Electricity	●	●
Emergency Services Levy	●	●
Gas	●	●
Installation/Connection Costs	●	●
Insurance - Building		●
Insurance – Fixtures & Fittings, Equipment & Stock	●	●
Insurance - Public Liability	●	●
Insurance – Workers Compensation	●	●
Legal Costs – Lease Drafting	●	●
Local Government Rates & Service Charges	●	●
Metre Rent	●	●
Minor Maintenance & Repairs	●	●
Other Consumption Charges	●	●
Pest Inspection (Rodents/Insects)	●	●
Phone/Internet	●	●
Redecorating Costs	●	●
Rental Fee	Negotiated based on MRV	Negotiated based on MRV
Rubbish/ Recycling Bins	●	●
Safety & Testing Obligations – Australian Standards & DFES Requirements	●	●
Safety & Testing Obligations - OSH	●	●
Security Systems	●	●

RENTAL FEE AND EXPENSES		
Agreement Type	Licence	Lease
Statutory Compliance	●	●
Stormwater Disposal	●	●
Structural Maintenance		
Taxes	●	●
Termite Inspections		
Water & Water Charges	●	●

CATEGORY FOUR (4) GOVERNMENT AGENCIES

TENANTS RENTAL FEE AND EXPENSE		
Agreement Type	Licence	Lease
50% Market Rental Valuation Costs	●	●
Air-conditioning Capital Repairs		
Air-conditioning Servicing, Maintenance & Repairs	●	●
Alterations	●	●
Auxiliary Power Supply & Costs	●	●
Bank Guarantee/Cash Bond	●	●
Building Insurance Excess	●	●
Capital Upgrades	●	●
Consumables	●	●
Costs to Restore Premises on Termination		
Drainage and Sewerage Rates	●	●
Electricity	●	●
Emergency Services Levy	●	●
Gas	●	●
Installation/Connection Costs	●	●
Insurance - Building		●
Insurance – Fixtures & Fittings, Equipment & Stock	●	●
Insurance - Public Liability	●	●
Insurance – Workers Compensation	●	●
Legal Costs – Lease Drafting	●	●
Local Government Rates & Service Charges	●	●
Metre Rent	●	●
Minor Maintenance & Repairs	●	●
Other Consumption Charges	●	●
Pest Inspection (Rodents/Insects)	●	●
Phone/Internet	●	●
Redecorating Costs	●	●
Rental Fee	Negotiated based on MRV	Negotiated based on MRV
Rubbish/ Recycling Bins	●	●
Safety & Testing Obligations – Australian Standards & DFES Requirements	●	●
Safety & Testing Obligations - OSH	●	●

Security Systems	●	●
Statutory Compliance	●	●
Stormwater Disposal	●	●
Structural Maintenance		
Taxes	●	●
Termite Inspections		
Water & Water Charges	●	●

SUMMARY OF ESSENTIAL CONDITIONS AND TERMS TEMPLATE

CATEGORY ONE (1) SMALL COMMUNITY GROUPS

SUMMARY OF ESSENTIAL CONDITIONS AND TERM TEMPLATE	
Initial Term	5 years
Option	Up to 2 x 5 years options (by negotiation)
Responsibilities of Tenant <i>This is a precis only. Tenants must refer to their lease for full agreement details.</i>	<p>Grant of Lease</p> <ul style="list-style-type: none"> Acknowledge that the Minister for Lands' consent is required under the Land Administration Act 1997 ([For reserve/crown land, the Minister for Lands' consent (through the Department of Planning, Lands and Heritage) must be obtained to the terms of the lease prior to signing of the lease by the parties.] <p>Outgoings</p> <ul style="list-style-type: none"> Tenant to pay outgoings or charges, assessed or incurred in respect of the Premises. – Outlined in table of rent and expenses Pay interest on amounts payable which are unpaid. <p>Insurance</p> <ul style="list-style-type: none"> Pay all premiums and produce to the Shire each policy or certificate of currency for: <ul style="list-style-type: none"> Public Liability Content Insurance Report any damage or any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the premises or to any person in or on the premises. Indemnifies the Shire (and Minister of Lands) from and against all actions, claims, costs, proceedings, suits and demands. <p>Maintenance, Repair and Cleaning</p> <ul style="list-style-type: none"> As per the Schedule of Maintenance Responsibilities provided. Ensure the Premises, including Shire's Fixtures and Fittings, are appropriately secured at all times. Regularly inspect and maintain in good condition any part of the premises and surrounds. Must not remove any tree, or shrub, or hedge without consent. Is wholly and solely responsible for the maintenance and repair of all buildings and improvements constructed on the premises, regardless of the cause of the need to repair or maintain, and regardless of the type of repair or maintenance required. Development proposed on the premises during the term shall be the responsibility of and carried out by (and at the cost of) the tenant, subject to the tenant having obtained all necessary statutory approvals. <p>Alterations</p>

- Must obtain consent from the Shire and any other appropriate agency as written in law prior to installing new signage, making any alteration, addition or improvements to or demolish any part of the Premises or remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.
- Must pay for alterations.
- Must carry out works in accordance with the Shire's requirements.

Use

- Must not and must not suffer or permit a person to:
 - use the premises for any purpose that does not align with the Permitted Purpose (outlined in the lease schedule); or
 - Carry out on the premises any harmful, offensive or illegal act, matter or thing, or may cause a nuisance or disturbance to adjoining properties; or
 - Store any dangerous compound or substances; or
 - Display from or affix any signs, notices, or advertisements on the premises without the prior written consent from the Shire; or
 - Use the premises as the residence or sleeping place of any person or for auction sales; or
 - must not sell or supply liquor from the premises or allow liquor to be sold or supplied from the premises without the prior written consent and then only in accordance with written laws.

Right of Entry

- Must permit the entry by the Shire onto the Premises (without notice) in the case of an emergency, and otherwise upon reasonable notice.
- In the event of an emergency or natural disaster which has an actual or possible impact on residents of the Shire of Donnybrook Balingup, the Shire may issue a notice requiring the tenant to immediately permit the Shire to have access to and use of the Premises for public purposes.

Statutory obligations and notices

- Must comply with all written laws.

Safety & Testing Obligations

- Comply with the requirements of the *Occupational Safety and Health Act 1984*, by having all portable plug-in electrical equipment and residual current devices to be safe and appropriately inspected, tested and maintained by a competent person.

Report to Shire

- Acts of vandalism.
- Any incidents which occur on or near the premises which involves or is likely to involve the police; or pollution of the environment; or a notice, order or summonses which is received by the tenant which affect the premises.
- Changes made to the tenants' rules under the *Associations Incorporation Act 2015*.

Option to renew

- Must give the Shire notice of their renewal plans at least 3 months prior to lease expiry.

	<p>Obligations on Termination</p> <ul style="list-style-type: none"> • Must: <ul style="list-style-type: none"> - peacefully surrender and return the premises to the Shire; and - restore the premises to the condition as agreed by both parties in the lease; and - return all keys and security access devices/locks; and - remove property prior to termination. <p>Rights to Sublet</p> <ul style="list-style-type: none"> • Must not sublet prior to obtaining written consent from the Shire. <p>Provision of Information</p> <ul style="list-style-type: none"> • Must complete the Shires Annual Health Check. <p>Goods and Services Tax</p> <ul style="list-style-type: none"> • Is responsible for paying GST on considerations in connection with the lease. <p>Shire's Consent</p> <ul style="list-style-type: none"> • Must comply with conditions on any conditional consent granted by the Shire.
<p>Responsibilities of the Shire</p> <p><i>This is a precis only. Tenants must refer to their lease for full agreement details.</i></p>	<p>Quiet Enjoyment</p> <ul style="list-style-type: none"> • Must not cause and interruptions or disturbances for the tenant during the term of the lease. Except as provided in the Lease and subject to the performance and observance of the tenants' Agreements. <p>Rent Review</p> <ul style="list-style-type: none"> • Review the rent by CPI on and from each Rent Review Date as stated in the lease. <p>Outgoings</p> <ul style="list-style-type: none"> • Must raise a tax invoice for all rent and outgoings payable by the tenant. <p>Insurance</p> <ul style="list-style-type: none"> • Shall effect and keep effected insurance to the full insurable value on a replacement or reinstatement value basis of the Promises against damage arising from fire, tempest, storm, earthquake, explosion, aircraft, or other aerial device including items dropped from any device, riot, commotion, flood, lightning, act of God, fusion, smoke, rainwater, leakage, impact by vehicle, machinery breakdown and malicious acts or omissions and other standard insurable risks. • May settle an insurance claim. <p>Report</p> <ul style="list-style-type: none"> • Any damage to the premises of which they are aware; and • Any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the Premises or to any person in or on the Premises. <p>Alterations</p> <ul style="list-style-type: none"> • Give consent with or without conditions for alterations.

	<p>Right of Entry</p> <ul style="list-style-type: none"> • Must give reasonable notice before entry onto premises unless in an emergency. • Must issue a notice to the tenant. <p>Safety & Testing Obligations</p> <ul style="list-style-type: none"> • Ensure that the Premises, and any fixtures or fittings located on the Premises, are regularly tested, maintained, and inspected to ensure for safe for use. • Must ensure that all fire protection and firefighting equipment, is tested regularly for compliance with Australian Standards and DFES's requirements. • Ensure that the emergency/exit lighting systems on the Premises (if applicable) are adequately maintained in accordance with the requirements of the Building Code of Australia and relevant Australian Standards. <p>Option to Renew</p> <ul style="list-style-type: none"> • After receiving a written request from the tenant to renew the lease at least three months prior to the lease expiry the Shire will grant the tenant a lease for the further term at the Rent and on the same terms and conditions. <p>GST invoice</p> <ul style="list-style-type: none"> • Where the Basic Consideration is to be increased to account for the Shire shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the tenant to submit a claim for a credit or refund of GST.
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CATEGORY TWO (2) SPORTING CLUBS, COMMUNITY GROUPS AND ORGANISATIONS

SUMMARY OF ESSENTIAL CONDITIONS AND TERM TEMPLATE	
Initial Term	5 years
Option	Up to 2 x 5 years options (by negotiation)
Responsibilities of Tenant <i>This is a precis only. Tenants must refer to their lease for full agreement details.</i>	<p>Grant of Lease</p> <ul style="list-style-type: none"> Acknowledge that the Minister for Lands' consent is required under the Land Administration Act 1997 ([For reserve/crown land, the Minister for Lands' consent (through the Department of Planning, Lands and Heritage) must be obtained to the terms of the lease prior to signing of the lease by the parties.] <p>Outgoings</p> <ul style="list-style-type: none"> Tenant to pay outgoings or charges, assessed or incurred in respect of the Premises. – Outlined in table of rent and expenses Pay interest on amounts payable which are unpaid. <p>Insurance</p> <ul style="list-style-type: none"> Pay all premiums and produce to the Shire each policy or certificate of currency for: <ul style="list-style-type: none"> Public Liability Content Insurance Report any damage or any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the premises or to any person in or on the premises. Indemnifies the Shire (and Minister of Lands) from and against all actions, claims, costs, proceedings, suits and demands. <p>Maintenance, Repair and Cleaning</p> <ul style="list-style-type: none"> As per the Schedule of Maintenance Responsibilities provided. Ensure the Premises, including Shire's Fixtures and Fittings, are appropriately secured at all times. Regularly inspect and maintain in good condition any part of the premises and surrounds. Must not remove any tree, or shrub, or hedge without consent. Is wholly and solely responsible for the maintenance and repair of all buildings and improvements constructed on the premises, regardless of the cause of the need to repair or maintain, and regardless of the type of repair or maintenance required. Development proposed on the premises during the term shall be the responsibility of and carried out by (and at the cost of) the tenant, subject to the tenant having obtained all necessary statutory approvals. <p>Alterations</p> <ul style="list-style-type: none"> Must obtain consent from the Shire and any other appropriate agency as written in law prior to installing new signage, making any alteration,

	<p>addition or improvements to or demolish any part of the Premises or remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.</p> <ul style="list-style-type: none"> • Must pay for alterations. • Must carry out works in accordance with the Shire's requirements. <p>Use</p> <ul style="list-style-type: none"> • Must not and must not suffer or permit a person to: <ul style="list-style-type: none"> - use the premises for any purpose that does not align with the Permitted Purpose (outlined in the lease schedule); or - Carry out on the premises any harmful, offensive or illegal act, matter or thing, or may cause a nuisance or disturbance to adjoining properties; or - Store any dangerous compound or substances; or - Display from or affix any signs, notices, or advertisements on the premises without the prior written consent from the Shire; or - Use the premises as the residence or sleeping place of any person or for auction sales; or - must not sell or supply liquor from the premises or allow liquor to be sold or supplied from the premises without the prior written consent and then only in accordance with written laws. <p>Right of Entry</p> <ul style="list-style-type: none"> • Must permit the entry by the Shire onto the Premises (without notice) in the case of an emergency, and otherwise upon reasonable notice. • In the event of an emergency or natural disaster which has an actual or possible impact on residents of the Shire of Donnybrook Balingup, the Shire may issue a notice requiring the tenant to immediately permit the Shire to have access to and use of the Premises for public purposes. <p>Statutory obligations and notices</p> <ul style="list-style-type: none"> • Must comply with all written laws. <p>Safety & Testing Obligations</p> <ul style="list-style-type: none"> • Comply with the requirements of the <i>Occupational Safety and Health Act 1984</i>, by having all portable plug-in electrical equipment and residual current devices to be safe and appropriately inspected, tested and maintained by a competent person. <p>Report to Shire</p> <ul style="list-style-type: none"> • Acts of vandalism. • Any incidents which occur on or near the premises which involves or is likely to involve the police; or pollution of the environment; or a notice, order or summonses which is received by the tenant which affect the premises. • Changes made to the tenants' rules under the <i>Associations Incorporation Act 2015</i>. <p>Option to renew</p>
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	<ul style="list-style-type: none"> • Must give the Shire notice of their renewal plans at least 3 months prior to lease expiry. <p>Obligations on Termination</p> <ul style="list-style-type: none"> • Must: <ul style="list-style-type: none"> - peacefully surrender and return the premises to the Shire; and - restore the premises to the condition as agreed by both parties in the lease; and - return all keys and security access devices/locks; and - remove property prior to termination. <p>Rights to Sublet</p> <ul style="list-style-type: none"> • Must not sublet prior to obtaining written consent from the Shire. <p>Provision of Information</p> <ul style="list-style-type: none"> • Must complete the Shires Annual Health Check. <p>Goods and Services Tax</p> <ul style="list-style-type: none"> • Is responsible for paying GST on considerations in connection with the lease. <p>Shire's Consent</p> <ul style="list-style-type: none"> • Must comply with conditions on any conditional consent granted by the Shire.
<p>Responsibilities of the Shire</p> <p><i>This is a precis only. Tenants must refer to their lease for full agreement details.</i></p>	<p>Quiet Enjoyment</p> <ul style="list-style-type: none"> • Must not cause and interruptions or disturbances for the tenant during the term of the lease. Except as provided in the Lease and subject to the performance and observance of the tenants' Agreements. <p>Rent Review</p> <ul style="list-style-type: none"> • Review the rent by CPI on and from each Rent Review Date as stated in the lease. <p>Outgoings</p> <ul style="list-style-type: none"> • Must raise a tax invoice for all rent and outgoings payable by the tenant. <p>Insurance</p> <ul style="list-style-type: none"> • Shall effect and keep effected insurance to the full insurable value on a replacement or reinstatement value basis of the Promises against damage arising from fire, tempest, storm, earthquake, explosion, aircraft, or other aerial device including items dropped from any device, riot, commotion, flood, lightning, act of God, fusion, smoke, rainwater, leakage, impact by vehicle, machinery breakdown and malicious acts or omissions and other standard insurable risks. • May settle an insurance claim. <p>Report</p> <ul style="list-style-type: none"> • Any damage to the premises of which they are aware; and

	<ul style="list-style-type: none"> Any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the Premises or to any person in or on the Premises. <p>Alterations</p> <ul style="list-style-type: none"> Give consent with or without conditions for alterations. <p>Right of Entry</p> <ul style="list-style-type: none"> Must give reasonable notice before entry onto premises unless in an emergency. Must issue a notice to the tenant. <p>Safety & Testing Obligations</p> <ul style="list-style-type: none"> Ensure that the Premises, and any fixtures or fittings located on the Premises, are regularly tested, maintained, and inspected to ensure for safe for use. Must ensure that all fire protection and firefighting equipment, is tested regularly for compliance with Australian Standards and DFES's requirements. Ensure that the emergency/exit lighting systems on the Premises (if applicable) are adequately maintained in accordance with the requirements of the Building Code of Australia and relevant Australian Standards. <p>Option to Renew</p> <ul style="list-style-type: none"> After receiving a written request from the tenant to renew the lease at least three months prior to the lease expiry the Shire will grant the tenant a lease for the further term at the Rent and on the same terms and conditions. <p>GST invoice</p> <ul style="list-style-type: none"> Where the Basic Consideration is to be increased to account for the Shire shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the tenant to submit a claim for a credit or refund of GST.
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CATEGORY THREE (3) COMMERCIAL ENTITIES, STATE AND NATIONAL CLUBS, ASSOCIATIONS, AND COMMUNITY ORGANISATIONS

SUMMARY OF ESSENTIAL CONDITIONS AND TERM TEMPLATE	
Initial Term	Maximum of 10 years
Option	Up to 2 x 5 years options (at the Shire's discretion)
Responsibilities of Tenant <i>This is a precis only. Tenants must refer to their lease for full agreement details.</i>	<p>Grant of Lease</p> <ul style="list-style-type: none"> Acknowledge that the Minister for Lands' consent is required under the Land Administration Act 1997 ([For reserve/crown land, the Minister for Lands' consent (through the Department of Planning, Lands and Heritage) must be obtained to the terms of the lease prior to signing of the lease by the parties.] <p>Outgoings</p> <ul style="list-style-type: none"> Tenant to pay outgoings or charges, assessed or incurred in respect of the Premises. – Outlined in table of rent and expenses Pay interest on amounts payable which are unpaid. <p>Insurance</p> <ul style="list-style-type: none"> Pay all premiums and produce to the Shire each policy or certificate of currency for: <ul style="list-style-type: none"> Building Insurance Public Liability Content Insurance Employers Indemnity, including Workers Compensation Notify the Shire when a material event occurs which gives rise or might give rise to a claim under, or which could prejudice a policy of insurance or when a policy of insurance is cancelled. Must not do anything which might void their insurance or effect the insurance of any adjoining premises. Report any damage or any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the premises or to any person in or on the premises. Pay excess on insurance. Is responsible to obtain all relevant insurances to cover any damage and/or theft to its property Indemnifies the Shire (and Minister of Lands) from and against all actions, claims, costs, proceedings, suits and demands. <p>Maintenance, Repair and Cleaning</p> <ul style="list-style-type: none"> Will at its own cost maintain, replace, repair, clean and keep the premises in Good Repair. Will only use licensed trades persons, or such trades persons as may be approved by the Shire. Must comply with all reasonable conditions imposed by the Shire in relation to the tenants maintenance of the premises.

	<ul style="list-style-type: none"> • Must keep the premises clean, tidy, unobstructed, and free from rubbish. • Will be responsible for all servicing, maintenance, and repairs of the Air-Conditioning Equipment. • Must use the Air-Conditioning Equipment in accordance with manufacturer's instructions. • Must not interfere with the Air-Conditioning Equipment. • Shall ensure that the Air-conditioning Equipment is serviced, at least once every twelve (12) months. • Must provide the Shire upon request with evidence of such servicing. • Must keep the Premises free of any vermin or any other recognised pests. • Ensure the Premises, including Shire's Fixtures and Fittings, are appropriately secured at all times. • Regularly inspect and maintain in good condition any part of the premises and surrounds. • Must keep and maintain the waste pipes drains and conduits clean clear and free flowing. • Must manage the correct use of the drains, toilets, grease traps and other sanitary appliances. • Must on or before each date as stated in the Schedule paint with at least two coats of paint those parts of the premises usually painted internally. • Must on or before each date as stated in the Schedule replace all carpets and floor coverings in the premises with suitable carpets and floor coverings of good quality approved of by the Shire. • Will comply with their obligations as per the Schedule of Maintenance Responsibilities provided. <p>Use</p> <ul style="list-style-type: none"> • Must not and must not suffer or permit a person to: <ul style="list-style-type: none"> - use the premises for any purpose that does not align with the Permitted Purpose (outlined in the lease schedule); or - Carry out on the premises any harmful, offensive or illegal act, matter or thing, or may cause a nuisance or disturbance to adjoining properties; or - Store any dangerous compound or substances; or - Do any act or thing which might result in excessive stress or harm to any part of the premises; or - Use the toilets/sanitary appliances for any purpose other than that for which they were constructed and must not allow any act or thing to be done that might affect them; or - Display from or affix any signs, notices, or advertisements on the premises without the prior written consent from the Shire. • Must ensure the security of keys and access cards to the premises, at all times. • Must not have additional sets of keys or access cards copied or cut. • Must notify the Lessor of any loss of keys or access cards immediately.
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	<ul style="list-style-type: none"> • Must not change any of the Premises' locks, without the prior approval of the Shire. • Must always conduct its business on the premises in a proper efficient and reputable manner and must not use the premises nor permit the premises to be used for any illegal, immoral, or improper use or purpose. • Must not consent of the Shire use or permit to be used any other method in lighting the premises other than by electricity and will not use or permit or suffer to be used any method of heating other than by electricity, gas, or oil. • Must keep in force all licences and permits required for the carrying on of any business conducted by it in or upon the premises; and • Must deliver to the Shire any notices or orders served on or received by the tenant in respect of the premises or the conduct of the tenant's business on the premises. • Must ensure copyright compliance with regards to any arrangements on the premises. <p>Alterations</p> <ul style="list-style-type: none"> • Must obtain consent from the Shire and any other appropriate agency as written in law prior to installing new signage, making any alteration, addition or improvements to or demolish any part of the Premises or remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises. • Must pay for alterations. • Must carry out works in accordance with the Shire's requirements. <p>Statutory obligations and notices</p> <ul style="list-style-type: none"> • Must comply with all written laws. <p>Safety & Testing Obligations</p> <ul style="list-style-type: none"> • Must reimburse the Shire for all associated costs to ensure that the premises, and any fixtures or fittings within the premises, are regularly tested, maintained and inspected to ensure compliance with all statutory requirements and are safe for use. <p>Report to Shire</p> <ul style="list-style-type: none"> • Acts of vandalism. • Any accidents to or defect or want of repair in any services or fixtures, fittings, plant or equipment in the premises and of any circumstances known to the tenant that may be or may cause a risk or hazard to the premises or to any person on the premises. • Any incidents which occur on or near the premises which involves or is likely to involve the police; or pollution of the environment; or a notice, order or summonses which is received by the tenant which affect the premises. • Any damage to the premises of which they are aware; and • Any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the Premises or to any person in or on the Premises.
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	<p>Bank Guarantee/Deposit</p> <ul style="list-style-type: none"> • Must provide the Shire with a Bank Guarantee or Deposit. <p>Obligations on Termination</p> <ul style="list-style-type: none"> • Must: <ul style="list-style-type: none"> - Must at its own cost restore the premises to a condition consistent with the Lease and repair, replace or make good to the satisfaction of the Shire any of the premises where it has been damaged by the tenant. - peacefully surrender and return the premises to the Shire; and - restore the premises to the condition as agreed by both parties in the lease; and - return all keys and security access devices/locks; and - remove property prior to termination. <p>Right of Entry</p> <ul style="list-style-type: none"> • Must permit the entry by the Shire onto the Premises (without notice) in the case of an emergency, and otherwise upon reasonable notice. <p>Option to renew</p> <ul style="list-style-type: none"> • Must give the Shire notice of their renewal plans at least 3 months prior to lease expiry. <p>Assignments, Subletting and Charging</p> <ul style="list-style-type: none"> • Must not sublet prior to obtaining written consent from the Shire. • Must notify the Shire of any changes to the ownership of shares in accordance with the <i>Corporations Act 2001</i> (Cth). • Must pay for all costs associated with any assignment or sublet. <p>Goods and Services Tax</p> <ul style="list-style-type: none"> • Is responsible for paying GST on considerations in connection with the lease. <p>Shire's Consent</p> <ul style="list-style-type: none"> • Must comply with conditions on any conditional consent granted by the Shire.
<p>Responsibilities of the Shire</p> <p><i>This is a precis only. Tenants must refer to their lease for full agreement details.</i></p>	<p>Quiet Enjoyment</p> <ul style="list-style-type: none"> • Must not cause and interruptions or disturbances for the tenant during the term of the lease. Except as provided in the Lease and subject to the performance and observance of the tenants' Agreements. <p>Rent Review</p> <ul style="list-style-type: none"> • Review the rent as stated in the lease. <p>Outgoings</p> <ul style="list-style-type: none"> • Must raise a tax invoice for all rent and outgoings payable by the tenant. <p>Insurance</p>

	<ul style="list-style-type: none"> • May settle an insurance claim. <p>Maintenance</p> <ul style="list-style-type: none"> • Will arrange the white ant/termite inspections and treatments of the premises at its cost. <p>Alterations</p> <ul style="list-style-type: none"> • Give consent with or without conditions for alterations. <p>Right of Entry</p> <ul style="list-style-type: none"> • Must give reasonable notice before entry onto premises unless in an emergency. • Must issue a notice to the tenant. <p>Safety & Testing Obligations</p> <ul style="list-style-type: none"> • Must arrange all annual inspections and testing to ensure that the premises, and any fixtures or fittings within the premises, are regularly tested, maintained, and inspected to ensure compliance with all statutory requirements and are safe for use. <p>Bank Guarantee/ Deposit</p> <ul style="list-style-type: none"> • Shall return the Bank Guarantee/ Deposit (or any remaining portion of the Bank Guarantee) after three months after termination of the Lease. <p>Option to Renew</p> <ul style="list-style-type: none"> • After receiving a written request from the tenant to renew the lease at least three months prior to the lease expiry the Shire will grant the tenant a lease for the further term at the Rent and on the same terms and conditions. <p>GST invoice</p> <p>Where the Basic Consideration is to be increased to account for the Shire shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the tenant to submit a claim for a credit or refund of GST.</p>
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CATEGORY FOUR (4) GOVERNMENT AGENCIES

SUMMARY OF ESSENTIAL CONDITIONS AND TERM TEMPLATE	
Initial Term	Maximum of 10 years
Option	Up to 2 x 5 years options (at the CEO's discretion)
Responsibilities of Tenant <i>This is a precis only. Tenants must refer to their lease for full agreement details.</i>	<p>Grant of Lease</p> <ul style="list-style-type: none"> Acknowledge that the Minister for Lands' consent is required under the Land Administration Act 1997 ([For reserve/crown land, the Minister for Lands' consent (through the Department of Planning, Lands and Heritage) must be obtained to the terms of the lease prior to signing of the lease by the parties.] <p>Outgoings</p> <ul style="list-style-type: none"> Tenant to pay outgoings or charges, assessed or incurred in respect of the Premises. – Outlined in table of rent and expenses Pay interest on amounts payable which are unpaid. <p>Insurance</p> <ul style="list-style-type: none"> Pay all premiums and produce to the Shire each policy or certificate of currency for: <ul style="list-style-type: none"> Building Insurance Public Liability Content Insurance Employers Indemnity, including Workers Compensation Notify the Shire when a material event occurs which gives rise or might give rise to a claim under, or which could prejudice a policy of insurance or when a policy of insurance is cancelled. Must not do anything which might void their insurance or effect the insurance of any adjoining premises. Report any damage or any circumstances of which they are aware, and which are likely to be a danger or cause any damage or danger to the premises or to any person in or on the premises. Pay excess on insurance. Is responsible to obtain all relevant insurances to cover any damage and/or theft to its property Indemnifies the Shire (and Minister of Lands) from and against all actions, claims, costs, proceedings, suits and demands. <p>Maintenance, Repair and Cleaning</p> <ul style="list-style-type: none"> Will at its own cost maintain, replace, repair, clean and keep the premises in Good Repair. Will only use licensed trades persons, or such trades persons as may be approved by the Shire. Must comply with all reasonable conditions imposed by the Shire in relation to the tenants maintenance of the premises. Must keep the premises clean, tidy, unobstructed, and free from rubbish.

	<ul style="list-style-type: none"> • Will be responsible for all servicing, maintenance, and repairs of the Air-Conditioning Equipment. • Must use the Air-Conditioning Equipment in accordance with manufacturer's instructions. • Must not interfere with the Air-Conditioning Equipment. • Shall ensure that the Air-conditioning Equipment is serviced, at least once every twelve (12) months. • Must provide the Shire upon request with evidence of such servicing. • Must keep the Premises free of any vermin or any other recognised pests. • Ensure the Premises, including Shire's Fixtures and Fittings, are appropriately secured at all times. • Regularly inspect and maintain in good condition any part of the premises and surrounds. • Must keep and maintain the waste pipes drains and conduits clean clear and free flowing. • Must manage the correct use of the drains, toilets, grease traps and other sanitary appliances. • Must on or before each date as stated in the Schedule paint with at least two coats of paint those parts of the premises usually painted internally. • Must on or before each date as stated in the Schedule replace all carpets and floor coverings in the premises with suitable carpets and floor coverings of good quality approved of by the Shire. • Will comply with their obligations as per the Schedule of Maintenance Responsibilities provided. <p>Use</p> <ul style="list-style-type: none"> • Must not and must not suffer or permit a person to: <ul style="list-style-type: none"> - use the premises for any purpose that does not align with the Permitted Purpose (outlined in the lease schedule); or - Carry out on the premises any harmful, offensive or illegal act, matter or thing, or may cause a nuisance or disturbance to adjoining properties; or - Store any dangerous compound or substances; or - Do any act or thing which might result in excessive stress or harm to any part of the premises; or - Use the toilets/sanitary appliances for any purpose other than that for which they were constructed and must not allow any act or thing to be done that might affect them; or - Display from or affix any signs, notices, or advertisements on the premises without the prior written consent from the Shire. • Must ensure the security of keys and access cards to the premises, at all times. • Must not have additional sets of keys or access cards copied or cut. • Must notify the Lessor of any loss of keys or access cards immediately. • Must not change any of the Premises' locks, without the prior approval of the Shire.
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- Must always conduct its business on the premises in a proper efficient and reputable manner and must not use the premises nor permit the premises to be used for any illegal, immoral, or improper use or purpose.
- Must not consent of the Shire use or permit to be used any other method in lighting the premises other than by electricity and will not use or permit or suffer to be used any method of heating other than by electricity, gas, or oil.
- Must keep in force all licences and permits required for the carrying on of any business conducted by it in or upon the premises; and
- Must deliver to the Shire any notices or orders served on or received by the tenant in respect of the premises or the conduct of the tenant's business on the premises.
- Must ensure copyright compliance with regards to any arrangements on the premises.

Alterations

- Must obtain consent from the Shire and any other appropriate agency as written in law prior to installing new signage, making any alteration, addition or improvements to or demolish any part of the Premises or remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.
- Must pay for alterations.
- Must carry out works in accordance with the Shire's requirements.

Statutory obligations and notices

- Must comply with all written laws.

Safety & Testing Obligations

- Must reimburse the Shire for all associated costs to ensure that the premises, and any fixtures or fittings within the premises, are regularly tested, maintained and inspected to ensure compliance with all statutory requirements and are safe for use.

Report to Shire

- Acts of vandalism.
- Any accidents to or defect or want of repair in any services or fixtures, fittings, plant or equipment in the premises and of any circumstances known to the tenant that may be or may cause a risk or hazard to the premises or to any person on the premises.
- Any incidents which occur on or near the premises which involves or is likely to involve the police; or pollution of the environment; or a notice, order or summonses which is received by the tenant which affect the premises.

Bank Guarantee/Deposit

- Must provide the Shire with a Bank Guarantee or Deposit.

Obligations on Termination

- Must:
 - Must at its own cost restore the premises to a condition consistent with the Lease and repair, replace or make good to the satisfaction of the Shire any of the premises where it has been damaged by the tenant.
 - peacefully surrender and return the premises to the Shire; and

	<ul style="list-style-type: none"> - restore the premises to the condition as agreed by both parties in the lease; and - return all keys and security access devices/locks; and - remove property prior to termination. <p>Right of Entry</p> <ul style="list-style-type: none"> • Must permit the entry by the Shire onto the Premises (without notice) in the case of an emergency, and otherwise upon reasonable notice. <p>Option to renew</p> <ul style="list-style-type: none"> • Must give the Shire notice of their renewal plans at least 3 months prior to lease expiry. <p>Assignments, Subletting and Charging</p> <ul style="list-style-type: none"> • Must not sublet prior to obtaining written consent from the Shire. • Must notify the Shire of any changes to the ownership of shares in accordance with the <i>Corporations Act 2001</i> (Cth). • Must pay for all costs associated with any assignment or sublet. <p>Goods and Services Tax</p> <ul style="list-style-type: none"> • Is responsible for paying GST on considerations in connection with the lease. <p>Shire's Consent</p> <ul style="list-style-type: none"> • Must comply with conditions on any conditional consent granted by the Shire.
<p>Responsibilities of the Shire</p> <p><i>This is a precis only. Tenants must refer to their lease for full agreement details.</i></p>	<p>Quiet Enjoyment</p> <ul style="list-style-type: none"> • Must not cause and interruptions or disturbances for the tenant during the term of the lease. Except as provided in the Lease and subject to the performance and observance of the tenants' Agreements. <p>Rent Review</p> <ul style="list-style-type: none"> • Review the rent as stated in the lease. <p>Outgoings</p> <ul style="list-style-type: none"> • Must raise a tax invoice for all rent and outgoings payable by the tenant. <p>Insurance</p> <ul style="list-style-type: none"> • May settle an insurance claim. <p>Maintenance</p> <ul style="list-style-type: none"> • Will arrange the white ant/termite inspections and treatments of the premises at its cost. <p>Alterations</p> <ul style="list-style-type: none"> • Give consent with or without conditions for alterations. <p>Right of Entry</p> <ul style="list-style-type: none"> • Must give reasonable notice before entry onto premises unless in an emergency. • Must issue a notice to the tenant. <p>Safety & Testing Obligations</p>

	<ul style="list-style-type: none"> • Must arrange all annual inspections and testing to ensure that the premises, and any fixtures or fittings within the premises, are regularly tested, maintained, and inspected to ensure compliance with all statutory requirements and are safe for use. <p>Bank Guarantee/ Deposit</p> <ul style="list-style-type: none"> • Shall return the Bank Guarantee/ Deposit (or any remaining portion of the Bank Guarantee) after three months after termination of the Lease. <p>Option to Renew</p> <ul style="list-style-type: none"> • After receiving a written request from the tenant to renew the lease at least three months prior to the lease expiry the Shire will grant the tenant a lease for the further term at the Rent and on the same terms and conditions. <p>GST invoice</p> <p>Where the Basic Consideration is to be increased to account for the Shire shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the tenant to submit a claim for a credit or refund of GST.</p>
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SCHEDULE OF MAINTENANCE RESPONSIBILITIES

CATEGORY ONE (1) SMALL COMMUNITY GROUPS

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Emergency Exit Lighting Systems and Emergency Doors – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure maintenance and compliance. 	<ul style="list-style-type: none"> - Ensure that any faults or operational issues with the emergency/exit lighting systems in the premises are promptly reported to the Shire. - Liaise with Shire contractors to allow access to conduct works.
Fire Protection Equipment (e.g., Fire Extinguishers, Hoses, Smoke Alarms) – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure compliance with FESA and DFES requirements. 	<ul style="list-style-type: none"> - Ensure that any use or operational issues with the fire protection equipment in the premises are promptly reported to the Shire. - Liaise with Shire contractors to allow access to conduct works. - Replace if stolen or damaged.
RCD protections, tagging electrical equipment - OSH Requirements	<ul style="list-style-type: none"> - At its cost, ensure that all RCDs are repaired and maintained in accordance with the relevant legislation. - Arrange annual compliance testing and tagging on behalf of tenant. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual testing and tagging.
Pest & Vermin Control	<ul style="list-style-type: none"> - Arrange annual pest inspections and extermination treatment. 	<ul style="list-style-type: none"> - Endeavour to keep the premises free and clear of all rodents, rats, vermin, insects, birds, animals and other pests and report to the Shire any pest activity or required treatment. - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual pest inspection and treatments.
Termite Control	<ul style="list-style-type: none"> - Arrange and pay for annual termite inspections and extermination treatment. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works.
PREMISES AND SECURITY		

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Cleaning	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Ensure premises is maintained as per the Cleaning Standards.
Malicious Damage and Break-ins	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Responsible for repairing and replacing any stolen goods or broken fixtures and fittings. - Report any incidents of malicious damage or break-ins to the Shire. - Must pay any excess for a Building Insurance claim commenced by the Shire at the tenant's request.
Vandalism & Graffiti	<ul style="list-style-type: none"> - Remove external vandalism and graffiti. 	<ul style="list-style-type: none"> - Remove internal vandalism & graffiti and repair any damage caused. - Report any incidents of malicious damage or break-ins to the Shire.
Security Monitoring System, Equipment and Security Lights	<ul style="list-style-type: none"> - If the Shire provides a security system to the premises, the Shire will maintain the security system in good condition but is not required to replace the security system if it comes to the end of its economic life. 	<ul style="list-style-type: none"> - The tenant must ensure the premises is always maintained in a secure condition. - If the tenant installs a security system in the premises, the tenant must keep the security system in good condition, pay all monitoring and service costs associated with the security system and promptly attend any call outs to the premises. - If the Shire is called upon to attend the premises or the Shire incurs expense for a call out on a Shire installed security system, the tenant must pay to the Shire on demand all costs incurred by the Shire due to that call out. - Repair and replace any Security Lighting damaged.
Locks & Keys	<ul style="list-style-type: none"> - Maintain a Master Key System. 	<ul style="list-style-type: none"> - An initial stock of keys will be issued to Lessee by Shire for operational usage. Lost or replacement keys after first stock issue will be at the tenant's expense.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Lessee to maintain a key register.
Structural Building Components	<ul style="list-style-type: none"> - Repair any structural damage. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire.
Damage caused by misuse by Tenant	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Report any damage to the Shire. - Repair or replace.
Ceiling	<ul style="list-style-type: none"> - Repair any structural damage to ceiling. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Clean ceilings as required and report any structural damage to the Shire.
Walls	<ul style="list-style-type: none"> - Repair any structural damage to load bearing walls. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Always keep clean, dust cobwebs and report structural repairs or faults to Shire. - Any alteration or fixings to walls shall not be done without prior Shire consent.
Window, Glass Panes, Flyscreens & Security Screens	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Door - Frames, Hinges, Handles, Catches, Knobs etc.	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Skylights, Lighting & Globes	<ul style="list-style-type: none"> - Remove any skylights or lighting fixtures (excluding globes) requiring replacement due to old age/end of economic life. 	<ul style="list-style-type: none"> - Always keep clean and repair and/or replace as required. - Replace all globes, tubes and fittings (like for like) as required.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Painting	<ul style="list-style-type: none"> - Complete external and internal painting, as required and determined by the Shire. 	<ul style="list-style-type: none"> - Touch up paint damage on internal walls if damage caused by misuse/ internal vandalism. - Any change of paint colour will need prior Shire approval. - Approved cosmetic paint changes are 100% tenant costs and shall be reinstated (at tenants cost) to the original colour upon termination of lease.
Cupboards, Blinds, Curtains, and Mirrors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Maintain and repair items as required. - Repair, replace if damage caused by misuse/ internal vandalism.
Carpet	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Vinyl Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Wooden Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Tiled Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Concrete Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
PLUMBING		
Plumbing, Drains, Sewer Pumps & Septic and Leach Drains	<ul style="list-style-type: none"> - Remove any irreparable items. - Undertake capital renewal as and when determined by the Shire. - Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Tenant shall not permit foreign objects or matter to be placed into drains, toilets, or grease traps. - Ensure all are operable and free from any blockages. - Have the Septic Tanks pumped out as required at tenants' expense.
Grease Traps	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - To be serviced and maintained under Water Corporation guidelines. Service records to be logged and passed onto Shire.
Plumbing Fixtures including Cisterns and pans	<ul style="list-style-type: none"> - Remove any irreparable items. - Undertake capital renewal as and when determined by the Shire. - Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Must always keep clean. - Minor maintenance of hardware due to general usage wear and tear (e.g., taps seals, minor gaskets in both taps and toilet systems) Shire will supply a list of preferred Contractors to be called for such instances.
Gas Fittings & Fixtures	<ul style="list-style-type: none"> - Replace any irreparable items. If replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Must always keep clean. - Report any maintenance required to the Shire. - Repair or replace if damage caused by misuse/ internal vandalism.
ELECTRICAL AND APPLIANCES		
Air-Conditioning	<ul style="list-style-type: none"> - Arrange annual servicing of air- conditioning units/systems. - If replacement is caused by misuse/negligence of tenant, 	<ul style="list-style-type: none"> - Clean vents regularly. - Professionally cleaned annually, or quarterly depending on building usage frequency.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
	the tenant must reimburse the Shire for the cost of replacement.	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct annual service. - Reimburse the Shire for the cost of the annual service, if organised by the Shire. - Responsible for replacing if damage is due to internal vandalism.
Oven Vents and Exhaust Fans	<ul style="list-style-type: none"> - Replace any irreparable items. If replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean and repair when necessary. - Routine maintenance and cleaning in accordance with Department of Health guidelines.
Electrical Fittings (i.e., Plugs, Switches, Sockets, Leads, Lights, Power Points)	<ul style="list-style-type: none"> - Replace any irreparable items. If replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Must ensure that electrical fittings are not overloaded when in use. - Must ensure that all electrical hardware is fit for use. - Repair, replace if damage caused by misuse. - Report any maintenance and high-risk issues with the Shire.
Wiring	<ul style="list-style-type: none"> - Replace any irreparable items. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Gain consent from the Shire prior to any wiring or electrical work taking place. - Report any maintenance and high-risk issues with the Shire.
Appliances (i.e., fridges, toasters, freezer, stove, microwaves)	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regularly maintain and repair as required. - Repair or replace if damage caused by misuse/ internal vandalism.
Cool Room Units	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regular Service and Maintenance by a suitably qualified contractor. - Repair, replace if damage caused by misuse/ internal vandalism.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
PREMISES EXTERIOR AND SURROUNDS		
Roof (including leaks, broken tiles etc.)	<ul style="list-style-type: none"> - Repair any structural damage to roof and clean roofs as required. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire. - Reimburse the Shire for repairs for any damage to the roof (structural or otherwise) caused by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Eaves, Gutters, and Downpipes	<ul style="list-style-type: none"> - Repair any damage to eaves, gutters, and downpipes. - If damage is caused by tenant failing to maintain the eaves, gutters or downpipes in a clean and clear condition, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Maintain eaves, gutters and downpipes in a clean and clear condition and report any damage to the Shire. - Repair any damage to the eaves, gutters or downpipes were caused or contributed to by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Fencing and Gates	<ul style="list-style-type: none"> - Replacing fences and/or gates as required and determined by the Shire. - If repairs or replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Responsible for ensuring all fences and gates are cleaned, repaired, re-enforced, and maintained. - Responsible for the cost of repair if damaged due to misuse.
Garden & Surrounds	<ul style="list-style-type: none"> - Responsible for any major tree pruning and tree removal. 	<ul style="list-style-type: none"> - Responsible for the maintenance of gardens and surrounds within the perimeter of leased/licenced area to the satisfaction of the Shire. - Conduct regular mowing of grassed/green areas, fertilising, and minor pruning of plants. - Not to remove any trees or hedges without first obtaining approval from the Shire, except for urgent safety reasons.
Walkways, Footpaths, Access, Steps and Ramps	<ul style="list-style-type: none"> - Responsible for Shire verge footpaths. 	<ul style="list-style-type: none"> - Always keep clean and clear. - Report damage or trip hazards to access/walkways other than the Shire verge footpath.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Carpark	<ul style="list-style-type: none"> - Responsible for bitumen repairs, pot-hole maintenance and line marking at the Shires discretion. 	<ul style="list-style-type: none"> - Responsible for ensuring the car park is clean and clear of rubbish, trip hazards or obstructions.
Shed, Roller Doors and Garage	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Responsible for cleaning, repairs, and maintenance of such structures.
Abandoned Rubbish	<ul style="list-style-type: none"> - Arrange for removal of abandoned furniture, car parts and larger rubbish that has been dumped on the verge, carpark, or grassed area. 	<ul style="list-style-type: none"> - Arrange for removal of smaller abandoned items that have been dumped on the property which will fit in the bins provided. - Report any illegal dumping of (large amounts) rubbish on premises to the Shire.
Pollution	<ul style="list-style-type: none"> - Report to the Shire's insurer. 	<ul style="list-style-type: none"> - Do all things necessary to prevent pollution or contamination of the land by garbage, refuse, waste matter, oil, or other pollutants. - Report any pollution, contamination, or suspected pollution/contamination to the land to the Shire promptly. - If remediation is required because of the tenant polluting or contaminating the land, the tenant must pay undertake and pay for all necessary remediation works to bring the land back to its condition as at the commencement date.
Bore's and Pump's	<ul style="list-style-type: none"> - Arrange annual inspection and determining the schedule for maintenance and repair. 	<ul style="list-style-type: none"> - Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.
Lighting Towers	<ul style="list-style-type: none"> - Arrange servicing and maintenance of poles and electrical. 	<ul style="list-style-type: none"> - Arrange and Replace Globes. - Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct servicing.
Playing Surfaces	<ul style="list-style-type: none"> - Repair and replace. - If repairs or replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Always keep clean and clear. - Maintain/Cleaning regularly in accordance with use. - Notify Shire; and repair or replace if damage caused by misuse/ internal vandalism.

CATEGORY TWO (2) SPORTING CLUBS, COMMUNITY GROUPS AND ORGANISATIONS

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Emergency Exit Lighting Systems and Emergency Doors – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure maintenance and compliance. 	<ul style="list-style-type: none"> - Ensure that any faults or operational issues with the emergency/exit lighting systems in the premises are promptly reported to the Shire. - Liaise with Shire contractors to allow access to conduct works.
Fire Protection Equipment (e.g., Fire Extinguishers, Hoses, Smoke Alarms) – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure compliance with FESA and DFES requirements. 	<ul style="list-style-type: none"> - Ensure that any use or operational issues with the fire protection equipment in the premises are promptly reported to the Shire. - Liaise with Shire contractors to allow access to conduct works. - Replace if stolen or damaged.
RCD protections, tagging electrical equipment - OSH Requirements	<ul style="list-style-type: none"> - At its cost, ensure that all RCDs are repaired and maintained in accordance with the relevant legislation. - Arrange annual compliance testing and tagging on behalf of tenant. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual testing and tagging.
Pest & Vermin Control	<ul style="list-style-type: none"> - Arrange annual pest inspections and extermination treatment. 	<ul style="list-style-type: none"> - Endeavour to keep the premises free and clear of all rodents, rats, vermin, insects, birds, animals and other pests and report to the Shire any pest activity or required treatment. - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual pest inspection and treatments.
Termite Control	<ul style="list-style-type: none"> - Arrange and pay for annual termite inspections and extermination treatment. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works.
PREMISES AND SECURITY		
Cleaning	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Ensure premises is maintained as per the Cleaning Standards.
Malicious Damage and Break-ins	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Responsible for repairing and replacing any stolen goods or broken fixtures and fittings, minor repairs, cleaning of broken glass, windows, and doors after an act/incident of malicious damage. - Report any incidents of malicious damage or break-ins to the Shire.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Must pay any excess for a Building Insurance claim commenced by the Shire at the tenant's request.
Vandalism & Graffiti	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Remove internal vandalism & graffiti and repair any damage caused. - Report any incidents of malicious damage or break-ins to the Shire.
Security Monitoring System, Equipment and Security Lights	<ul style="list-style-type: none"> - If the Shire provides a security system to the premises, the Shire will maintain the security system in good condition but is not required to replace the security system if it comes to the end of its economic life. 	<ul style="list-style-type: none"> - The tenant must ensure the premises is always maintained in a secure condition. - If the tenant installs a security system in the premises, the tenant must keep the security system in good condition, pay all monitoring and service costs associated with the security system and promptly attend any call outs to the premises. - If the Shire is called upon to attend the premises or the Shire incurs expense for a call out on a Shire installed security system, the tenant must pay to the Shire on demand all costs incurred by the Shire due to that call out. - Repair and replace any Security Lighting damaged.
Locks & Keys	<ul style="list-style-type: none"> - Maintain a Master Key System. 	<ul style="list-style-type: none"> - An initial stock of keys will be issued to Lessee by Shire for operational usage. - Lost or replacement keys after first stock issue will be at the tenant's expense. - Lessee to maintain a key register.
Structural Building Components	<ul style="list-style-type: none"> - Repair any structural damage. - If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire.
Damage caused by misuse by Tenant	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Report any damage to the Shire. - Repair or replace.
Ceiling	<ul style="list-style-type: none"> - Repair any structural damage to ceiling. - If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to 	<ul style="list-style-type: none"> - Clean ceilings and Eaves as required and report any structural damage to the Shire.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
	reimburse the Shire for cost of repairing the damage.	
Walls	<ul style="list-style-type: none"> - Repair any structural damage to load bearing walls. - If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Always keep clean, dust cobwebs and report structural repairs or faults to Shire. - Any alteration or fixings to walls shall not be done without prior Shire consent.
Window, Glass Panes, Flyscreens & Security Screens	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Door - Frames, Hinges, Handles, Catches, Knobs etc.	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Skylights, Lighting & Globes	<ul style="list-style-type: none"> - Remove any skylights or lighting fixtures (excluding globes) requiring replacement due to old age/end of economic life. 	<ul style="list-style-type: none"> - Always keep clean and repair and/or replace as required. - Replace all globes, tubes and fittings (like for like) as required.
Painting	<ul style="list-style-type: none"> - Complete external and internal painting, as required and determined by the Shire. 	<ul style="list-style-type: none"> - Touch up paint damage on internal walls if damage caused by misuse/ internal vandalism. - Minor remedial painting to repair general wear and tear. - Any change of paint colour will need prior shire approval. - Approved cosmetic paint changes are 100% tenant costs and shall be reinstated (at tenants cost) to the original colour upon termination of lease.
Cupboards, Blinds, Curtains, and Mirrors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Maintain and repair items as required. - Repair, replace if damage caused by misuse/ internal vandalism.
Carpet	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Vinyl Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Wooden Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Tiled Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
Concrete Floors	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Notify Shire, repair or replace if damage caused by misuse/ internal vandalism.
PLUMBING		
Plumbing, Drains, Sewer Pumps & Septic and Leach Drains	<ul style="list-style-type: none"> - Remove any irreparable items. - Undertake capital renewal as and when determined by the Shire. - Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay (on demand) the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Tenant shall not permit foreign objects or matter to be placed into drains, toilets, or grease traps. <p>Ensure all are operable and free from any blockages.</p> <ul style="list-style-type: none"> - Have the Septic Tanks pumped out as required at tenants' expense.
Grease Traps	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - To be serviced and maintained under Water Corporation guidelines. - Service records to be logged and passed onto Shire.
Plumbing Fixtures including Cisterns and pans	<ul style="list-style-type: none"> - Remove any irreparable items. - Undertake capital renewal as and when determined by the Shire. - Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay (on demand) the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Must always keep clean. - Minor maintenance of hardware due to general usage wear and tear (e.g., taps seals, minor gaskets in both taps and toilet systems) Shire will supply a list of preferred Contractors to be called for such instances. - Repair leaks, service and maintain as required.
Gas Fittings & Fixtures	<ul style="list-style-type: none"> - Replace any irreparable items. 	<ul style="list-style-type: none"> - Must always keep clean.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
	<ul style="list-style-type: none"> - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Report any maintenance required to the Shire. - Repair or replace if damage caused by misuse/ internal vandalism.
ELECTRICAL AND APPLIANCES		
Air-Conditioning	<ul style="list-style-type: none"> - Arrange annual servicing of air-conditioning units/systems. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Clean vents regularly. - Professionally cleaned annually, or quarterly depending on building usage frequency. - Liaise with Shire contractors to allow access to conduct annual service. - Reimburse the Shire for the cost of the annual service, if organised by the Shire. - Responsible for replacing if damage is due to internal vandalism.
Oven Vents and Exhaust Fans	<ul style="list-style-type: none"> - Replace any irreparable items. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean and repair when necessary. - Routine maintenance and cleaning in accordance with Department of Health guidelines.
Electrical Fittings (i.e., Plugs, Switches, Sockets, Leads, Lights, Power Points)	<ul style="list-style-type: none"> - Replace any irreparable items. If replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Must ensure that electrical fittings are not overloaded when in use. - Must ensure that all electrical hardware is fit for use. - Repair, replace if damage caused by misuse. - Report any maintenance and high-risk issues with the Shire.
Wiring	<ul style="list-style-type: none"> - Replace any irreparable items. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Gain consent from the Shire prior to any wiring or electrical work taking place. - Report any maintenance and high-risk issues with the Shire.
Appliances (i.e., fridges, toasters, freezer, stove, microwaves)	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regularly maintain and repair as required. - Repair or replace if damage caused by misuse/ internal vandalism.
Cool Room Units	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regular Service and Maintenance by a suitably qualified contractor. - Repair, replace if damage caused by misuse/ internal vandalism.
PREMISES EXTERIOR AND SURROUNDS		

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Roof (including leaks, broken tiles etc.)	<ul style="list-style-type: none"> - Repair any structural damage to roof and clean roofs as required. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire. - Reimburse the Shire for repairs for any damage to the roof (structural or otherwise) caused by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Eaves, Gutters, and Downpipes	<ul style="list-style-type: none"> - Repair any damage to eaves, gutters, and downpipes. - If damage is caused by tenant failing to maintain the eaves, gutters or downpipes in a clean and clear condition, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Maintain eaves, gutters and downpipes in a clean and clear condition and report any damage to the Shire. - Repair any damage to the eaves, gutters or downpipes were caused or contributed to by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Fencing and Gates	<ul style="list-style-type: none"> - Replacing fences and/or gates as required and determined by the Shire. - If repairs or replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Responsible for ensuring all fences and gates are cleaned, repaired, re-enforced, and maintained. - Responsible for the cost of repair if damaged due to misuse.
Garden & Surrounds	<ul style="list-style-type: none"> - Responsible for any major tree pruning and tree removal. 	<ul style="list-style-type: none"> - Responsible for the maintenance of gardens and surrounds within the perimeter of leased /licenced area to the satisfaction of the Shire. - Conduct regular mowing of grassed/green areas, fertilising and minor pruning of plants. - Not to remove any trees or hedges without first obtaining approval from the Shire, except for urgent safety reasons.
Walkways, Footpaths, Access, Steps and Ramps	<ul style="list-style-type: none"> - Responsible for Shire verge footpaths. 	<ul style="list-style-type: none"> - Always keep clean and clear. - Report damage or trip hazards to access /walkways other than the Shire verge footpath.
Carpark	<ul style="list-style-type: none"> - Responsible for bitumen repairs, pot-hole maintenance and line marking at the Shires discretion. 	<ul style="list-style-type: none"> - Responsible for ensuring the car park is clean and clear of rubbish, trip hazards or obstructions.
Shed, Roller Doors and Garage	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Responsible for cleaning, repairs, and maintenance of such structures.
Abandoned Rubbish	<ul style="list-style-type: none"> - Arrange for removal of abandoned furniture, car parts and larger rubbish that has been 	<ul style="list-style-type: none"> - Arrange for removal of smaller abandoned items that have been dumped on the property which will fit in the bins provided.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
	dumped on the verge, carpark, or grassed area.	- Report any illegal dumping of (large amounts) rubbish on premises to the Shire.
Pollution	- Report to the Shire's insurer.	- Do all things necessary to prevent pollution or contamination of the land by garbage, refuse, waste matter, oil, or other pollutants. - Report any pollution, contamination, or suspected pollution /contamination to the land to the Shire promptly. - If remediation is required because of the tenant polluting or contaminating the land, the tenant must pay undertake and pay for all necessary remediation works to bring the land back to its condition as at the commencement date.
Bore's and Pump's	- Arrange annual inspection and determining the schedule for maintenance and repair.	- Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.
Lighting Towers	- Arrange servicing and maintenance of poles and electrical.	- Arrange and Replace Globes. - Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.
Playing Surfaces	- Repair and replace. - If repairs or replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. - At request of tenant, will submit building insurance claim on behalf of tenant.	- Always keep clean and clear. - Maintain/Cleaning regularly in accordance with use. - Notify Shire; and repair or replace if damage caused by misuse/ internal vandalism.

CATEGORY THREE (3) COMMERCIAL ENTITIES, STATE AND NATIONAL CLUBS, ASSOCIATIONS, AND COMMUNITY ORGANISATIONS

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Emergency Exit Lighting Systems and Emergency Doors – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure maintenance and compliance. 	<ul style="list-style-type: none"> - Ensure that any faults or operational issues with the emergency/exit lighting systems in the Premises are promptly reported to the Shire. - Reimburse the Shire for the cost of annual compliance inspections.
Fire Protection Equipment (e.g., Fire Extinguishers, Hoses, Smoke Alarms) – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure compliance with FESA and DFES requirements. 	<ul style="list-style-type: none"> - Ensure that any use or operational issues with the fire protection equipment in the premises are promptly reported to the Shire. - Reimburse the Shire for the cost of annual compliance service. - Liaise with Shire contractors to allow access to conduct works.
RCD protections, tagging electrical equipment - OSH Requirements	<ul style="list-style-type: none"> - At its cost, ensure that all RCDs are repaired and maintained in accordance with the relevant legislation. - Arrange annual compliance testing and tagging on behalf of tenant. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual testing and tagging.
Pest & Vermin Control	<ul style="list-style-type: none"> - Arrange annual pest inspections and extermination treatment. 	<ul style="list-style-type: none"> - Endeavour to keep the premises free and clear of all rodents, rats, vermin, insects, birds, animals and other pests and report to the Shire any pest activity or required treatment. - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual pest inspection and treatments.
Termite Control	<ul style="list-style-type: none"> - Arrange and pay for annual termite inspections and extermination treatment. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works.
PREMISES AND SECURITY		
Cleaning	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Ensure premises is maintained as per the Cleaning Standards.
Malicious Damage and Break-ins	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Responsible for repairs and cleaning of broken glass, windows, and doors after an act/incident of malicious damage.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Responsible for repairing and replacing any stolen goods or broken fixtures and fittings. - Report any incidents of malicious damage or break-ins to the Shire. - Must pay any excess for a Building Insurance claim commenced by the Shire at the tenant's request.
Vandalism & Graffiti	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Remove internal and external vandalism & graffiti and repair any damage caused. - Report any incidents of malicious damage or break-ins to the Shire. - Report any incidents of malicious damage or break-ins to the Shire. - Must pay any excess for a building insurance claim commenced by the Shire at the tenant's request.
Security Monitoring System, Equipment and Security Lights	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - The tenant must ensure the premises is always maintained in a secure condition. - If the tenant installs a security system in the premises, the tenant must keep the security system in good condition, pay all monitoring and service costs associated with the security system and promptly attend any call outs to the premises. - If the Shire is called upon to attend the premises or the Shire incurs expense for a call out on a Shire installed security system, the tenant must pay to the Shire on demand all costs incurred by the Shire due to that call out. - Repair and replace any Security Lighting damaged.
Locks & Keys	<ul style="list-style-type: none"> - Maintain a Master Key System. 	<ul style="list-style-type: none"> - An initial stock of keys will be issued to Lessee by Shire for operational usage. - Lost or replacement keys after first stock issue will be at the tenants expense. - Lessee to maintain a key register.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Structural Building Components	<ul style="list-style-type: none"> - Repair any structural damage. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire.
Damage caused by misuse by Tenant	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Report any damage to the Shire. - Repair or replace.
Ceiling	<ul style="list-style-type: none"> - Repair any structural damage to ceiling. - If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Clean ceilings and Eaves as required and report any structural damage to the Shire.
Walls	<ul style="list-style-type: none"> - Repair any structural damage to load bearing walls. - If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Always keep clean, dust cobwebs and report structural repairs or faults to Shire. - Any alteration or fixings to walls shall not be done without prior Shire consent.
Window, Glass Panes, Flyscreens & Security Screens	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Door - Frames, Hinges, Handles, Catches, Knobs etc.	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Skylights, Lighting & Globes	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean and repair and/or replace as required. - Replace all globes, tubes and fittings (like for like) as required.
Painting	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Minor remedial painting to repair general wear and tear. - Any change of paint colour will need prior shire approval. - Approved cosmetic paint changes are 100% tenant costs. - Once during the last three months of the term of the lease, repaint the interior of the premises with a minimum of two

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		coats of good quality paint (in a colour approved by the Shire) to a tradesman like finish.
Cupboards, Blinds, Curtains, and Mirrors	- Replace as and when determined by the Shire.	<ul style="list-style-type: none"> - Always keep clean. - Maintain and repair items as required. - Repair, replace if damage caused by misuse/ internal vandalism.
Carpet	- None.	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair any damage caused by wear and tear. - Replace during the last three months of the term of the lease if vacating.
Vinyl Floors	- None.	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair any damage caused by wear and tear. - Replace during the last three months of the term of the lease if vacating.
Wooden Floors	- None.	<ul style="list-style-type: none"> - Always keep clean, maintained and repair. - Professionally cleaned at least once annually. - Sealing and Polishing during the last three months of the term of the lease if vacating.
Tiled Floors	- None.	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair any damage caused by wear and tear. - Strip and seal during the last three months of the term of the lease if vacating.
Concrete Floors	- None.	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair or replace if damage caused by misuse/ internal vandalism.
PLUMBING		
Plumbing, Drains, Sewer Pumps & Septic and Leach Drains	- Remove any irreparable items.	- Shall maintain, replace, repair and clean any plumbing.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
	<ul style="list-style-type: none"> - Undertake capital renewal as and when determined by the Shire. - Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay (on demand) the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Tenant shall not permit foreign objects or matter to be placed into drains, toilets, or grease traps. - Ensure all are operable and free from any blockages. - Keep and maintain waste drains. - Have the Septic Tanks pumped out as required at tenants' expense.
Grease Traps	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - To be serviced and maintained under Water Corporation guidelines. - Service records to be logged and passed onto Shire.
Plumbing Fixtures including Cisterns and pans	<ul style="list-style-type: none"> - Remove any irreparable items. - Undertake capital renewal as and when determined by the Shire. - Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay (on demand) the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all fixtures.
Gas Fittings & Fixtures	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all fixtures.
ELECTRICAL AND APPLIANCES		
Air-Conditioning	<ul style="list-style-type: none"> - Capital repair or replacement. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all air-conditioning fittings & fixtures. - All maintenance and servicing of air-conditioning and mechanical services (which includes without limitation refrigeration, heating and mechanical ventilation) exclusively servicing the Premises must be carried out at the Lessee's expense and in strict accordance with manufacturer's recommendation. - The Lessee must provide to the Shire, upon request, details, and evidence of current servicing arrangements.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Oven Vents and Exhaust Fans	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean and repair when necessary. - Routine maintenance and cleaning in accordance with Department of Health guidelines.
Electrical Fittings (i.e., Plugs, Switches, Sockets, Leads, Lights, Power Points)	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all electrical fittings & fixtures. - The tenant must ensure that electrical fittings are not overloaded when in use. - Must ensure that all electrical hardware is fit for use. - Report any maintenance and high-risk issues with the Shire.
Wiring	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Gain consent from the Shire prior to any wiring or electrical work taking place. - Report any maintenance and high-risk issues with the Shire.
Appliances (i.e., fridges, toasters, freezer, stove, microwaves)	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regularly maintain and repair as required. - Repair or replace if damage caused by misuse/ internal vandalism.
Cool Room Units	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regular Service and Maintenance by a suitably qualified contractor. - Repair, replace if damage caused by misuse/ internal vandalism.
PREMISES EXTERIOR AND SURROUNDS		
Roof (including leaks, broken tiles etc.)	<ul style="list-style-type: none"> - Repair any structural damage to roof and clean roofs as required. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire. - Reimburse the Shire for repairs for any damage to the roof (structural or otherwise) caused by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Eaves, Gutters, and Downpipes	<ul style="list-style-type: none"> - Repair any damage to eaves, gutters, and downpipes. - If damage is caused by tenant failing to maintain the eaves, gutters or downpipes in a clean and clear condition, the tenant 	<ul style="list-style-type: none"> - Maintain eaves, gutters and downpipes in a clean and clear condition and report any damage to the Shire. - Repair any damage to the eaves, gutters or downpipes were

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
	must reimburse the Shire for the cost of replacement.	caused or contributed to by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Fencing and Gates	<ul style="list-style-type: none"> - Replacing fences and/or gates as required and determined by the Shire. - If repairs or replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Responsible for ensuring all fences and gates are cleaned, repaired, re-enforced, and maintained. - Responsible for the cost of repair if damaged due to misuse.
Garden & Surrounds	<ul style="list-style-type: none"> - Responsible for any major tree pruning and tree removal. 	<ul style="list-style-type: none"> - Responsible for the maintenance of gardens and surrounds within the perimeter of leased /licenced area to the satisfaction of the Shire. - Conduct regular mowing of grassed/green areas, fertilising, and minor pruning of plants. - Not to remove any trees or hedges without first obtaining approval from the Shire, except for urgent safety reasons.
Walkways, Footpaths, Access, Steps and Ramps	<ul style="list-style-type: none"> - Responsible for Shire verge footpaths. 	<ul style="list-style-type: none"> - Always keep clean and clear. - Report damage or trip hazards to access /walkways other than the Shire verge footpath.
Carpark	<ul style="list-style-type: none"> - Responsible for bitumen repairs, pot-hole maintenance and line marking at the Shires discretion. 	<ul style="list-style-type: none"> - Responsible for ensuring the car park is clean and clear of rubbish, trip hazards or obstructions.
Shed, Roller Doors and Garage	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Responsible for cleaning, repairs, and maintenance of such structures.
Abandoned Rubbish	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Arrange for removal of abandoned items that have been dumped on the property which will fit in the bins provided. - Report any illegal dumping of (large amounts) rubbish on premises to the Shire. - Removal of rubbish at tenants' expense.
Pollution	<ul style="list-style-type: none"> - Report to the Shire's insurer. 	<ul style="list-style-type: none"> - Do all things necessary to prevent pollution or contamination of the land by

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		garbage, refuse, waste matter, oil, or other pollutants. - Report any pollution, contamination, or suspected pollution /contamination to the land to the Shire promptly. - If remediation is required because of the tenant polluting or contaminating the land, the tenant must pay undertake and pay for all necessary remediation works to bring the land back to its condition as at the commencement date.
Bore's and Pump's	- Arrange annual inspection and determining the schedule for maintenance and repair.	- Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.
Lighting Towers	- Arrange servicing and maintenance of poles and electrical.	- Arrange and Replace Globes. - Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.
Playing Surfaces	- Repair and replace. - If repairs or replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. - At request of tenant, will submit building insurance claim on behalf of tenant.	- Always keep clean and clear. - Maintain/Cleaning regularly in accordance with use. - Notify Shire; and repair or replace if damage caused by misuse/ internal vandalism.

CATEGORY FOUR (4) GOVERNMENT AGENCIES

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Emergency Exit Lighting Systems and Emergency Doors – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure maintenance and compliance. 	<ul style="list-style-type: none"> - Ensure that any faults or operational issues with the emergency/exit lighting systems in the premises are promptly reported to the Shire. - Reimburse the Shire for the cost of annual compliance inspections.
Fire Protection Equipment (e.g., Fire Extinguishers, Hoses, Smoke Alarms) – Australian Standards & DFES Requirements	<ul style="list-style-type: none"> - Arrange and pay for annual inspections of the premises to ensure compliance with FESA and DFES requirements. 	<ul style="list-style-type: none"> - Ensure that any use or operational issues with the fire protection equipment in the premises are promptly reported to the Shire. - Reimburse the Shire for the cost of annual compliance service. - Liaise with Shire contractors to allow access to conduct works.
RCD protections, tagging electrical equipment - OSH Requirements	<ul style="list-style-type: none"> - At its cost, ensure that all RCDs are repaired and maintained in accordance with the relevant legislation. - Arrange annual compliance testing and tagging on behalf of tenant. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual testing and tagging.
Pest & Vermin Control	<ul style="list-style-type: none"> - Arrange annual pest inspections and extermination treatment. 	<ul style="list-style-type: none"> - Endeavour to keep the premises free and clear of all rodents, rats, vermin, insects, birds, animals and other pests and report to the Shire any pest activity or required treatment. - Liaise with Shire contractors to allow access to conduct works. - Reimburse the Shire for the cost of annual pest inspection and treatments.
Termite Control	<ul style="list-style-type: none"> - Arrange and pay for annual termite inspections and extermination treatment. 	<ul style="list-style-type: none"> - Liaise with Shire contractors to allow access to conduct works.
PREMISES AND SECURITY		
Cleaning	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Ensure premises is maintained as per the Cleaning Standards.
Malicious Damage and Break-ins	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Responsible for repairs and cleaning of broken glass, windows, and doors after an act/incident of malicious damage. - Responsible for repairing and replacing any stolen goods or broken fixtures and fittings. - Report any incidents of malicious damage or break-ins to the Shire.

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Must pay any excess for a Building Insurance claim commenced by the Shire at the tenant's request.
Vandalism & Graffiti	<ul style="list-style-type: none"> - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Remove internal and external vandalism & graffiti and repair any damage caused. - Report any incidents of malicious damage or break-ins to the Shire. - Report any incidents of malicious damage or break-ins to the Shire. - Must pay any excess for a building insurance claim commenced by the Shire at the tenant's request.
Security Monitoring System, Equipment and Security Lights	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - The tenant must ensure the premises is always maintained in a secure condition. - If the tenant installs a security system in the premises, the tenant must keep the security system in good condition, pay all monitoring and service costs associated with the security system and promptly attend any call outs to the premises. - If the Shire is called upon to attend the premises or the Shire incurs expense for a call out on a Shire installed security system, the tenant must pay to the Shire on demand all costs incurred by the Shire due to that call out. - Repair and replace any Security Lighting damaged.
Locks & Keys	<ul style="list-style-type: none"> - Maintain a Master Key System. 	<ul style="list-style-type: none"> - An initial stock of keys will be issued to Lessee by Shire for operational usage. Lost or replacement keys after first stock issue will be at the tenant's expense. - Lessee to maintain a key register.
Structural Building Components	<ul style="list-style-type: none"> - Repair any structural damage. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire.
Damage caused by misuse by Tenant	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Report any damage to the Shire. - Repair or replace.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Ceiling	- Repair any structural damage to ceiling. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage.	- Clean ceilings and Eaves as required and report any structural damage to the Shire.
Walls	- Repair any structural damage to load bearing walls. If damage is caused or contributed to by the tenant or tenant's employees and visitors, the tenant will be required to reimburse the Shire for cost of repairing the damage.	- Always keep clean, dust cobwebs and report structural repairs or faults to Shire. - Any alteration or fixings to walls shall not be done without prior Shire consent.
Window, Glass Panes, Flyscreens & Security Screens	- None.	- Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Door - Frames, Hinges, Handles, Catches, Knobs etc.	- None.	- Keep items clean, operable, lockable, and firmly fixed. - Repair or replace if damage caused by misuse/ internal vandalism.
Skylights, Lighting & Globes	- None.	- Always keep clean and repair and/or replace as required. - Replace all globes, tubes and fittings (like for like) as required.
Painting	- None.	- Minor remedial painting to repair general wear and tear. - Any change of paint colour will need prior shire approval. - Approved cosmetic paint changes are 100% tenant costs - Once during the last three months of the term of the lease, repaint the interior of the premises with a minimum of two coats of good quality paint (in a colour approved by the Shire) to a tradesman like finish.
Cupboards, Blinds, Curtains, and Mirrors	- Replace as and when determined by the Shire.	- Always keep clean. - Maintain and repair items as required. - Repair, replace if damage caused by misuse/ internal vandalism.
Carpet	- None.	- Always keep clean. - Professionally cleaned at least once annually.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Repair any damage caused by wear and tear. - Replace during the last three months of the term of the lease if vacating.
Vinyl Floors	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair any damage caused by wear and tear. - Replace during the last three months of the term of the lease if vacating.
Wooden Floors	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean, maintained and repair. - Professionally cleaned at least once annually. - Sealing and Polishing during the last three months of the term of the lease if vacating.
Tiled Floors	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair any damage caused by wear and tear. - Strip and seal during the last three months of the term of the lease if vacating.
Concrete Floors	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean. - Professionally cleaned at least once annually. - Repair or replace if damage caused by misuse/ internal vandalism.
PLUMBING		
Plumbing, Drains, Sewer Pumps & Septic and Leach Drains	<ul style="list-style-type: none"> - Remove any irreparable items. Undertake capital renewal as and when determined by the Shire. Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay (on demand) the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean any plumbing. - Tenant shall not permit foreign objects or matter to be placed into drains, toilets, or grease traps. - Ensure all are operable and free from any blockages. - Keep and maintain waste drains. - Have the Septic Tanks pumped out as required at tenants' expense.
Grease Traps	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - To be serviced and maintained under Water Corporation guidelines. Service records to be logged and passed onto Shire.

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Plumbing Fixtures including Cisterns and pans	<ul style="list-style-type: none"> - Remove any irreparable items. Undertake capital renewal as and when determined by the Shire. Where the Shire undertakes works or repairs to clear blockages which have occurred because of the neglect, misuse or default of the tenant, the tenant must pay (on demand) the Shire's costs of undertaking those works. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all fixtures.
Gas Fittings & Fixtures	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all fixtures.
ELECTRICAL AND APPLIANCES		
Air-Conditioning	<ul style="list-style-type: none"> - Capital repair or replacement. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair and clean all air-conditioning fittings & fixtures. - All maintenance and servicing of air-conditioning and mechanical services (which includes without limitation refrigeration, heating and mechanical ventilation) exclusively servicing the premises must be carried out at the Lessee's expense and in strict accordance with manufacturer's recommendation. - The Lessee must provide to the Shire, upon request, details, and evidence of current servicing arrangements.
Oven Vents and Exhaust Fans	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Always keep clean and repair when necessary. - Routine maintenance and cleaning in accordance with Department of Health guidelines.
Electrical Fittings (i.e., Plugs, Switches, Sockets, Leads, Lights, Power Points)	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Shall maintain, replace, repair, and clean all electrical fittings & fixtures. - The tenant must ensure that electrical fittings are not overloaded when in use. - Must ensure that all electrical hardware is fit for use. - Report any maintenance and high-risk issues with the Shire.
Wiring	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Gain consent from the Shire prior to any wiring or electrical work taking place.

SCHEDULE OF MAINTENANCE		
MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Report any maintenance and high-risk issues with the Shire.
Appliances (i.e., fridges, toasters, freezer, stove, microwaves)	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regularly maintain and repair as required. - Repair or replace if damage caused by misuse/ internal vandalism.
Cool Room Units	<ul style="list-style-type: none"> - Replace irreparable items at the discretion of the Shire. - If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Always keep clean. - Keep items operable. - Regular Service and Maintenance by a suitably qualified contractor. - Repair, replace if damage caused by misuse/ internal vandalism.
PREMISES EXTERIOR AND SURROUNDS		
Roof (including leaks, broken tiles etc.)	<ul style="list-style-type: none"> - Repair any structural damage to roof and clean roofs as required. If replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Report any structural damage to the Shire. - Reimburse the Shire for repairs for any damage to the roof (structural or otherwise) caused by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Eaves, Gutters, and Downpipes	<ul style="list-style-type: none"> - Repair any damage to eaves, gutters, and downpipes. If damage is caused by tenant failing to maintain the eaves, gutters or downpipes in a clean and clear condition, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Maintain eaves, gutters and downpipes in a clean and clear condition and report any damage to the Shire. - Repair any damage to the eaves, gutters or downpipes were caused or contributed to by the tenant or its failure to maintain the eaves, gutters, and downpipes in a clean and clear condition.
Fencing and Gates	<ul style="list-style-type: none"> - Replacing fences and/or gates as required and determined by the Shire. - If repairs or replacement is caused by misuse/negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. 	<ul style="list-style-type: none"> - Responsible for ensuring all fences and gates are cleaned, repaired, re-enforced, and maintained. - Responsible for the cost of repair if damaged due to misuse.
Garden & Surrounds	<ul style="list-style-type: none"> - Responsible for any major tree pruning and tree removal. 	<ul style="list-style-type: none"> - Responsible for the maintenance of gardens and surrounds within the perimeter of leased/licenced area to the satisfaction of the Shire.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
		<ul style="list-style-type: none"> - Conduct regular mowing of grassed/green areas, fertilising and minor pruning of plants. - Not to remove any trees or hedges without first obtaining approval from the Shire, except for urgent safety reasons.
Walkways, Footpaths, Access, Steps and Ramps	<ul style="list-style-type: none"> - Responsible for Shire verge footpaths. 	<ul style="list-style-type: none"> - Always keep clean and clear. - Report damage or trip hazards to access/walkways other than the Shire verge footpath.
Carpark	<ul style="list-style-type: none"> - Responsible for bitumen repairs, pot-hole maintenance and line marking at the Shires discretion. 	<ul style="list-style-type: none"> - Responsible for ensuring the car park is clean and clear of rubbish, trip hazards or obstructions. - Reimburse the Shire for car park line marking as required.
Shed, Roller Doors and Garage	<ul style="list-style-type: none"> - Replace as and when determined by the Shire. 	<ul style="list-style-type: none"> - Responsible for cleaning, repairs, replacement, and maintenance of such structures.
Abandoned Rubbish	<ul style="list-style-type: none"> - None. 	<ul style="list-style-type: none"> - Arrange for removal of abandoned items that have been dumped on the property which will fit in the bins provided. - Report any illegal dumping of (large amounts) rubbish on premises to the Shire. Removal of rubbish at tenants' expense.
Pollution	<ul style="list-style-type: none"> - Report to the Shire's insurer. 	<ul style="list-style-type: none"> - Do all things necessary to prevent pollution or contamination of the land by garbage, refuse, waste matter, oil, or other pollutants. - Report any pollution, contamination, or suspected pollution/contamination to the land to the Shire promptly. - If remediation is required because of the tenant polluting or contaminating the land, the tenant must pay undertake and pay for all necessary remediation works to bring the land back to its condition as at the commencement date.
Bore's and Pump's	<ul style="list-style-type: none"> - Arrange annual inspection and determining the schedule for maintenance and repair. 	<ul style="list-style-type: none"> - Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.

SCHEDULE OF MAINTENANCE

MAINTENANCE ITEM	SHIRE'S OBLIGATIONS	TENANT OBLIGATIONS
Lighting Towers	<ul style="list-style-type: none"> - Arrange servicing and maintenance of poles and electrical. 	<ul style="list-style-type: none"> - Arrange and Replace Globes. - Report any maintenance to the Shire. - Responsible for the cost of repair if damaged due to misuse. - Liaise with Shire contractors to allow access to conduct servicing.
Playing Surfaces	<ul style="list-style-type: none"> - Repair and replace. If repairs or replacement is caused by misuse /negligence of tenant, the tenant must reimburse the Shire for the cost of replacement. - At request of tenant, will submit building insurance claim on behalf of tenant. 	<ul style="list-style-type: none"> - Always keep clean and clear. - Maintain/Cleaning regularly in accordance with use. - Notify Shire; and repair or replace if damage caused by misuse/ internal vandalism.

APPENDIX A



ANNUAL COMMUNITY GROUP HEALTH CHECK Property Management Framework

COMMUNITY GROUP DETAILS

Group Name			
Postal Address			
Street Address			
Incorporation Number		Incorporation Date	
ABN		Group operation (<i>in years</i>)	
Website Address			
Facebook Details			
Date of AGM (Approx.)			

OPERATIONAL DETAILS

What is the main activity of your group? (*e.g. Playgroup, Sporting Group -Tennis, Community Garden*)

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Is your group incorporated?	Yes	☐	No	☐
Is your group registered for GST?	Yes	☐	No	☐
Does your group have paid workers?	Yes	☐	No	☐
Is your group affiliated with any State or National Associations/ peak body?	Yes	☐	No	☐

If yes, please list the peak bodies with which your group is affiliated.

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Does your Group have a Liquor Licence?	Yes	☐	No	☐
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EXECUTIVE COMMITTEE MEMBERS

President Name	
Secretary Name	
Treasurer Name	

COMMUNITY GROUP CONTACTS			
Primary Contact Name			
Email		Phone	
Secondary Contact Name			
Email		Phone	
MEMBERSHIP NUMBERS			
<i>What were your membership numbers last year?</i>			
Junior Males			
Junior Females			
Total Juniors			
Senior Males			
Senior Females			
Total Seniors			
Social Members*			
Total Members			
<i>*Social members are those that have a membership with the group that is not for competition/ participation purposes, but more for supporters of the community group.</i>			
What percentage of your members reside within the Shire of Donnybrook Balingup? **			%
<i>**Please note that your group is required to submit a detailed breakdown of membership (including postcodes) with your Health Check.</i>			
COMMITTEE MANAGEMENT			
<i>What steps do you take to manage your committee effectively?</i>			
1. Does your community group have role descriptions for committee positions?	Yes	☐	No ☐
2. Does your group use resource's such as information packs and templates to assist committee members to carry out their duties?	Yes	☐	No ☐
3. Does your group meet at least three (3) times a year?	Yes	☐	No ☐
4. Does your group have a succession plan for replacement of your committee?	Yes	☐	No ☐
5. Does your group mostly get enough committee members?	Yes	☐	No ☐
6. Does your community group have a constitution?	Yes	☐	No ☐

7. Does your community group have a Strategic Plan?	Yes ☐ No ☐
8. Does your group maintain at least \$20 million public liability insurance?	Yes ☐ No ☐
9. Does your group refer to its constitution in the management of the group?	Yes ☐ No ☐
10. Has your group reviewed its constitution in the last five years?	Yes ☐ No ☐
FINANCIAL MANAGEMENT	
<i>What does your group do to manage its financial resources?</i>	
1. Does your group prepare an annual budget?	Yes ☐ No ☐
2. Does your group stick to this budget, using it to make day-to-day decisions?	Yes ☐ No ☐
3. Does your committee receive regular financial reports from the group treasurer?	Yes ☐ No ☐
4. Is this regular financial report included in your minutes for your members to view?	Yes ☐ No ☐
5. Does your group prepare an annual financial report in accordance with the <i>Associations Incorporation Act 2015</i> ?	Yes ☐ No ☐
6. Do members of your community group know where to find copies of plans and policies?	Yes ☐ No ☐
7. Does your community group have formal meeting procedures?	Yes ☐ No ☐
8. Does your group have an up-to-date Risk Management Plan?	Yes ☐ No ☐
ASSOCIATIONS ACT 2015 COMPLIANCE	
<i>Does your group comply with this list of key obligations of associations under the Associations Act 2015?</i>	
1. Does your group have at least six (6) members with full voting rights?	Yes ☐ No ☐
2. Does your group hold their AGM within six months after the end of the association's financial year?	Yes ☐ No ☐
3. Are the annual accounts prepared and presented to members at each AGM?	Yes ☐ No ☐

4. Are the groups accounting records kept in such a way that true and fair accounts of the association can be prepared from time to time according to the requirements for the association's financial reporting Tier?	Yes ☐ No ☐
5. Is an up-to-date members' register maintained and made available to any member to inspect and copy on request?	Yes ☐ No ☐
6. Are a copy of the group's rules provided to each member when they join the association?	Yes ☐ No ☐
7. Are the rules of the association kept up-to-date and made available to any member to inspect and copy on request?	Yes ☐ No ☐
8. Is a list of committee members and office bearers, together with their residential, postal, business or email address maintained and made available to any member to access or copy on request?	Yes ☐ No ☐
9. Does your group retain financial records for at least seven (7) years?	Yes ☐ No ☐
10. Do your rules state the minimum number of people required for a meeting to be valid? (A quorum)	Yes ☐ No ☐
VOLUNTEER MANAGEMENT	
<i>Does your group practice effective volunteer management? (This section also applies to paid officials such as referees.)</i>	
1. Does your group mostly get enough volunteer members to meet your needs?	Yes ☐ No ☐
2. Does your group mostly get enough officials to meet your needs? E.g., referees/ coaches	Yes ☐ No ☐
3. Does the group have a formal Volunteer Management Plan which identifies volunteer needs and how your group seeks to address those needs?	Yes ☐ No ☐
4. Does your community group have volunteer protection insurance?	Yes ☐ No ☐
5. Does the group provide formal job descriptions for volunteer positions?	Yes ☐ No ☐
FINANCIAL SUSTAINABILITY	
<i>Financial Sustainability - What action does your group take to enhance its financial sustainability?</i>	
1. What are your current membership fees?	
Senior Member	\$

Junior Member	\$			
Social Member	\$			
Other Member	\$			
2. In the last financial year, what was the groups' overall income from membership fees?	\$			
3. How much of the income from the above-mentioned membership fees is paid to a peak body?	\$	or	%	
4. Do you receive an annual subsidy from a peak body or the Shire (Not including Shire grant funding)?	Yes	☐	No	☐
5. How much income was set aside for the future Development/Improvements of your group last financial year?	\$	or	%	
6. Has the group been in financial distress at any time in the last three years e.g., have trouble paying bills or affording necessary repairs, upgrades, or expenses?	Yes	☐	No	☐
7. In the last financial year did your group seek out additional income streams? <i>(Select all that apply)</i>	Yes	☐	No	☐
Sports Tourism	Yes	☐	No	☐
Events	Yes	☐	No	☐
Social Competitions	Yes	☐	No	☐
Sponsorship	Yes	☐	No	☐
Kiosk sales	Yes	☐	No	☐
Grants	Yes	☐	No	☐
Other (please specify below)	Yes	☐	No	☐
8. If you answered <u>no to all</u> the additional income streams above, please indicate why?				
☐ We don't have the recourses needed to seek additional income ☐ We don't wish to seek any additional income ☐ Our facility/building doesn't allow for us to generate additional income ☐ Other (please specify)				

ASSOCIATED DOCUMENTS CHECKLIST

Please only provide information relating to the maintenance and document checklist if you currently have a lease or licence with the Shire.

Maintenance - All maintenance has been completed in accordance with the requirements of the lease.

Membership - A list detailing the suburb of residence for your current members has been submitted.

Insurance - A copy of the Certificate of Currency for any insurance held for the club/group has been submitted.

AGM Minutes - A copy of the minutes from your last AGM.

Finances - A copy of your club/groups audited financial statements has been submitted.

Fees and Charges - The fees and charges associated with hiring your facility have been submitted.

Incorporation - A copy of the group's incorporation certificate is attached.

Liquor Licence - A copy of the groups up to date Liquor Licence.

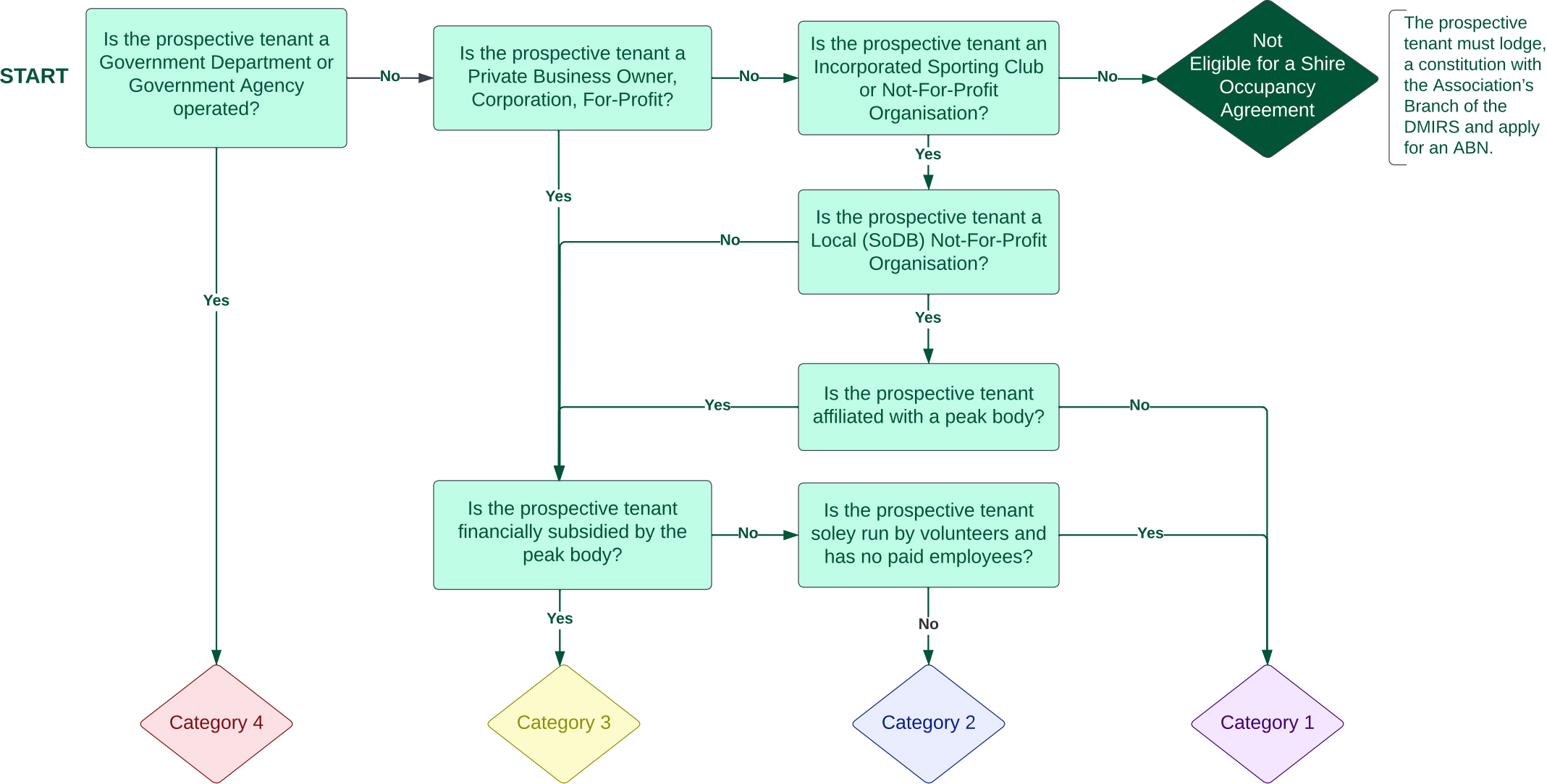
DECLARATION

I submit this Health Check and associated documents on behalf of the group. I certify that I have been authorised to prepare and submit the Health Check and that the information provided is to the best of my knowledge true and correct.

Name					Signature				
Position					Date				
SHIRE USE ONLY									
File No.	L	PRO				Synergy #			
Tenant Category	1	2	3	4	Has the tenant category changed from last year?			☐ Yes ☐ No	
Subsidy Score					Subsidy %				
Officer Signature					Date				

APPENDIX B

TENANT CATEGORY CLASSIFICATION FLOWCHART Property Management Framework



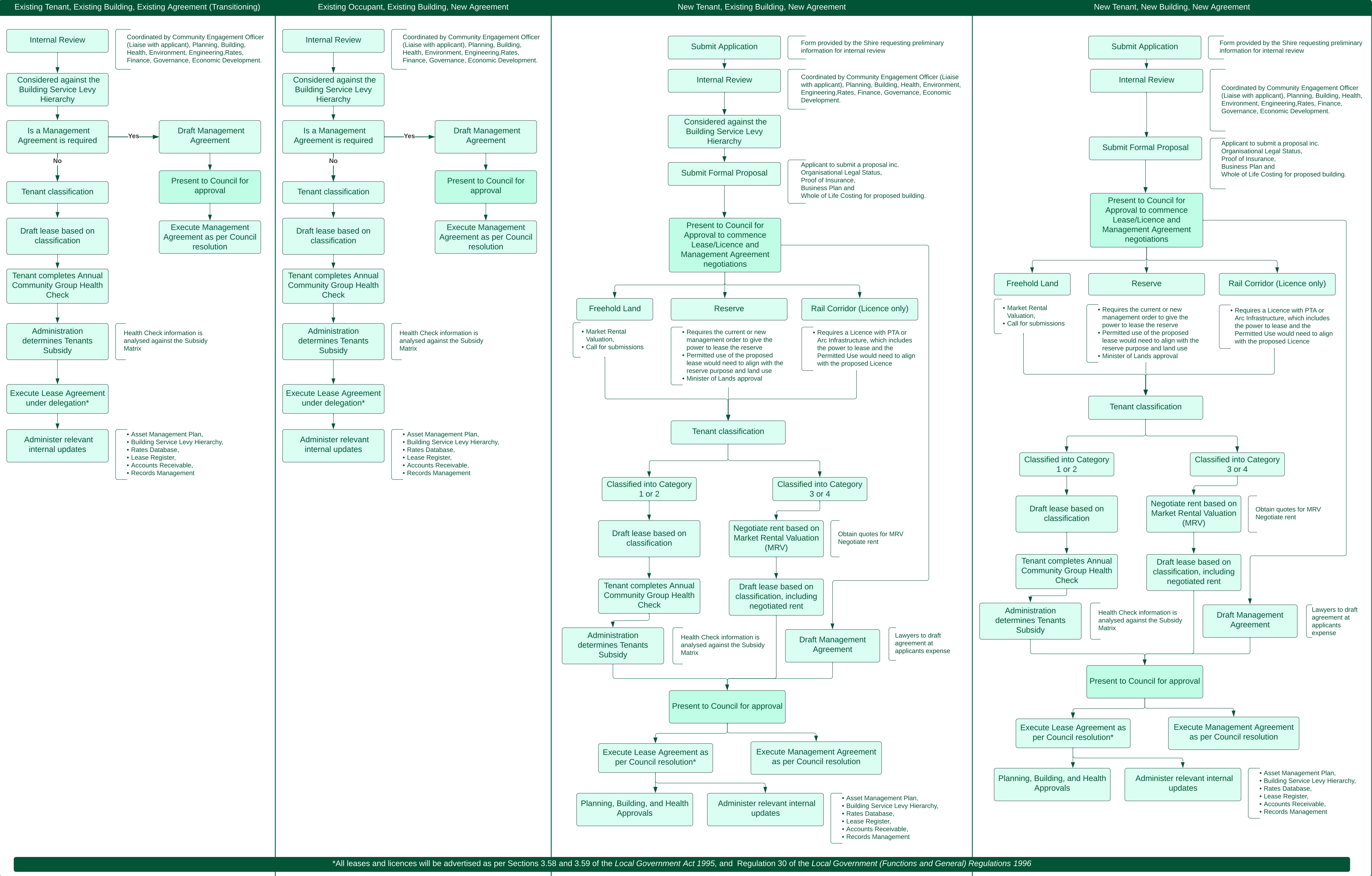
COMMUNITY BENEFIT SUBSIDY MATRIX
Property Management Framework

SUBSIDY CATEGORIES - (SELECT 1 OPTION ONLY FROM EACH CATEGORY)													
Measure	Community Benefit	Membership Numbers	Membership Locality	Committee Management	Financial Management	Compliance Associations Act	Volunteer Management	Financial Sustainability - Memberships	Financial Sustainability - Forward Planning	Financial Sustainability - Additional Income	Group Financial Sustainability	Revenue ability from facility	Multiuse of the facility
	Does the service provided by the group link into the objectives/outcomes in the Council Plan?	What size is the group's membership base?	How much of the group is located within SoDB?	How well does the group manage their committee?	How well does the group manage its financial resources?	How well does the group comply with key obligations required under the Associations Act 2015?	How is the group's volunteer management? The group meets the following requirements:	What action does the group take to enhance its financial sustainability?	In the last financial year, did the group set aside funds for future development/ improvements to benefit their group?	In the last financial year did the group seek out additional income streams?	Does the group receive financial support from peak bodies or the Shire?	Can the group make income from the facility?	Is the facility shared with another group?
	The service provided links to the objectives/outcomes in the Council Plan. (4 Points)	Large membership base (61+ Members) (4 Points)	76% to 100% (4 Points)	Answered yes to ALL (10) (4 Points)	Answered yes to ALL (8) (4 Points)	Answered yes to ALL (10) (4 Points)	<ul style="list-style-type: none">Has enough volunteers to meet group needs; andVolunteers are insured; andVolunteers have PD's for their roles; andThe group has a volunteer management plan. (4 Points)	The group demonstrates an affordable membership regime which allows for many memberships. (4 Points)	The group sets funds aside for the future development / Improvements of its club. (4 Points)	The group would like to make additional income, but doing so is out of their control. (Proof provided) (4 Points)	The group does not receive any subsidies from a peak body. (4 Points)	No limited or no ability to make income from the facility (4 Points)	Yes, for a minimum of 1 day per week (4 Points)
	The service provided does not link to the objectives/outcomes in the Council Plan, but does provide significant benefit to the broader community which is considered to reduce the burden on the Shire's budget (3 Points)	Medium sized Membership base (21 to 60 Members) (3 Points)	51% to 75% (3 Points)	Answered yes to 6 - 8 (3 Points)	Answered yes to 4 - 6 (3 Points)	Answered yes to 6 - 8 (3 Points)	<ul style="list-style-type: none">Has enough volunteers to meet group needs; andVolunteers are insured; andVolunteers have PD's for their roles. (3 Points)	The group demonstrates an expensive membership regime which limits memberships. (2 Points)	The group does not set funds aside for the future development / Improvements of its club. (0 Points)	The group actively seeks ways to make additional income. (4 Points)	The group receives an annual subsidy from a peak body or financial support from the Shire (Not including Shire grant funding). (0 Points)	Yes, minimal ways to generate income. <i>(Room hire)</i> (2 Points)	No (0 Points)
	The service provided does not link to objectives/outcomes in the Council Plan, but does provide a localised benefit to the community which is considered to reduce the burden on the Shire's budget (2 Points)	Small Membership base (0 to 20 Members) (2 Points)	26% to 50% (2 Points)	Answered yes to 3 - 5 (2 Points)	Answered yes to 3 or less (2 Points)	Answered yes to 3 - 5 (2 Points)	<ul style="list-style-type: none">Has enough volunteers to meet group needs; andVolunteers are insured. (2 Points)			The group is not actively seeking ways to make additional income, but is able to do so. (0 Points)		Yes, multiple ways to generate income. <i>(Bar, kitchen, room hire)</i> (0 Points)	
	The service provided is generally not within the field of local government, however there is a direct local community benefit. (1 Point)		Up to 25% (1 Point)	Answered yes to 2 or less (1 Point)		Answered yes to 2 or less (1 Point)	Has volunteer insurance (1 Point)						
							Has enough volunteers to meet group needs but no volunteer insurance. (0 Points)						
Score													
												Total:	0

22/23 Minimum GRV	\$	1,421.00
Maximum Subsidy		95%
Maximum Points		52

Subsidy Benefit Score	0%
Subsidy Benefit Credit	\$ -
Rent Payable	\$ 1,421.00

OCCUPANCY AGREEMENT PROCESS
Property Management Framework



From: South West Region Planning Services [REDACTED]
Sent: Wednesday, 7 October 2026 4:27 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Endorsed Draft Reply - SAT Condition [PLR#0226-0007] Development Application - P25071 - Pine Plantation - Lot 3711 & 3734 (3543) Donnybrook-Boyup Brook Road, Noggerup - Due 06.10.2026

⚠ CAUTION: This email originated from outside the Shire of Donnybrook Balingup. Do NOT click links or open attachments unless you recognise the sender and know the content is safe. Do NOT enter any username or passwords and always report suspicious content using the Report button in Outlook.

OFFICIAL

Hi [REDACTED]

I refer to further discussion with the Shire and advise that the existing access, which is a legacy situation, does not meet current road safety access guidelines with respect to vehicle sightlines (SISD). The guidelines are based on the speed zone of the road and reaction times, which for the current 110km/hr zoning of Donnybrook-Kojonup Road has a recommended distance of 300m and a minimum of 285m (per Table 3.2 below, from Main Roads Supplement to the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections)

Design Speed (km/h)		Based on Safe Intersection Sight Distance for cars ¹ $h_1 = 1.1, h_2 = 1.25^5, d = 0.36^2$			
		$R_T = 2.0s^4$		$R_T = 2.5s^4$	
		SISD(m)	K	SISD(m)	K
40		73	5.7	79	6.6
50		97	10.0	104	11.5
60		123	16.0	131	18.3
70		151	24.2	161	27.4
80		181	34.9	192	39.3
90		214	48.6	226	54.4
100		248	65.6	262	73.2
110		285	86.6	300	96.1
Minimum SISD capability provided by the crest vertical curve size ³	Truck	$d = 0.29, h_1 = 2.4m, h_2 = 1.25m^5, \text{observation time} = 3.0s$			

Table 3.2: Safe Intersection Sight Distance (SISD) and corresponding minimum crest vertical curve size for sealed roads ($S < L$)

Further to this, Main Roads Driveways policy is clear that any existing non-conforming driveway may be retained (a LG or Government Agency cannot retrospectively require compliance with a new policy from a regulatory/governance perspective without a change in operational conditions), however, will be reassessed in accordance with the policy in the event of a material change in land use or requests for access modification. In this case, the proposal constitutes a change in land use and land use intensification, hence the existing access is required to be assessed against the current access standards. It is important to note that locating and developing a compliant access as part of the proposal will also address the long term access requirements for the property, irrespective of the proposed land use/development.

Regarding the suggested new crossover location within a parking bay, Main Roads does not support this in principle as it is a parking bay which could constraint access to the property generally and it may not necessarily represent a safer location to access the state road network. A preliminary desktop assessment indicates that the western boundary of Lot 3711 could potentially offer sufficient sightlines and not create additional conflict points with the parking bay. This aspect, however, needs to be verified on the network location.



Also, as discussed, Main Roads would be recommending that the proposal be subject to a Harvest Management Plan condition, which outlines traffic demands to be generated by the harvesting program, including total number of vehicle movements in and out of the property, to ascertain whether the harvest carting campaign(s) may need to occur under traffic management conditions, if necessary.

Please contact [REDACTED] should you require any further assistance on the matter.

Regards,

South West Region Planning Services

[REDACTED]



Main Roads acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

