Shire of Dardanup

UNCONFIRMED

MINUTES

FOR THE

ORDINARY COUNCIL MEETING

HELD

Wednesday, 28th October 2026

AT

ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [emailed]
Upon request.

Shire of Dardanup

VISION STATEMENT

"The Shire of Dardanup is a healthy, self-sufficient and sustainable community, that is connected and inclusive, and where our culture and innovation are celebrated."

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council e.g. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

DISCLAIMER

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

RISK ASSESSMENT

Inherent Risk	The level of risk in place in order to achieve the objectives of the Council and before actions are taken to alter the risk's impact or likelihood.
Residual Risk	The remaining level of risk following the development and implementation of Council's response.
Strategic Context	These risks are associated with achieving Council's long term objectives.
Operational Context	These risks are associated with the day-to-day activities of the Council.
Project Context	Project risk has two main components: • Direct refers to the risks that may arise as a result of project, which may prevent the Council from meeting its objectives. • Indirect refers to the risks which threaten the delivery of project outcomes.

SHIRE OF DARDANUP

MINUTES FOR THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 28th OCTOBER 2026, AT THE ADMINISTRATION CENTRE EATON, 1 COUNCIL DRIVE, EATON AT 5:00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding Member declared the meeting open at 5:00pm, welcomed those in attendance and referred to the Disclaimer, Acknowledgement of Country, Emergency Procedure and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

Acknowledgement of Country

The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region and pay our respects to their elders, past, present and emerging. The Shire of Dardanup also respects and celebrates all cultures of all our residents and visitors to our Shire.

Emergency Procedure

In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, you will be directed to an appropriate Assembly Area where we will meet (and complete a roll call).

Affirmation of Civic Duty and Responsibility

Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

Recording of Meetings

In accordance with Section 5.23A of the Local Government Act 1995, and Part 2A of the Local Government (Administration) Regulations 1996, video or audio recordings of Council meetings apply to all Ordinary and Special Council Meetings of the Shire of Dardanup.

All recordings will be retained as part of the Shire of Dardanup records and will be made available to the public via the Shire of Dardanup Website, excluding recordings of matters that Council take Behind Closed Doors.

Note: The Presiding Member advised that Ms Jodie Hanns MLA would be making a presentation and invited her to address Council from the gallery.

Discussion: Ms Jodie Hanns MLA presented a framed cheque for $2.09M from Lotterywest to support the Burekup Community and Sporting Precinct Stage 2 update. The Shire President thanked Ms Hanns for her support.

Ms Hanns congratulated Council on the project and reflected on the community celebration held two weeks earlier to officially announce the Lotterywest funding. The event was attended by representatives of the Burekup Cricket Club, Burekup Country Club, the Youth Advisory Council, River Valley Primary School and members of the public.

s Hanns emphasised the importance of investing in smaller communities and expressed her excitement at seeing Stage 2 of the Burekup Precinct project progress. She also highlighted her contribution in 2025 towards the cricket club's net upgrade as an example of how local government can work collaboratively with State and Federal Governments to deliver community outcomes.

- *Ms Hanns thanked Council for its support of these initiatives and expressed her interest in continuing to identify future funding opportunities for projects that benefit the local community.*

Note: Director Community and Economic Development, Mr Craig Johnson, left the room at 5:09pm. Ms Jodie Hanns MLA left the meeting 5:09pm and did not return.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Cr Tyrrel G Gardiner	-	Shire President
Cr Stacey L Gillespie	-	Deputy Shire President
Cr Bradley S Farrant	-	Elected Member
Cr Luke W Davies	-	Elected Member
Cr Mark R Hutchinson	-	Elected Member
Cr Anthony C Jenour	-	Elected Member [via Teams]
Cr Krystal A Laurentsch	-	Elected Member [via Teams]
Cr Annette L Webster	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mrs Natalie Hopkins	-	Director Corporate and Governance
Mr André van der Merwe	-	Acting Director Infrastructure
Mr Craig Johnson	-	Director Community and Economic Development
Mrs Susan Oosthuizen	-	Director Development Services
Mr Shaun Hill	-	Manager Information Services
Mrs Donna Bailye	-	Manager Governance
Ms Rachel Sweeney	-	Manager Assets
Mr Nigel Lyon	-	Acting Manager Operations
Ms Eliza-Jane Jacques	-	Coordinator of Environment and Waste [via Teams]
Mrs Lily Webb	-	Executive Support Officer
Ms Jodie Hanns MLA	-	Parliamentary Secretary to the Minister for Energy and Decarbonisation; Manufacturing; Skills and TAFE; Pilbara; Minister Assisting the Minister for Defence Industries

2.2 Apologies

Mr Theo Naudé	-	Director Infrastructure

Note: Mr Craig Johnson returned to the meeting at 5:09pm

2.3 Leave of Absence

Cr Ruby J Trevathan - Elected Member [Res: 222-26]

2.4 Previous Meetings

DATE	TYPE	CR. L W DAVIES	CR. B S FARRANT	CR. T G GARDINER	CR. S L GILLESPIE	CR. M R HUTCHINSON	CR. A C JENOUR	CR. K A LAURENTSCH	CR. R J TREVATHAN	CR. A L WEBSTER
JULY 2026										
01/07/2026	CF	✓	✓	✓	Ap	✓	✓	✓	✓	Ap
08/07/2026	WS	NA	✓	✓	✓	✓	Ap	✓	✓	NA
15/07/2026	AF	✓	✓	✓	✓	✓	Ap	✓	✓	✓
22/07/2026	OCM	✓	✓	✓	✓	✓	✓R	✓	✓	✓
AUGUST 2026										
05/08/2026	CF	✓	✓	✓	✓	✓	✓R	✓	✓	NA
12/08/2026	WS	✓	✓	✓	✓	✓	✓	✓	✓	✓
19/08/2026	AF	✓	✓	✓	✓	✓	✓R	✓	✓	NA
26/08/2026	OCM	✓	✓	✓	✓R	✓	✓	✓	✓	✓
SEPTEMBER 2026										
02/09/2026	CF	NA	Ap	✓	✓	✓	✓	✓	Ap	✓
09/09/2026	WS	NA	Ap	✓	✓	✓	Ap	✓	✓	✓
15/09/2026	AF	Ap	Ap	✓	✓	✓	✓	✓	✓	Ap
23/09/2026	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
OCTOBER 2026										
07/10/2026	CF	✓	✓	✓	✓	✓R	✓	✓	✓	✓
14/07/2026	WS	✓	✓	Ap	✓	✓	Ap	✓	LoA	Ap
21/10/2026	AF	NA	✓	✓	Ap	✓	✓	✓	LoA	Ap

TYPE LEGEND	
AF	Agenda Forum
CF	Concept Forum
OCM	Ordinary Council Meeting
SCM	Special Council Meeting
WS	Workshop

ATTENDANCE LEGEND	
✓	Attendance
✓R	Remote Attendance
Ap	Apology
LoA	Leave of Absence
NA	Non Attendance

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Ms Annette Webster - CCTV and Security

At the Ordinary Council Meeting held on the 23rd September 2026, Cr A L Webster, speaking as a member of the public, asked the following question regarding CCTV and Security in the Shire of Dardanup which was taken on notice to obtain a response:

Question

Could the Shire apply for grant funding, if and when available, to increase security measures, including the installation of CCTV cameras, particularly in light of the ongoing expansion and development of the Eaton Fair Shopping Centre and at major intersections?

Response by the Chief Executive Officer on 23rd September 2026

> *The Shire is eligible to investigate relevant grant funding opportunities for CCTV and other security initiatives. The Council Plan includes actions relating to CCTV programs, and the Shire will investigate available funding opportunities and potential locations, including the shopping centre precinct and major intersections.*
>
> *The Chief Executive Officer took the question on notice and advised that a further response would be provided.*

Further response from the Manager Community Development and Manager Information Services:

> Two actions are currently included within the Corporate Performance Report. These actions relate to undertaking an audit of CCTV cameras across business and public locations to identify coverage gaps and investigating opportunities to establish a shared CCTV network with local businesses. Both actions are scheduled to commence following completion of the City Gate development (Eaton Fair) and are currently on hold pending that project's completion.
>
> The Shire currently operates CCTV at the Eaton Recreation Centre, the Depot, the Make-It Space, the Administration Building and its immediate surrounds, including the skate park and Council Drive. The actions above are intended to provide a better understanding of existing CCTV coverage, identify any gaps, and explore opportunities for broader collaboration with local businesses and stakeholders once Eaton Fair redevelopment has finished.
>
> Once the Eaton Fair redevelopment is complete, it is anticipated that further discussions will occur between Information Services, Community Development, WA Police and other key stakeholders, including City Gate/Eaton Fair, to determine any future CCTV opportunities and priorities within the precinct.
>
> The Shire is able to investigate grant funding opportunities as they become available; however, many grant programs require a matching financial contribution from Council. The 2026-27 budget includes funding for new and upgraded CCTV at Shire facilities. However, no funding has been allocated for CCTV in public spaces within the Eaton Fair precinct or at major intersections pending the outcome of the audit and investigations. In addition to any capital costs, the Shire is responsible for the ongoing costs associated with storage, maintenance and eventual replacement of CCTV infrastructure.
>
> The audit and stakeholder engagement process will assist in identifying coverage gaps, assessing opportunities for collaboration with local businesses and stakeholders, and determining CCTV priorities within the precinct. Based on the outcome of this work, Council

will be in a better position to determine future CCTV priorities, funding requirements and any grant opportunities that may be appropriate to pursue.

4 PUBLIC QUESTION TIME

None.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Council Meeting Held on the 23rd September 2026

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

239-26 MOVED: Cr M R Hutchinson SECONDED: Cr SL Gillespie

THAT the Minutes of the Ordinary Meeting of Council held on the 23rd September 2026 be confirmed as true and correct.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Shire President Monthly Report

Reporting Department	*Elected Members*
Elected Member	*Cr Tyrrell G Gardiner – Shire President*

Participation in various meetings, conferences, and events since my last report to the Council.

Event:	**24/9/2026 Bunbury Geographe Economic Alliance (BGEA)**
Report:	Regular Board meeting of BGEA. Discussions by Board members from industry and local government membership on Bunbury Geographe industry opportunities, synergies, and potential disruptions to growth in the region.
Event:	**25/9/2026 SWALGA Zone Strategy Discussion**
Report:	Online meeting of Mayors and Presidents from the South West Zone regarding a strategic approach to Zone Priorities and Advocacy.
Event:	**1/10/2026 Tronox Spring Out Festival Lotterywest Grant**
Report:	Received a Lotterywest cheque for $15,000 from Jodie Hanns MLA to facilitate the Spring Out Community Event to be held on 1st November at the Eaton Foreshore.
Event:	**1/10/2026 Citizenship Ceremony Eaton Sports Pavillion**
Report:	Conferred citizenship on 16 excited and happy new Australians. Assistance with the ceremony was provided by Jodie Hanns MLA.
Event:	**7/10/2026 Hexion Site Visit**
Report:	Along with Councillors Farrant and Webster and the CEO, toured the Hexion Australia plant in the Moore Road Timber Precinct. Learned about the production processes taking place and how Hexion fits into associated products manufactured nearby. Tour of the recent expansion and how production supports Western Australian industry, particularly urea production in the Pilbara.
Event:	**7/10/2026 Bridge Opening Wellington Weir**
Report:	Along with CEO Andre Schonfeldt, attended the opening of the newly constructed bridge at the base of the Wellington Weir by Minister for Water Daniel Pastorelli and Water Corporation. The new bridge replaces the old single-lane crossing with a two-lane bridge to support increased tourist movement through the area and a walkway to safely view the mural on the dam wall.
Event:	**12/10/2026 Author Talk in the Library**
Report:	Introduced and heard from best-selling Australian author Fiona McArthur on her life and inspirations for the material used to create her popular books, in particular her recent release, *The Featherwood Beekeeper.*

Event:	**16/10/2026 Burekup Community and Sporting Precinct Grant from Lotterywest**
Report:	Along with Cr Hutchinson, the CEO and Community and Communication staff, attended with members of the Burekup Country Club, Burekup Cricket Club, Youth Advisory Council, and staff and students from River Valley Primary School. Received a commitment from a Lotterywest representative and Jodie Hanns MLA for a $2.09 million contribution to deliver a skate park, pump track, playground, nature play area, and other components of the Burekup upgrade. A big thank you to Lotterywest for its assistance in delivering community facilities.
Event:	**17/10/2026 Burekup Volunteer Bushfire Brigade 70 year Celebration**
Report:	Dinner to recognise the 70-year history of the volunteers who have served both locally and out of area, the evolution of the equipment used, and medal presentations to current members. Cr Laurentsch joined in acknowledging the brigade members and the work they do.
Event:	**18/10/2026 South West Academy of Sport**
Report:	Cr Gillespie attended the annual awards night for high-level young sportspeople. Overall Sports Star of the Year congratulations go to Burekup cyclist Connor Wright.
Event:	**22/10/2026 Eaton Community College Year 12 Graduation**
Report:	End of secondary school for the 2026 graduates at ECC. Congratulations to this year's cohort on completing their high school years.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Bunbury & Districts Softball Association – Annual Financial Report Business Plan & Key Actions 2026-2029 & Three Year Budget Est 2026-2029

9.2 Enterprise Resource Planning (ERP) Software Replacement Program – Quarterly Update Report – September 2026

It is recommended that Council go Behind Closed Doors toward the end of the meeting in accordance with Shire of Dardanup Standing Orders & *Local Government Act 1995,* section 5.23.

Standing Order and the *Local Government Act 1995* provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

Section 5.23 (1) The following are to be open to members of the public —
(a) all Council meetings;
(b) all meetings of any committee.

(2) Despite subsection (1), if any of the following matters is to be dealt with at a meeting, the council or committee must close the meeting to members of the public to the extent necessary to ensure that the matter is dealt with at the meeting on a confidential basis —
(a) a matter that a committee of a House of Parliament, or a joint committee of both Houses, has advised the local government must be dealt with on a confidential basis;
(b) a matter relating to the recruitment or employment of the CEO or a senior employee, including the following —
(i) the termination of employment;
(ii) a review of performance under section 5.38;
(c) a prescribed matter;

(d) a matter that is the subject of a direction given under section 5.23AA(1).

(3) Despite subsection (1), the council or committee must close a meeting to members of the public to the extent necessary to ensure compliance with a requirement (however formulated) —
(a) that is imposed under a written law, excluding this Act and local laws; and
(b) that prohibits or restricts the making public of information.

(4) Despite subsection (1), if any of the following information is to be dealt with at a meeting, the council or committee may close the meeting to members of the public to the extent necessary to ensure that the information is dealt with at the meeting on a confidential basis —
(a) legal advice, or other information, over which the local government holds legal professional privilege;
(b) information relating to the personal affairs of an individual;
(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) a tendered methodology for calculating a price;
(d) information contained 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;
(e) information the making public of which would be likely to endanger the security (including cyber-security) of any of the local government's property or operations;
(f) information the making public of which would be likely to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
(g) prescribed information;
(h) information that is the subject of a direction given under section 5.23AA(2).

Note: 16.1 & 16.2 - The meeting would go behind closed doors toward the end of the meeting to discuss matters that fall within the provisions of Section 5.23 of the Local Government Act 1995, requiring or permitting the meeting to be closed to ensure the information is dealt with on a confidential basis.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Key Management Personnel (which includes Elected Members, CEO and Directors) are reminded of their requirement to disclose biannually transactions between Council and related parties in accordance with Council Policy CnG CP039.

Note: Chairperson to ask Councillors and Staff if there are any Declarations of Interest to be declared.

- ~~*Shire President, Cr Tyrrell G Gardiner, declared a Proximity Interest in Item '12.3.1 Ferguson Valley Public Art Trail' as the owner of property on Henty Road, Burekup nearby location 4.*~~

Note: Shire President, Cr Tyrrell G Gardiner, advised that their previously declared interest in item '12.3.1 Ferguson Valley Public Art Trail', as listed in the agenda, was withdrawn as the report item is conceptual.

- *Acting Director Infrastructure, Mr André van der Merwe, declared an Impartiality Interest in item '16.1 Bunbury & Districts Softball Association – Annual Financial Report Business Plan & Key Actions 2026-2029 & Three Year Budget Est 2026-2029' as his daughter is a member of the Bunbury & Districts Softball Association.*

- *Director Corporate and Governance, Mrs Natalie Hopkins, declared an Impartiality Interest in item '16.2 Enterprise Resource Planning (ERP) Software Replacement Program – Quarterly Update Report – September 2026' as a member of the ReadyTech User Group Committee.*

- *Cr Luke W Davies declared an Impartiality Interest in item '12.3.2 Burekup Community and Sporting Precinct – Stage 2 Update' as his sister is a captain of the Burekup Women's Cricket Club.*

- *Cr Anthony C Jenour declared an Impartiality Interest in item '12.3.2 Burekup Community and Sporting Precinct – Stage 2 Update' as his son plays cricket for the Burekup Cricket Club.*

- *Shire President, Cr Tyrrell G Gardiner, declared an Impartiality Interest in item '12.3.2 Burekup Community and Sporting Precinct – Stage 2 Update' as a member of the Burekup Country Club, and as his partner is an office bearer.*

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 EXECUTIVE REPORTS

12.1.1 Workforce Plan FY26 Update

Reporting Department	*Executive*
Responsible Officer	*Mr André Schönfeldt – Chief Executive Officer*
Reporting Officer	*Mrs Kristy Burden – Manager Human Resources*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.1.1A – Risk Assessment*

Overview

Council endorsed the Shire of Dardanup Workforce Plan FY26 – FY35 at the Special Council Meeting on 6th May 2026 [Res: 111-26]. That report advised that the proposed Executive Management Team structure was subject to workforce consultation, and that a further report would be provided if the outcome departed materially from the endorsed structure.

Consultation is now nearing completion and the transition to the new structure has largely been made. Two elements of the Executive-level structure were not implemented as endorsed. This report explains those changes and outlines the next phase of organisational development.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

240-26 MOVED: Cr T G Gardiner SECONDED: Cr M R Hutchinson

THAT Council:

1. **Receives the update on the implementation of the organisational structure under the Shire of Dardanup Workforce Plan FY26 – FY35.**

2. **Notes the following departures from the endorsed Executive Management Team structure:**

   a. **Development Services will be led by a Director Development Services rather than an Executive Manager;**
   b. **The Executive Manager People and Performance role has not been implemented, with further consideration to occur during 2027; and**
   c. **The internal audit function reports directly to the Chief Executive Officer.**

3. **Notes that the revised structure remains within the adopted employee costs budget.**

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The endorsed Workforce Plan proposed three changes at Executive level:

- Formalising the Community and Economic Development Directorate.
- Leading Development Services through an Executive Manager model.
- Establishing an Executive Manager People and Performance.

Consultation on the Executive-level changes began after endorsement, followed by consultation on Directorate and portfolio changes.

The Workforce Plan is a key informing strategy within the Integrated Planning and Reporting Framework. The Plan supports the delivery of the Council Plan by ensuring that the Shire has the workforce capacity and capability required to meet current and future service demands.

Workforce planning is an ongoing and iterative process. This updated plan reflects a review of the Shire's workforce requirements, organisational structure, and emerging risks, and has been developed to ensure alignment between workforce resources, service delivery priorities and long-term financial sustainability.

Legal Implications

Council is responsible for the oversight of the local governments finances and resources and ensuring there is an appropriate structure in place for administering the local government. The CEO is responsible for managing the local governments administration, including human resources.

Local Government Act 1995

Section 5.2 *Administration of local governments*

The council of a local government is to ensure that there is an appropriate structure for administering the local government.

Section 2.7 *Role of council*

(1) The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.

(2) The council's governing role includes the following —
(a) overseeing the allocation of the local government's finances and resources;
(b) determining the local government's policies;
(c) planning strategically for the future of the district;
(d) determining the services and facilities to be provided by the local government in the district;
(e) selecting the CEO and reviewing the CEO's performance;

(f) providing strategic direction to the CEO.

(3) For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —
(a) the council's governing role is separate from the CEO's executive role as described in section 5.41;
(b) it is important that the council respects that separation.

(4) The council must make its decisions —
(a) on the basis of evidence, on the merits and in accordance with the law; and
(b) taking into account the local government's finances and resources.

(5) The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees.

(6) The council has the other functions given to it under this Act or any other written law.
[Section 2.7 inserted: No. 47 of 2024 s. 5.]

Section 5.41 - Role of CEO

(1) The CEO, as the local government's chief executive officer, is responsible for managing the local government's administration and operations.

(2) The CEO's executive role includes the following —
(a) causing council decisions to be implemented;
(b) managing the provision of services and facilities that the council has determined the local government is to provide in the district;
(c) determining procedures and systems for —
(i) implementing the local government's policies as determined by the council; and
(ii) otherwise managing the local government's administration and operations;
(d) being responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
(e) ensuring that records and documents of the local government are properly kept for the purposes of this Act and any other written law.

(3) The CEO is the council's principal advisor and, as such, does the following —
(a) advises, and procures advice for, the council in relation to the local government's affairs and the performance of the local government's functions;
(b) ensures that the council has the information and advice it needs to make informed and timely decisions.

(4) The CEO —
(a) liaises with the mayor or president on the local government's affairs and the performance of the local government's functions; and
(b) speaks on behalf of the local government if the mayor or president agrees.

(5) The CEO performs any other function specified or delegated by the local government or imposed under this Act or another written law as a function to be performed by the CEO.

[Section 5.41 inserted: No. 47 of 2024 s. 50.]

Council Plan

13.1 - Adopt best practice governance.
13.2 - Manage the Shire's resources responsibly.

Environment - None.

Precedents

The Workforce Plan is reviewed annually to proactively align workforce capacity and capability with the Shire's strategic priorities, service demands, and organisational direction. The report endorsing the Plan committed to a further report to Council if consultation resulted in a material departure from the endorsed structure.

Budget Implications

The structure as implemented remains within the employee costs budget in the adopted budget and Long Term Financial Plan. There is no net increase to the overall employee costs budget.

The Shire has committed to this position and remains focused on identifying efficiencies and productivity gains rather than increasing headcount wherever possible.

Budget – Whole of Life Cost

Employee costs are accounted for in the various Asset Management Plans and the 10 Year Long Term Financial Plan.

Council Policy Compliance

The Workforce Plan and associated budget is based on the principles contained in the Strategic Community Plan and Corporate Business Plan. *Policy CnG CP018 – Corporate Business Plan & Long Term Financial Plan* applies.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.1.1A) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Workforce Plan FY26 Update	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Employee costs are a significant proportion of Council's operating expenditure. The structure remains within the adopted budget.
	Service Interruption	If employee vacancies or new positions are not filled, it can impact on the level of service provided by Council to the community. The Director Development Services role is vacant while recruitment continues. Interim leadership arrangements are in place to maintain continuity.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.		
	Reputational	Difficulty attracting senior technical staff may affect service delivery and the Shire's reputation as an employer.

Officer Comment

Structure as implemented

Other than the changes outlined below, the structure has been implemented as endorsed, including the formalisation of the Community and Economic Development Directorate.

Director Development Services

The Shire has returned to a Director Development Services role, which is currently being recruited. This reflects market pressure: experienced planners are very difficult to attract, particularly at a senior level. Two recruitment attempts, at both Executive Manager and Director level, were unsuccessful, and a recruitment firm is now being engaged.

In the interim, the Development Services team is being led by Susan Oosthuizen, which has provided continuity for the team.

Getting the right person into the role matters more than filling a particular structure. The preferred outcome is a technically strong candidate with leadership capability. If this recruitment is unsuccessful, options for structuring the team differently will be reconsidered.

Executive Manager People and Performance

Following consultation, this role has not proceeded. Further consideration is needed on the scope of the role, where the strategy function best sits, and the supporting structure required for the role to deliver meaningful change. This will be revisited during 2027, once service planning has progressed and its outcomes can inform how this work is best delivered.

Internal audit

The endorsed Plan proposed aligning internal audit within the People and Performance portfolio. As that role has not proceeded, the internal audit function now reports directly to the Chief Executive Officer. This maintains its independence from financial management operations, consistent with Regulation 6 of the *Local Government (Financial Management) Regulations 1996*.

Service planning

Alongside the structural changes, the Shire has been developing service plans that identify the services it provides, both internally and to the community. Work is being realigned to the service it belongs to, so that resources are used as efficiently as possible.

Some further operational changes may result over the coming months as this work brings greater clarity to how the organisation operates. Defining services is also expected to show where there are gaps in service delivery or where resources are not optimised. This will feed into workforce planning and allow resourcing and capability to be assessed with a future-focused view.

Leadership development and performance alignment

A leadership development program is planned to begin in January 2027. It will be delivered in a sustainable way and is intended to give the whole leadership team a shared language and approach.

During this year's performance review and goal-setting cycle, the links between business-level plans and individual goals will be strengthened, so that effort is directed at the work that matters most.

Resourcing approach

Resourcing decisions are being made more strategically, with attention to the talent pipeline and active development of key employees for higher-level roles where possible.

Consultation

Workforce consultation on the proposed structure changes has been completed in line with consultation requirements. The departures outlined in this report are a direct result of that consultation and of recruitment outcomes.

Summary

The transition to the new structure has been made. With the exception of the Director Development Services appointment and a small number of minor administrative matters, implementation is complete. The People and Performance function will be considered further during 2027.

The structure, the conversations held through consultation, and the new service-centric focus set the foundation for how the Shire will work going into 2027.

END REPORT

12.2 DEVELOPMENT DIRECTORATE REPORTS

12.2.1 Local Planning Policy CP111 – Outbuildings and Sea Containers - Adoption

Reporting Department	*Development Directorate*
Responsible Officer	*Mrs Susan Oosthuizen – Director Development Services*
Reporting Officer	*Ms Lezia Ramsden – Coordinator Planning*
Legislation	*Local Government Act 1995* *Planning and Development Act (WA) 2005*
Council Role	*Legislative.*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.2.1A – CP111 – DRAFT Outbuildings and Sea Containers* *Appendix ORD: 12.2.1B – CP030 – Construction of Outbuildings in the 'Rural Residential' Zone prior to completion of a dwelling* *Appendix ORD: 12.2.1C – CP096 – Sea Containers* *Appendix ORD: 12.2.1D – Risk Assessment Tool*

Overview

It is recommended that Council initiate the readvertising of the Draft Local Planning Policy (LPP) *CP111 – Outbuildings and Sea Containers* (Appendix ORD: 12.2.1A) and retain *LPP CP030 – Construction of Outbuildings in the 'Rural Residential' Zone* prior to completion of a dwelling (Appendix ORD: 12.2.1B) and *LPP CP096 – Sea Containers* (Appendix ORD: 12.2.1C). The draft policy was advertised for public comment and no submissions were received.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

241-26 MOVED: Cr S L Gillespie SECONDED: Cr B S Farrant

THAT Council:

1. **Pursuant to clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to prepare and advertise CP111 – Draft Local Planning Policy: *Outbuildings and Sea Containers* (Appendix ORD: 12.2.1A) as a draft local planning policy as follows:**

Shire of Dardanup

POLICY NO:
Dev CP111 – LOCAL PLANNING POLICY – OUTBUILDINGS AND SEA CONTAINERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION						
History		**New**	OCM:	Res:	**Synopsis:**	Policy created. 14/08/2026
	1		OCM:	Res:	**Synopsis:**	

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

The purposes of this Policy are to:

- Provide guidance on acceptable criteria and set minimum standards with regards to proposals for outbuildings.
- Provide guidance and set acceptable criteria for outbuilding proposals to be considered prior to dwelling being substantially commenced.
- Provide guidance on the siting and development of shipping containers to ensure they do not detract from the amenity of the local area in which they are situated or affect the existing operation of the site.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015.*

3. OBJECTIVE

The objective of the policy is for Council to:

1. Establish a clear position for the construction of outbuildings on lots prior to the construction of an approved dwelling on the same lot in the following zones:
    (a) Residential;
    (b) Rural Residential;
    (c) Rural Smallholding;
    (d) Tourism;
    (e) Rural; and
    (f) Priority Agriculture zone.;
2. Regulate the use of sea containers for storage within the Shire of Dardanup to ensure that they:
    (a) are located, screened and/or colour treated to appear visually integrated with the surrounding area or builtform; and
    (b) do not result in an adverse impact on amenity or streetscape.
3. Provide certainty about what is considered minor development and to exempt such development from the need for development approval; and
4. Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
State Planning Policy 7.3 Residential Design Codes (R-Codes)
State Planning Policy 2.5 Rural Planning (SPP2.5)
State Planning Policy 3.7 Bushfire (SPP3.7)
Dev CP104 Local Planning Policy Caravans as Temporary Accommodation

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9.
It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, 2 and 3, any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not apply to sea containers which have been previously approved by Council.

6. DEFINITIONS

Outbuilding as defined by the R-codes and means an enclosed non-habitable structure that is detached from any dwelling and may include a detached garage.

R-Codes means *State Planning Policy 7.3 Residential Design Codes Volume 1* (as amended)

Residential Development means Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.

Substantially commenced means that it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the construction and installation of footings or a slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement. Where no construction is required as part of a development approval, proof that the current use has commenced has to be provided.

Scheme means the Shire of Dardanup Local Planning Scheme No 9

Agriculture—Intensive means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—

(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
(b) the establishment and operation of plant or fruit nurseries;
(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
(d) aquaculture.

Rural pursuit / hobby farm *means any premises, other than premises used for agriculture— extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household—*

(a) the rearing, agistment, stabling or training of animals;
(b) the keeping of bees;
(c) the sale of produce grown solely on the premises.

Sea Container means a re-sealable metal transportable structure, which is usually rectangular in shape, designed for the storage and transport of goods from one location to another by road, rail and sea and modified for temporary or permanent use on land.

Incidental development means any non-habitable structure, feature, or activity that associated with a Single House, not considered to be an Outbuilding, that is not located under the main roof of the Single House and/or is not attached to the Single House and serves a minor, subordinate, or supportive function to the main residential use.

7. POLICY

Outbuildings in Residential Area – In accordance with the R-Codes an outbuilding in the residential aera cannot exist independently to a dwelling as it is considered to be incidental to the dwelling use.

Outbuildings in Rural Residential, Rural Smallholding, Tourism, Rural and Priority Agricultural Zone – An outbuilding in these zones can be independent from a dwelling where it is considered to be used for a Rural Pursuit or Agricultural Purpose (Intensive or Extensive), or where it is associated with a future dwelling to be built that has a building permit approval.

The policy provision area set out in the following tables:

Table 1: Development Standards For Exempted Outbuilding
Table 2: Construction Of Outbuilding Prior To Completion Of A Dwelling
Table 3: Sea Containers: Development Approval Is Not Required For The Placement Of A Sea Container
Table 4: Sea Container: Development Approval Is Required For The Permanent Placement Of A Sea Container

TABLE 1: DEVELOPMENT STANDARDS FOR EXEMPTED OUTBUILDING	
An application for Development Approval is not required if the below criteria are met in the applicable zone.	
Zone	**Criteria**
Residential zone	Where the proposal complies with following criteria: 1) Is not attached to a dwelling; 2) Is non-habitable; 3) Collectively does not exceed a maximum floor area – 80m^2 in aggregate or 10% in aggregate of the lot site area, whichever is the lesser. 4) Does not exceed a maximum wall height (including site works and slab/pad height) of 3m. 5) Does not exceed a maximum ridge height (including site works and slab/pad height) of 4.2m. 6) Located behind the street setback. 7) Nil setback to the side and/or the rear boundary setback and 1m setback to a secondary street boundary is permitted for a maximum wall length of 9m. 8) Compliant with the relevant standards for the zone in the LPS9; 9) All stormwater including roof run off disposal is to be contained within site. 10) No required clearing of vegetation. A dwelling exists, has substantially commenced or is exempt from planning approval and will be built at the same time as the proposed outbuilding. This exemption does not apply to land within the SCA1 and SCA4 – as outlined in LPS9; and also does not apply to outbuildings which are proposed to be built before the house is substantially commenced.
Rural Residential, Rural Smallholdings and Tourism zone	Where the proposal complies with following criteria: 1) For lot area less than 3 ha - Maximum floor area – 300m^2 in aggregate or 10% in aggregate of the lot site area, whichever is the lesser; or 2) For lot area larger than 3 ha - Maximum floor area – 400m^2 aggregate or 10% in aggregate of the lot site area, whichever is the lesser. 3) Compliant with the relevant standards of the LPS9, located within an approved building envelope or outside building exclusion area. 4) All stormwater including roof run off disposal is to be contained within site 5) No required clearing of vegetation. 6) The outbuilding is incidental to a dwelling that exists, has substantially commenced or is exempt from planning approval and a building permit has been issued; or 7) The outbuilding is associated with a Rural Pursuit or Agriculture (intensive/Extensive); This exemption does not apply to land within the SCA1 and SCA4 - as outlined in LPS9; and also does not apply to outbuildings which are proposed to be built before the house has a building permit approval.
Rural and Priority Agriculture zone	Where the proposal complies with following criteria: ~~1) Buildings to be clustered with the dwelling and other outbuildings, if there are existing building on that lot.~~ 2) Compliant with the relevant standards for the zone in the LPS9. 3) No required clearing of vegetation.

	This exemption does not apply to land within the SCA1, SCA2, SCA4, SCA5 and SCA6 – as outlined in LPS9.
TABLE 2: CONSTRUCTION OF OUTBUILDING PRIOR TO COMPLETION OF A DWELLING	
This table sets out the criteria for consideration to approve an application for Development Approval and/or Building Permit application	
Zone	**Criteria**
Residential zone	Where the proposal complies with the following criteria: 1) A dwelling has substantially commenced. 2) Compliant with the relevant standards for the zone in the LPS9;
Rural Residential zone	Where the proposal for an outbuilding is associated with a dwelling and it complies with the following criteria: 1) Compliant with the relevant standards for the zone in the LPS9; 2) Building permit for a dwelling on the lot has been issued; 3) Only one (1) outbuilding prior to the completion of a dwelling may be supported; 4) The proposed outbuilding shall not be used for human habitation purposes. Temporary occupation within a caravan will be considered under *SDev CP104 Local Planning Policy Caravans as Temporary Accommodation; and*. 5) The proposed outbuilding shall not be used for any commercial or industrial use.
Rural Smallholding, Tourism Rural and Priority Agriculture zone	No conditions.

TABLE 3: SEA CONTAINER - DEVELOPMENT APPROVAL IS NOT REQUIRED FOR THE PLACEMENT OF A SEA CONTAINER	
An application for Development Approval is not required if the below criteria are met in the applicable zone.	
Zone	**Criteria**
All Zones	**Temporary uses**: A sea container for temporary use does not require Development Approval in any zone where the following criteria are met: 1) One sea container only of 20Ft (external dimension of 6.06m L × 2.44m W × 2.59m H) is placed on the lot for up to a maximum of 7 days in any 12-month period and is used solely for the loading/unloading of goods. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines; or 2) One sea container only of 20 Ft (external dimension of 6.06m L × 2.44m W × 2.59m H) is placed on a lot for up to a maximum 12 months and is used only in conjunction with building construction or subdivision works occurring, or approved to occur, on the same lot or adjoining lot. The sea container must be located wholly within the lot boundaries and must not interfere with vehicle sightlines.
Light Industry and General Industry zone	**Development Approval is exempted** where all of the following criteria a are met: 1) Sea containers must be located wholly within lot boundaries, and must be setback 10m from both front and rear boundaries, and 3m from all other boundaries; 2) The permanent placement of the sea containers on the lot may only be either one sea container of 40Ft (external standard dimension of 2.19m L × 2.44m W × 2.89m H) in size or two sea containers of 20Ft (external standard dimension of 6.06m L × 2.44m W × 2.59m H) in size. 3) Sea containers are stacked no more than two sea containers high;

	4) Sea containers are not located over drainage areas, septic tanks, or vehicle access ways; 5) No other structures are proposed to be attached to or cover the sea containers; 6) Is/are ancillary to an approved or permitted use; 7) No required clearing of vegetation; 8) Will not be used for human habitation; 9) Only be used for the purpose of storage, unless otherwise approved by Council; and 10) External appearance needs to be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable. 11) ~~Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties,~~ and ~~12) Sea containers must not be stacked more than two high.~~
TABLE 4: SEA CONTAINERS: DEVELOPMENT APPROVAL IS REQUIRED FOR THE PERMANENT PLACEMENT OF A SEA CONTAINER	
An application for Development Approval is required and assessed against the applicable Development Standards.	
Zone	**Development Standards**
~~Residential Zone~~	~~Not permitted within the Residential zone unless expressly provided for and must not be associated with a single house.~~
Within the townsite boundary	General policy position: The placement of sea containers is generally not permitted within the townsite boundary, including on land reserved under Local Planning Scheme No. 9 (LPS9) and land within the Residential zone. Notwithstanding the general policy position, Council may consider an application for development approval for the placement of a sea container on land within the Residential zone, or on other land within the townsite boundary and meets the relevant assessment criteria set out below. In determining an application, Council shall have due regard to the zoning, purpose and existing and intended use of the land, the applicable development standards, the visual impact of the sea container, the amenity of the locality and any other relevant planning considerations. Satisfaction of the assessment criteria does not guarantee approval. Council may refuse an application where the proposal is inconsistent with LPS9, the objectives of this policy or the orderly and proper planning of the locality. The following assessment criteria are met: 1. **Zoning and development standards:** The proposal complies with the applicable zoning requirements and development standards under LPS9, including any applicable requirements relating to setbacks, site coverage and other development controls. 2. **Size:** The placement of only one sea container of 20Ft in size in the Residential or Urban Development Zone (Structure Plan/Residential) or one container of 40Ft (external standard dimension of 2.19m L × 2.44m W × 2.89m H) or two containers of 20Ft (external standard dimension of 6.06m L × 2.44m W × 2.59m H) placed on other land other than residential or urban development zone (Structure Plan – Residential) within the townsite boundary. 3. **Vegetation:** The proposal does not require the clearing of existing native vegetation. 4. **Habitation:** The sea container is not to be used for human habitation.

	5. **Purpose:** The sea container is to be used solely for storage, unless another use is expressly approved by the local government as part of the development approval. 6. **Visual screening:** The sea container is to be effectively screened from view from adjoining roads, other public places and adjoining properties. 7. **Landscaping and screening:** Screening is to be provided by native vegetation comprising a range of plant sizes and growth forms, including understorey and canopy species. The screening vegetation is to provide an effective visual screen and extend to a minimum depth of 2 metres. Unless otherwise approved by the local government, the vegetation is to be planted within three months of the date of development approval and maintained thereafter to ensure the continued effectiveness of the screen. 8. **Stacking:** Sea containers are not to be stacked on top of one another. 9. **External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:** 1. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or 2. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.
Rural Residential and Rural Smallholding zone	Where the following criteria are met: 1) There must be an existing habitable dwelling on the lot and only one sea container will be supported; 2) Compliant with the relevant standards for the zone in the LPS9; 3) No required clearing of vegetation; 4) Will not be used for human habitation; 5) Only be used for the purpose of storage, unless otherwise approved by Council; 6) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties; 7) **Size:** The placement on the lot only of two sea containers of 20Ft (external dimension of 6.06m L × 2.44m W × 2.59m H) each in in size or one sea container of 40 Ft (external dimension of 2.19m L × 2.44m W × 2.59m H) in size. 8) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter; 9) Sea containers must not be stacked on top of one another; and **10) External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:** a. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or b. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.

Rural and Priority Agriculture and Tourism zone	Where the following criteria are met : 1) Compliant with the relevant standard for the zone in the LPS9; 2) No required clearing of vegetation; 3) Will not be used for human habitation; 4) Only be used for the purpose of storage, unless otherwise approved by Council; 5) Sea containers being completely screened from view from nearby roads, other public places, and adjoining properties; 6) **Size:** The placement on the lot only of four sea containers of 20Ft (External dimension of 6.06m L × 2.44m W × 2.59m H) each in in size or two sea containers of 40 Ft (external dimension of 12.19m L × 2.44m W × 2.59m H) in size. 7) Screening planting of native vegetation that comprises a range of sizes (including undergrowth and canopy vegetation), provides an effective visual screen and is a minimum 2m deep, being planted within 3 months of Development Approval, and maintained thereafter; 8) Sea containers must not be stacked on top of one another; and **9) External appearance is to enhance the development on the lot or locality and not to be detrimental to the surrounding amenity. This is to be demonstrated at the DA stage:** a. Be in good repair and painted in a uniform colour to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot as applicable; or b. The exterior of the sea container is clad in suitable materials to complement the building or built form to which it is ancillary or surrounding natural landscape features on the subject lot or the surrounding landscape, as applicable.
Note: All Zones	*Notwithstanding above, if the Shire considers that a sea container is likely to have a detrimental effect on the local amenity or has the potential to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused.*

2. Pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015,* retains:

a. *CP030 – Construction of Outbuildings in the 'Rural Residential' Zone* prior to completion of a dwelling (Appendix ORD: 12.2.1B); and
b. *CP096 – Sea Containers* (Appendix ORD: 12.2.1C).

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The Shire undertakes a biennial review of Council policies. As part of this review, it is proposed to consolidate policy provisions relating to outbuildings, sea containers and similar structures into one clear and accessible local planning policy. This approach is intended to reduce fragmented policy guidance, support consistent decision-making, improve clarity for applicants and the community, and respond to concerns that planning processes can be difficult to navigate.

The *Planning and Development (Local Planning Schemes) Regulations, 2015* provide that a local government may prepare a LPP in respect of any matter related to planning and development under the Shire of Dardanup Local Planning Scheme No. 9. Local planning policies provide guidance to applicants, developers, the community and the local government in the exercise of discretion under the Scheme.

LPP's are to be given due regard in the assessment of development applications and are identified as a matter to be considered when determining development applications under clause 67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations, 2015*.

Draft LPP's are required to be advertised for a minimum period of 21 days before Council considers final adoption. The policy was advertised as required and no submissions were received.

Legal Implications

In accordance with clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proposed local planning policies are to be advertised to the public for comment prior to adoption.

Council Plan

8.1 - Support responsible planning & development.
14.2 - Ensure equitable, inclusive and transparent engagement and decision-making.

Environment - None.

Precedents - None.

At the Ordinary Council Meeting (OCM) held on 26 August 2026, Council resolved [Res 208-26] to:

1. *Pursuant to clauses 3 and 4 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to prepare and advertise CP111 – Draft Local Planning Policy: Outbuildings and Sea Containers (Appendix ORD: 12.2.1A) as a draft local planning policy.*

2. *Amend Clause 7 of the policy as provided for in Appendix ORD 12.2.1A to read as follows:*

    - *7. POLICY*

      The policy provision area set out in the following tables:
      Table 1: Development Standards For Exempted Outbuilding
      Table 2: Construction Of Outbuilding Prior To Completion Of A Dwelling
      Table 3: Sea Container: Development Approval Is Not Required For The Placement Of A Sea Container.
      Table 4: Sea Containers: Development Approval Is Required For The Permanent Placement Of A Sea Container.

    - *And including the modification of the Table to have consistent heading which matched clause 7. Policy and a brief summary of how to use the table.*

At the OCM held on the 27 August 2025, Council resolved [Res 232-25] to:

1. *Pursuant to Schedule 2, Part 2, Clause 4(3) (b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), adopts the proposed Local Planning Policies contained within (Appendix ORD: 12.2.4B) and provided below in accordance with the Regulations; and*
    a. *SDev CP028 – Local Planning Policy – Variation to Deemed-To-Comply requirements of the R-Codes: Medium-Density Single House Development Standards [R-MD Codes].*
    b. *SDev CP030 – Local Planning Policy – Construction of Outbuildings in the Rural Residential Zone prior to Completion of a Dwelling.*
    c. *SDev CP067 – Local Planning Policy – New Roads and Upgrades – Provision for and Contributions by Developers*
    d. *SDev CP068 – Local Planning Policy – Uniform Fencing Abutting Public Land and Street Landscaping within Subdivisions – Maintenance.*
    e. *SDev CP084 – Local Planning Policy – Advertising Signage*
    f. *SDev CP092 – Local Planning Policy – Millbridge Estate – Special Provisions*
    g. *SDev CP094 – Local Planning Policy – Dardanup West/Crooked Brook Area – Provision of Foreshore Facilities Developer Contribution.*
    h. *SDev CP096 – Local Planning Policy – Sea Containers*
    i. *SDev CP099 – Local Planning Policy – Display Homes – Development Standards*
    j. *SDev CP100 - Local Planning Policy – Ancillary Dwellings, Rural Residential, Rural Small Holdings, Rural and Priority Agriculture Zones*
    k. *SDev CP102 – Local Planning Policy – 'R100' Southbank Development Guidelines*
    l. *SDev CP104 - Local Planning Policy – Caravans as Temporary Accommodation*
    m. *SDev CP502 - Local Planning Policy – Waiving and Refunding of Fees*
    n. *SDev CP503 - Local Planning Policy – Development Assessment Unit*
    o. *SDev CP513 – Strategic Water Tanks for Fire Fighting Purposes in Non-Reticulated Areas*.

2. *Pursuant to Schedule 2, Part 2, Clause 4(3) (b)(ii) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), adopts the following amended Local Planning Policy contained within (Appendix ORD: 12.2.4D) 4C) in accordance with the Regulations;*

    a. *SDEV CP091 – Local Planning Policy – Exempted Development and Land Use*

3. *Pursuant to Schedule 2, Part 2, Clause 4(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 publish notice of the adopted policies in accordance with clause 87 of the regulations.*

Council reviews its policies regularly, with the last full Policy Manual review being presented to the Ordinary Meeting of Council on the 24 October 2024 [Res: 275-24].

Consultation

The process for making, amending or revoking an LPP is detailed in Schedule 2, Part 2, cl. 4-6 of Regulations as outlined in the 'Legal Implications' section of this report and includes advertising requirements prior to adoption.

The draft policy was advertised for a minimum period of 21 days. Advertising was conducted between the 3 September 2026 to the 23 September 2026 and was advertised in the following manner:

- A copy of the draft policy was be made available on the Shire's website public noticed,
- A copy of the draft policy was be made available Shire's offices, and
- Newspaper public notice published the 3 September 2026.

No submissions were received. Further material changes has been made to the draft policy and Council is requested to initiate the readvertising of the policy for public comment for a period of 21 days.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP030 – Construction of Outbuilding in the 'Rural Residential' zone prior to completion of a dwelling
CP091 – Exempted Development and Land Use
CP096 – Sea Containers

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.2.1D) for full assessment document.

TIER 1 – No discernible Inherent Risk has been identified (no Risk Theme or Consequence).		
Report Title	CP111 - Local Planning Policy – Outbuildings and Sea Containers - Adoption	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making, reduced applicant clarity and reputational impacts for Development Services.
	Reputational	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making and a public perception that planning processes are overly complex.

Officer Comment

The Draft CP111 consolidate policy provisions relating to outbuildings, sea containers and similar structures into one clear and accessible local planning policy. This approach is intended to reduce fragmented policy guidance, support consistent decision-making, improve clarity for applicants and the community, and respond to concerns that planning processes can be difficult to navigate.

The policy was advertised as required and no submissions were received. The Draft policy is design to assist users within the various zones within the Shire. Officers has made further updates to the draft policy which is considered material in nature. The main changes are that within the townsite boundary sea containers be considered for placement on lots subject to criteria being met where this was previously prohibited. Once this has been advertised Officers will present a report to Council to adopt the policy and revoke the current policies that are in place.

Conclusion

Officers recommended that Council resolve to advertise draft *CP111 – Local Planning Policy – Outbuildings and Sea Containers* (Appendix ORD: 12.2.1A) to provide a single point of reference for applicants, the community and officers in relation to the assessment of outbuilding-related development and sea containers. Following the 21-day advertising period, any submissions received

will be reviewed and the draft policy, with any recommended modifications, will be presented to Council for final consideration and adoption. Should the draft policy be adopted, existing policies *CP030 – Construction of Outbuildings in* the 'Rural Residential' Zone prior to completion of a dwelling (Appendix ORD: 12.2.1B) and *CP096 – Sea Containers* will be revoked in accordance with clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Appendix ORD: 12.2.1C).

END REPORT

12.2.2 Local Planning Policy CP091 – Exempted Development - Adoption

Reporting Department	*Development Directorate*
Responsible Officer	*Mrs Susan Oosthuizen – Director Development Services*
Reporting Officer	*Ms Lezia Ramsden – Coordinator Planning*
Legislation	*Local Government Act 1995* *Planning and Development Act (WA) 2005*
Council Role	*Legislative*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.2.2A – CP091 – DRAFT Exempted Development* *Appendix ORD: 12.2.2B – CP091 – CURRENT Exempted Development and Land Use* *Appendix ORD: 12.2.2C – DRAFT CP111 – Outbuildings and Sea Containers* *Appendix ORD: 12.2.2D – Risk Assessment*

Overview

It is recommended that Council adopt Draft Review Local Planning Policy (LPP) *CP091 – Exempted Development* (Appendix ORD: 12.2.1A). The draft policy was advertised for public comment and no submissions were received.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

242-26 MOVED: Cr S L Gillespie SECONDED: Cr M R Hutchinson

THAT Council:

1. **Pursuant to Schedule 2, Part 2, Clause 4(3) (b)(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), adopts the proposed Local Planning Policy *CP091 – Exempted Development* (Appendix ORD: 12.2.2A) and provided below in accordance with the Regulations;**

Shire of Dardanup

POLICY NO:
SDev CP091 - LOCAL PLANNING POLICY – EXEMPTED DEVELOPMENT

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
History:							**Synopsis:**	
Version	1	New	OCM	26/02/2020	Res:	25-20	**Synopsis:**	Draft Policy created
Version	2	Adopted	OCM	29/04/2020	Res:	82-20	**Synopsis:**	Adopted by Council
Version	3	SDev CP091	OCM	30/09/2020	Res:	269-20	**Synopsis**	Reviewed and Adopted by Council
Version	4	SDev CP091	OCM	31/03/2021	Res:	61-21	**Synopsis**	Amended and Adopted by Council
Version	5	SDev CP091	OMC	28/09/2022	Res:	243-22	**Synopsis:**	Reviewed and adopted by Council.
Version	6	SDev CP091	OCM	25/09/2024	Res:	275-24	**Synopsis**	Reviewed and Adopted by Council
Version	7	SDev CP091	OCM	27/08/25	Res:	232-25	**Synopsis**	Reviewed following gazettal of LPS9 and Adopted by Council
Version	8	Dev CP091						

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE

To exempt certain development proposals from the requirement to obtain Development Approval under *the Shire of Dardanup Local Planning Scheme No.9* (LPS9). In addition to the use and development types identified as being exempt in:

- Schedule 2 ('Deemed Provisions') Clause 61 of the *Planning and Development (Local Planning Schemes)* Regulations 2015 and
- Schedule A – Supplemental Provisions of the Deemed Provisions of the LPS9.

3. OBJECTIVES

This Policy establishes the Shire's position in relation to development that is exempt from requiring development approval.

The objectives of this Policy are to:

a) Identify types of development proposals that are suitable for exemption from the need for development approval.
b) Streamline the planning approval process and to reduce red tape.
c) Ensure acceptable development outcomes are maintained.

4. REFERENCE DOCUMENTS

- Planning and Development Act 2005 (the Act)
- Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)
- Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

5. APPLICATION

This Policy applies to all zoned land applicable under the Shire of Dardanup Local Planning Scheme No.9 inclusive of the land contained within the Ferguson Valley tourism area (SCA2) shown on the Scheme Map according to the legend thereon unless specified in the Table below.

It should be noted that whilst the Policy identifies certain development types that do not require development approval, a building permit or other approval may still need to be obtained from the Shire. Before carrying out any development listed in Table 1, any other licences, permits or approvals required must be obtained in accordance with any other law.

This policy does not allow for X uses to be permitted (*LSP9 clause 18 (2) -X means that the use is not permitted by this Scheme*)

6. DEFINITIONS

Substantially commenced means it is deemed to have occurred where there has been physical 'on site' development that comprises at least the preparation of the site including the placing of footings and slab. Where in a condition of approval there is a requirement to undertake further studies and investigations for submission and approval of the Shire prior to development commencing, such 'work' is not deemed to be substantial commencement.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 6, Clauses 37-38 of the Shire of Dardanup Local Planning Scheme No. 9 Clause, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

7. POLICY

7.1 Exemptions in Schedule 2 ('Deemed Provisions') of the Planning and Development (Local Planning Schemes) Regulations 2015 apply to land even though it may be located in the Ferguson Valley tourism area (SCA2) under LPS9.

7.2 Development approval is not required for any development listed in Table 1 'Exempted Development' providing:

1. The proposal complies with corresponding 'Zone' and 'Conditions/Criteria' columns; and
2. The proposal does not vary any standards or requirements of the LPS9.

Development designated as Bushfire Prone Area under the Fire and Emergency Services Act 1998 and development approval is required under Clause 78D(3) for the development are not exempt under this policy.

Table 1 – Development Exempt from Development Approval

DEVELOPMENT	ZONES	CONDITION/CRITERIA
Arbor, archway or gateway - or similar type of decorative structure that defines a pedestrian entrance.	All zones	Where the developments meets the following criteria: • Maximum height 3 metres; and • Maximum width 2.5 metres
Fences	General Industry, Light Industry and Service commercial zone	Where the fence meets the following criteria: • Constructed of 50mm steel mesh; • Maximum height of 1.8m from natural ground level with a maximum overall height of 2.1m where barbed wire is placed on top of the fence; • Supported by steel galvanised pipe posts: o 2.7m in length o Nominal bore of 40mm and outside diameter of 48mm o Spaced at 4m centres o Sunk 0.6m into the ground, encased in concrete having diameter of 150mm; and o Terminal posts are braced in line of the fence with diagonal pipe braces having nominal bore of 50mm and outside diameter of 60mm • Centre and bottom high tensile galvanised steel wire.
	Rural Residential, Rural Smallholdings, Tourism, Priority Agriculture and Rural zone	Where the fence meets any of the following criteria: • is located within a 14 metre visual truncation on a corner lot and is no higher than 1.5 metres; or • is located within a 3 metre visual truncation to a vehicular access way and is no higher than 1.5 metres; or • is no higher than 1.8 metres in all other cases; and • is constructed of post and wire or post and rail and • is not located within a Heritage- Protected Place.
Feature walls (Landscape Walls)	All zones	Where the developments meets the following criteria: • Maximum 3m width at a max height of 2.1m from natural ground level; and • Setback behind the primary and/or secondary street setback.

<table>
<tr><th>DEVELOPMENT</th><th>ZONES</th><th>CONDITION/CRITERIA</th></tr>
<tr><td></td><td></td><td>• Limited to one.</td></tr>
<tr><td>Outdoor Cooking facilities - Pizza Oven, BBQ</td><td>All zones</td><td>Where the developments meets the following criteria:
• Maximum height 1.8m from natural ground level excluding chimney or flue; and
• Structures above 1.8m from natural ground level need to be setback as required by the R- Codes (if applicable) or Scheme Setbacks.
• The size of the structure shall not be larger than 3m^2</td></tr>
<tr><td>Animal / Horse Shelters</td><td>Rural Residential, Rural Smallholdings, Rural and Priority Agriculture zone</td><td>Where the development meets all of the following criteria:
• External surfaces are clad with non-reflective materials.
• No clearing of vegetation is required.
• Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation.
• Not within Special Control Areas (SCA) of the LPS9.
• Setback 30m from dwelling(s).
• Lot larger than 2000m^2.

This exemption does not consider Horse Stables and the keeping of Horses on the lot.</td></tr>
<tr><td rowspan="2">Commercial Vehicle Parking</td><td>Residential zone</td><td>Where the parking of the vehicle complies with Schedule 7 Clause (9)(a) – (e) of the Scheme.

Limit of one (1) vehicle.</td></tr>
<tr><td>All other zones</td><td>Only one (1) commercial vehicle and one (1) associated trailer is parked per property where the development meets the following criteria:
• The parking of the commercial vehicle/s is ancillary to the approved use;
or
• Where the subject lot has a total area of equal to or greater than 10,000m^2 (1 hectares);
The subject vehicle is rated a gross vehicle mass of less than or equal to 6.5 tonnes.</td></tr>
<tr><td>Water tank</td><td>All zones</td><td>Where the development meets the following criteria:
• Maximum height 2.7m above natural ground level;
• Compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation.
<table>
<tr><td colspan="2">Permitted sizes by lot area:</td></tr>
<tr><td>≥4,000m^2</td><td>10m in diameter
<u>212 000L tank</u></td></tr>
<tr><td><4,000m^2 but ≥2000m^2</td><td>3.88m in diameter
<u>32 000L tank</u></td></tr>
<tr><td><2,000m^2</td><td>6000L tank no greater than 2.4m in height</td></tr>
</table>
• More than one water tank is exempted in the Rural, Rural Smallholding, Priority Agriculture and Rural Residential Zones where the water tanks are clustered with the farmhouse and other outbuildings, and no clearing of vegetation is required.</td></tr>
</table>

DEVELOPMENT	ZONES	CONDITION/CRITERIA
Satellite Dishes, microwave antennae and radio masts	All zones	The installation of satellite dishes, microwave antennae and radio masts or other low impact facilities which satisfy the following requirements: (i) there are no other existing satellite dishes, microwave antennae or radio masts on the subject lot; (ii) in the case of satellite dishes in residential areas, the maximum diameter is 1.0 metres or less and is not located within any of the street setbacks; and in non-residential areas the maximum diameter is 3 metres; (iii) in the case of microwave antennae, the maximum diameter is 1.0 metre or less, the antennae does not project higher than 3 metres above the ridge line of the building and is not utilised to transmit electromagnetic waves; (iv) in the case of radio masts, the height does not exceed 8 metres, the radio mast is setback in accordance with the Scheme from any of the lot boundaries (or 6 metres whichever is greater) and the dimension of the antennae does not exceed 6 metres and is fully contained within the subject lot; (v) where the structure involves Amateur (Ham) Radio equipment shall be less than 10m above natural ground level and is setback no less than 4m from any lot boundaries; (vi) Is not visible from the primary street; (vii) and shall be clustered or located with existing development on site.
Site Works and Retaining walls	Rural Residential, Rural Smallholdings, Rural, Tourism and Priority Agriculture zone	Where retaining walls, fill or excavation is not more than 0.5m above or below the natural ground level and • Is compliant with the relevant setbacks/building envelope and building exclusion area requirements for the applicable zone/designation. • Is not located within a Flood Prone Area (SCA4) and Strategic Minerals and basic raw materials area (SCA5); • Is not located Heritage-Protected Place.
Water Feature (including fish pond)	Residential Zone	Where the structure constructed associated with a dwelling – • Maximum height of 2.4m above natural ground level if located behind the primary street setback; • Maximum height of 1.2m above natural ground level if located within the primary street setback; and • Permitted with a nil boundary setback. *This exemption does not consider Dams or large water bodies).*
	All other zones	Where the structure meets the following criteria: • Maximum height of 2.4m above natural ground level if located behind the primary street setback; • located in accordance with the Scheme setbacks; • Max Width/ length of the feature no more than 6m; • Does not exceed water depth of 300mm.

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		This exemption does not consider Dams or large water bodies).
Windmills	Rural Residential, Rural Smallholding, Rural, Priority Agriculture, and Tourism zone	Where the development meets the following criteria: • Incidental to a use occurring on the land which has Council approval, or does not require Council approval; • Compliant with the relevant setbacks/building envelope requirements for the applicable zone/designation. • A maximum height of 12m. • One Windmill is permitted per lot. • Noise must be compliant with the Environmental (Noise) Regulations 1997 **Where development is located in the Ferguson Valley tourism area (SCA2), Development Approval is required.*
Vegetation Removal	All zones	Where the vegetation modification meets the following criteria: • Exotic and introduced (includes non-local native (not endemic) vegetation species • Noxious, declared and pest plants and weeds • Works require to adhere to the Shire of Dardanup Annual Fire Prevention Order: o To create or maintain a 20m wide Building Protection Zone / Asset Protection Zone from the external walls of a dwelling; and o To create or maintain a 20m wide Building Protection Zone / Asset Protection Zones to a building that is less than 10m from the dwelling. • Dangerous vegetation with an arborist report submitted to the satisfaction of the Shire of Dardanup. *This exemption does not consider Tree Farming harvesting. The above does not remove the requirement for a Clearing Permit required by the Department of Water and Environmental Regulations (DWER).*
Temporary Offices and sheds	All zones	Where the development meets the following criteria: i) offices and sheds (including sea containers) used by builders directly associated with the building works occurring on site for the duration of completing the works; and/or ii) offices (including sea containers) used by real estate agents directly associated to the sale of lots and/or dwellings on the development site for a period of 24 months.
Keeping of live stock	Rural and Priority Agriculture zone	Where the development meets all the following criteria: • Animal containment is setback 30m from dwelling(s) *This exemption does not consider Animal Establishment and or feedlots.*
	Rural Residential, Rural Smallholding and Tourism zone	Where the development meets all the following criteria: • Complies with Schedule 7 Clause 19 Stocking rates of the LPS9. • Animal containment is setback 30m from dwelling(s).

DEVELOPMENT	ZONES	CONDITION/CRITERIA
		This exemption does not consider Animal Establishment and or feedlots.
Unhosted Short-Term Rental Accommodation (Unhosted STRA) of: • Single houses; • Grouped Dwellings; • Multiple Dwellings; • Holiday House.	All zones	Where the development meets the following criteria: • The period of accommodation shall not exceed **90 days in a relevant 12-month period***; and • the number of guests accommodated within an Un-hosted STRA at any time, where such comprises a Single House, Grouped or Multiple Dwelling, complies with all of the following standards: o A maximum of **12 persons at any time;** o A minimum 4m2 per person in each bedroom containing beds; and o A minimum 2.5m2 per person in each bedroom containing bunks; and • the dwelling is **registered** under the *Short-Term Rental Accommodation Act 2024* Part 3. • Car parking is provided at the rate required by the Local Planning Scheme for the relevant land use and is accommodated wholly within the lot boundary. • For a Single House, Grouped or Multiple Dwelling on a lot over 1,000m2, and for any other land use listed under this exemption on any sized lot, a Bushfire Attack Level assessment by a registered Level 1 bushfire practitioner being submitted that demonstrates the Bushfire Attack Level does not exceed BAL-29. • Despite an exemption for Short Term Rental Accommodation of the predominant use, Development Approval may be required for the predominant use in accordance with the Local Planning Scheme. * A **relevant 12-month period** is: a. the period of 12 months commencing on the day on which the owner or occupier registered the dwelling under the Short-Term Rental Accommodation Act 2024 Part 3; or b. any subsequent 12-month period commencing on the anniversary of that day.
Carports and Patios	Residential zone	Where the development meets the following criteria: • A maximum wall height of 3.5m; • A maximum ridge height of 4.2m as per the Residential Design Codes; • Located behind the street setback; • A nil side and/or rear boundary setback, and 1m setback to a secondary street boundary is permitted, for a maximum length of 12m along any boundary (post nil setback); • The roof cover being setback a minimum of 500mm from all lot boundaries; • All other 'deemed to comply' requirements of the R-Codes being met; and • All stormwater including roof run off disposal is to be contained on site.
Outbuildings and Seacontainers	**SEE CP 111 – Outbuildings and Seacontainers for exemptions of these types of developments.**	

2. Pursuant to Schedule 2, Part 2, Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015,* publishes notice of the adopted policies in accordance with clause 87 of the Regulations.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The initial draft Policy was prepared in early 2020, with Council resolving to advertise it on 26th February 2020 [Res: 25-20]. Following consultation, Council adopted the Policy on 29th April 2020 [Res: 82-20].

The Policy has since been reviewed and adopted by Council on four occasions between 2020 and 2024. Most recently, at the Ordinary Council Meeting held on 27th August 2025 [Res: 323-25], Council adopted an amendment to Local Planning Policy *CP091 – Exempted Development and Land Use* following the gazettal of Local Planning Scheme No. 9 (LPS9).

The *Planning and Development (Local Planning Schemes)* Regulations *2015* provide that a local government may prepare local planning policies in respect of any matter relating to planning and development under the Shire of Dardanup Local Planning Scheme No. *9* (the Scheme). LPP's provide guidance to applicants, developers and the community on the planning decision-making process, and assist the local government when exercising discretion under the Scheme.

The Shire undertakes a biennial review of all Council policies. As part of this process, CP091 has been reviewed to ensure it remains consistent with the current Western Australian planning framework.

The Draft Review (Appendix ORD: 12.2.2A*)* proposes to remove redundant development approval exemptions that are already addressed through clause 61 of *Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015* and Schedule A – Supplemental Provisions to the Deemed Provisions of the Shire of Dardanup *Local Planning Scheme No. 9*.

The Draft Review Policy also removes provisions relating to outbuildings, which are proposed to be addressed separately through draft *CP111 – Outbuildings and Sea Containers* (Appendix ORD: 12.2.2C*).*

As a result of these changes, the Policy has been reduced from 15 pages to 6 pages, improving clarity and usability for applicants, the community and Shire staff.

Draft LPP's are required to be advertised for a minimum period of 21 days before Council considers final adoption. The policy was advertised as required and no submissions were received.

Legal Implications

In accordance with clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proposed local planning policies are to be advertised to the public for comment prior to adoption.

Council Plan

8.1 - Support responsible planning & development.
14.2 - Ensure equitable, inclusive and transparent engagement and decision-making.

Environment - None.

Precedents

At the Ordinary Council Meeting (OCM) held on 26th August 2026, Council resolved [Res: 209-26] to:

1. *Pursuant to clause 5 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to advertise CP091 - Draft LPP: Exempted Development for a period of 21 days (Appendix ORD: 12.2.2A) as an amendment to the existing policy (Appendix ORD: 12.2.2B).*

2. *Following advertising of the draft policy, CP091 - Draft LPP: Exempted Development be presented to Council for final consideration and adoption.*

At the OCM held on 29th April 2020, Council resolved [Res: 82-20] to:

Resolves to adopt Local Planning Policy (LPP) CP091 – Exempted Development and Land Use, as provided below subject to amendments in red and underlined, pursuant to Schedule 2, Part 2, Division 2, Clause 4(3) (b)(i) of the Planning and Development (Local Planning Scheme) Regulations 2015.

At the OCM held on the 27th August 2025, Council resolved [Res: 232-25] to:

1. *Pursuant to Schedule 2, Part 2, Clause 4(3) (b)(i) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), adopts the proposed Local Planning Policies contained within (Appendix ORD: 12.2.4B) and provided below in accordance with the Regulations; and*
    a. *SDev CP028 – Local Planning Policy – Variation to Deemed-To-Comply requirements of the R-Codes: Medium-Density Single House Development Standards [R-MD Codes].*
    b. *SDev CP030 – Local Planning Policy – Construction of Outbuildings in the Rural Residential Zone prior to Completion of a Dwelling.*
    c. *SDev CP067 – Local Planning Policy – New Roads and Upgrades – Provision for and Contributions by Developers*
    d. *SDev CP068 – Local Planning Policy – Uniform Fencing Abutting Public Land and Street Landscaping within Subdivisions – Maintenance.*
    e. *SDev CP084 – Local Planning Policy – Advertising Signage*
    f. *SDev CP092 – Local Planning Policy – Millbridge Estate – Special Provisions*
    g. *SDev CP094 – Local Planning Policy – Dardanup West/Crooked Brook Area – Provision of Foreshore Facilities Developer Contribution.*
    h. *SDev CP096 – Local Planning Policy – Sea Containers*
    i. *SDev CP099 – Local Planning Policy – Display Homes – Development Standards*
    j. *SDev CP100 - Local Planning Policy – Ancillary Dwellings, Rural Residential, Rural Small Holdings, Rural and Priority Agriculture Zones*
    k. *SDev CP102 – Local Planning Policy – 'R100' Southbank Development Guidelines*
    l. *SDev CP104 - Local Planning Policy – Caravans as Temporary Accommodation*
    m. *SDev CP502 - Local Planning Policy – Waiving and Refunding of Fees*
    n. *SDev CP503 - Local Planning Policy – Development Assessment Unit*
    o. *SDev CP513 – Strategic Water Tanks for Fire Fighting Purposes in Non-Reticulated Areas.*

2. *Pursuant to Schedule 2, Part 2, Clause 4(3) (b)(ii) of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), adopts the following amended Local Planning Policy contained within (Appendix ORD: 12.2.4D) 4C) in accordance with the Regulations;*

    a. *SDEV CP091 – Local Planning Policy – Exempted Development and Land Use*

3. *Pursuant to Schedule 2, Part 2, Clause 4(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 publish notice of the adopted policies in accordance with clause 87 of the regulations*

Consultation

Public Consultation

The process for making, amending or revoking an LPP is detailed in Schedule 2, Part 2, cl. 4-6 of Regulations as outlined in the 'Legal Implications' section of this report and includes advertising requirements prior to adoption.

The draft policy was advertised for a minimum period of 21 days. Advertising was conducted between the 3 September 2026 to the 23 September 2026 and was advertised in the following manner:

- A copy of the draft policy was be made available on the Shire's website public noticed,
- A copy of the draft policy was be made available Shire's offices, and
- Newspaper public notice published the 3 September 2026.

No submissions were received.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP030 – Construction of Outbuilding in the 'Rural Residential' zone prior to completion of a dwelling
CP091 – Exempted Development and Land Use
CP096 – Sea Containers

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.2.2D) for full assessment document.

TIER 1 – No discernible Inherent Risk has been identified (no Risk Theme or Consequence).		
Report Title	CP091 - Local Planning Policy – Exempted Development - Adoption	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making, reduced applicant clarity and reputational impacts for Development Services.
	Reputational	Failure to resolve to prepare and advertise the draft review policy may result in continued reliance on fragmented policy guidance, increasing the risk of inconsistent decision-making and a public perception that planning processes are overly complex.

Officer Comment

As part of the biennial policy review, the Shire's Local Planning Policy suite is being reviewed. The proposed review responds to overlapping exemptions across the Western Australian planning framework. The Draft CP091 removes the repetition of the existing planning framework exemptions to requiring a Development Approval:

- Clause 61 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and
- Schedule A – Supplemental Provisions to the Deemed Provisions of the Shire of Dardanup *Local Planning Scheme No. 9*.

The policy was advertised as required and no submissions were received. Officers are recommending minor grammatical and formatting changes to the policy that was published for consultation. These are considered minor and have no material effect of the intent of the policy.

Conclusion

Officers recommend the adoption of Draft Local Planning Policy (LPP) *CP091 – Exempted Development* (Appendix ORD: 12.2.2A).

END REPORT

12.2.3 Data Centres in Western Australia – WALGA Consultation Paper

Reporting Department	*Development Directorate*
Responsible Officer	*Mr André Schönfeldt – Chief Executive Officer*
Reporting Officer	*Mrs Susan Oosthuizen – Director Development Services*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.2.3A – WALGA Planning for Data Centres Consultation Paper.* *Appendix ORD: 12.2.3B – Risk Assessment*

Overview

The Western Australian Local Government Association (WALGA) has released a Data Centres Consultation Paper (Appendix ORD: 12.2.3A) seeking feedback from Local Governments on the planning, infrastructure and regulatory implications of data centre development in Western Australia.

Growth in cloud computing, digital services and artificial intelligence is increasing demand for data centre facilities. While these developments may provide economic investment and support digital infrastructure, they can also create significant demands on electricity supply, water resources, strategic industrial land and other infrastructure.

The consultation identifies the need for a coordinated planning framework, improved infrastructure planning and servicing coordination, and stronger Local Government involvement in strategic planning and development assessment.

This report recommends that Council endorse a submission to WALGA supporting a coordinated State-wide planning and infrastructure framework, protection of strategically important industrial land, transparent infrastructure cost allocation, appropriate environmental and amenity safeguards, and meaningful Local Government participation in planning and assessment processes.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

243-26 MOVED: Cr B S Farrant SECONDED: Cr T G Gardiner

THAT Council:

1. **Notes the WALGA Data Centres Consultation Paper (Appendix ORD: 12.2.3A) and the associated planning, infrastructure, environmental and community considerations.**

2. **Endorses the proposed advocacy position outlined below as the basis for the Shire of Dardanup's submission to WALGA, subject to any amendments adopted by Council:**

    a. **Protection of strategically important industrial land and consideration of competing economic uses.**
    b. **Assessment of cumulative electricity, water and infrastructure demand.**

c. Transparent arrangements for infrastructure funding and cost recovery.
d. Proportionate environmental and community amenity assessment requirements.
e. Early consultation with affected Local Governments and communities.
f. Clear allocation of State and Local Government responsibilities.
g. Access to sufficient technical information to support informed development assessment.

3. Supports WALGA advocating for a coordinated State-wide planning framework for the Development of a Data Centre Planning Code and for it to provide clear land use definitions, consistent development requirements and assessment criteria.

4. Supports improved coordination between State Government agencies, infrastructure providers and Local Governments to address electricity supply, water availability, wastewater, telecommunications, transport infrastructure and infrastructure funding.

5. Supports the protection of strategically important industrial land and the assessment of cumulative impacts arising from data centre development.

6. Supports meaningful Local Government involvement in strategic planning, site identification, infrastructure planning and development assessment for significant data centre proposals.

7. Supports proportionate assessment requirements addressing infrastructure capacity, resource consumption, environmental impacts, community amenity and infrastructure cost allocation.

8. Authorises the Chief Executive Officer, to submit Council's endorsed feedback to WALGA and make minor editorial amendments that do not materially alter Council's position.

9. Requests that the Chief Executive Officer monitor relevant State planning and infrastructure policy developments and report to Council on any material implications for the Shire of Dardanup.

Note: Executive Support Coordinator, Mrs Lily Webb, left the meeting at 5:17pm, and returned to the meeting at 5:17pm.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Data centres are becoming an increasingly significant planning and infrastructure issue across Australia. Growth in cloud computing, digital services, data storage and artificial intelligence is driving demand for facilities capable of processing and storing substantial volumes of digital information.

Data centres can provide economic development opportunities, attract investment and support the expansion of digital infrastructure. However, their development can also create significant demands on electricity supply, water resources, telecommunications, transport infrastructure and strategically located industrial land.

The scale and operational characteristics of data centres can present challenges for Local Governments, particularly where existing planning frameworks do not adequately address their specific land use, infrastructure and environmental requirements.

WALGA has prepared a Consultation Paper to facilitate discussion across the Local Government sector and inform its advocacy on data centre development. The paper examines the emerging policy and regulatory environment, development trends, approaches in other jurisdictions and the implications of future growth for Local Governments in Western Australia.

The accompanying WALGA Planning for Data Centres Consultation Paper focuses on the need for:

- A coordinated planning framework for data centres.
- Improved infrastructure planning and servicing coordination.
- Stronger Local Government involvement in strategic planning and development assessment.

WALGA is seeking feedback from Local Governments to inform its advocacy and support a consistent approach to managing future data centre development.

Legal Implications - None.

Council Plan

11.1 - Support industry and business growth.
13.2 - Manage the Shire's resources responsibly

Environment - None.

Precedents - None.

Budget Implications

There are no direct financial implications arising from Council's endorsement of the proposed advocacy position or submission to WALGA.

Future data centre proposals may require additional planning investigations, specialist technical advice, infrastructure assessments or upgrades to Local Government assets. Any associated expenditure would be considered separately through the relevant budget and approval processes.

The proposed advocacy position seeks to improve coordination and clarify infrastructure funding responsibilities to reduce the risk of inappropriate cost allocation to Local Government.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Consultation

WALGA has invited Local Governments to review and provide feedback on the Consultation Paper and Advocacy Position. The proposed submission has been prepared for Council's consideration, and the endorsed position will be submitted to WALGA.

Further consultation may be appropriate if future local planning changes or site-specific development proposals arise. Where relevant, officers may liaise with neighbouring Local Governments, regional organisations and relevant State agencies to support a coordinated regional position.

Risk Assessment

Council's endorsement of the proposed advocacy position would provide an opportunity to address these risks through WALGA's engagement with the State Government.

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.2.3B) for full assessment document.

TIER 3 – 'High' or 'Extreme' Inherent Risk.		
Report Title	Data Centres in Western Australia – WALGA Consultation Paper and Draft Advocacy Position	
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)	
Risk Action Plan (treatment or controls proposed)	If 12 or over, brief explanation of how the risk will be managed/what treatment or controls are proposed	
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)	
Risk Category Assessed Against	Legal and Compliance	Inappropriate use of industrial land – Reduced availability of land for essential industrial and employment-generating activities.
	Property	Inconsistent assessment processes – Local planning objectives and community interests may not be adequately considered
	Financial	Unclear funding responsibilities – Unreasonable costs may be transferred to Local Government or the community.
	Service Interruption	Infrastructure constraints – Increased pressure on electricity, water, transport and other essential services.
	Environment	Environmental and amenity impacts – Noise, resource consumption, emissions and adverse effects on surrounding land uses.
	Reputational	Limited Local Government involvement – Insufficient involvement may result in local planning objectives and community interests not being adequately considered.

Officer Comment

The officers provide the following information for consideration by the Council.

Planning framework

A consistent planning framework - Data Centre Planning Code and supporting guidance that establishes consistent development requirements and assessment criteria as proposed by WALGA and to be developed by the State Government would provide greater certainty for proponents, decision-makers and communities regarding the location, permissibility and assessment of data centre development.

The framework should establish appropriate land use definitions, clarify assessment pathways and provide guidance on site suitability, infrastructure requirements and the management of potential impacts. A State-wide approach should not remove the ability of Local Governments to consider local planning objectives, site-specific circumstances and the compatibility of proposals with surrounding land uses.

Strategic industrial land

Data centres may require large sites and access to significant infrastructure. Their establishment in industrial areas may compete with manufacturing, logistics, warehousing and other employment-generating uses for strategically located land. State and regional planning should identify suitable locations for data centres while protecting industrial land required for other important economic activities.

The suitability of a location should consider existing and planned industrial uses, infrastructure capacity, access requirements, environmental constraints and long-term economic development objectives.

Infrastructure planning and servicing

Data centre development can create substantial demand for electricity and may require upgrades to transmission networks, substations, water supply, wastewater, roads, drainage and telecommunications infrastructure.

Infrastructure capacity should be assessed at both the individual development and cumulative network levels. Early coordination between proponents, infrastructure providers, State agencies and affected Local Governments would assist in identifying constraints and planning necessary upgrades. The planning framework should also clarify infrastructure funding responsibilities and ensure that costs arising from private development are appropriately allocated.

Environmental and community considerations

Potential impacts include noise from cooling equipment and backup generators, visual bulk, lighting, construction traffic, stormwater management, water consumption and emissions associated with backup power systems. Assessment requirements should be proportionate to the nature and scale of each proposal and should consider both site-specific and cumulative impacts.

Relevant matters that the planning framework may include are energy efficiency, water conservation, cooling technology, recycled water opportunities, acoustic performance, landscape screening, construction management and climate resilience.

Local Government involvement

Local Governments have an important role in strategic land use planning, local infrastructure planning and development assessment. They also understand local community expectations and the implications of development for existing and planned land uses.
WALGA should advocate for early and meaningful Local Government participation in the identification of potential data centre precincts, the planning of supporting infrastructure and the preparation of State and regional planning policies.

Clear responsibilities, referral arrangements and information-sharing processes would assist in reducing uncertainty and avoiding duplication between decision-making authorities.

Proposed position for the Shire

Officers recommended that the Council support WALGA's proposed direction, subject to advocating for the following additional considerations:

- Protection of strategically important industrial land and consideration of competing economic uses.
- Assessment of cumulative electricity, water and infrastructure demand.
- Transparent arrangements for infrastructure funding and cost recovery.
- Proportionate environmental and community amenity assessment requirements.
- Early consultation with affected Local Governments and communities.
- Clear allocation of State and Local Government responsibilities.
- Access to sufficient technical information to support informed development assessment.

This approach would support responsible investment while ensuring that the local and regional consequences of data centre development are appropriately considered.

Strategic and Policy Implications

Strategic implications

The proposed advocacy position by WALGA supports coordinated land use planning, sustainable infrastructure provision and the protection of long-term economic development opportunities. A clear State-wide framework would assist Local Governments to assess data centre proposals consistently while retaining the ability to respond to local circumstances. The report also supports collaboration between State and Local Government in planning for emerging industries and infrastructure-intensive development.

Legislative implications

Data centre development may be subject to the *Planning and Development Act 2005*, applicable local planning schemes, State planning policies and relevant environmental, building, water, energy and infrastructure legislation. The applicable statutory requirements and assessment pathway will depend on the location, scale and characteristics of an individual proposal. The advocacy position of WALGA proposes the inclusion of a land use definition in the *Planning and Development (Local Planning Scheme) Regulations 2015,* which officers fully support.

Policy implications

The proposed position may inform future consideration of the Shire's local planning strategy, local planning scheme, industrial land planning and relevant infrastructure planning documents, should data

centre development become a material local issue. No amendment to the Shire's existing policies or planning instruments is proposed as part of this report.

Delegation and Authorisation

Council is requested to determine the Shire's formal position on the WALGA consultation. Following Council's resolution, to authorise the Chief Executive Officer to submit the endorsed feedback to WALGA and make minor editorial amendments, if required that do not materially alter Council's position.

Sustainability Implications

The proposed advocacy position supports consideration of the long-term environmental, economic and social implications of data centre development. Key sustainability considerations include energy demand, water efficiency, infrastructure resilience, strategic land use, environmental impacts and community amenity. A coordinated planning framework would assist in balancing the economic opportunities associated with digital infrastructure investment against the need for sustainable resource use and responsible development.

Conclusion

Data centres present opportunities for investment and the development of digital infrastructure in Western Australia. However, their significant infrastructure requirements and potential environmental and community impacts warrant a coordinated planning and assessment approach.

Council's feedback to WALGA provides an opportunity to advocate for clear State-wide planning guidance, improved infrastructure coordination, protection of strategic industrial land, transparent infrastructure funding and meaningful Local Government involvement.

It is therefore recommended that Council endorse the proposed advocacy position and authorise the submission of its feedback to WALGA.

END REPORT

12.3 COMMUNITY & ECONOMIC DEVELOPMENT DIRECTORATE REPORTS

12.3.1 Ferguson Valley Public Art Trail

Reporting Department	*Community & Economic Development Directorate*
Responsible Officer	*Mr Craig Johnson – Director Community and Economic Development*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.3.1A – Ferguson Valley Public Art Trail - Concept Plan (2022)* *Appendix ORD: 12.3.1B – Stage 1 Community Engagement: Visioning Report (August 2026)* *Appendix ORD: 12.3.1C – Risk Assessment*

Overview

The Ferguson Valley Public Art Trail was first established through Council's endorsement of the Ferguson Valley Public Art Trail Concept Plan 2022, which provided a strategic framework, guiding principles, priorities, curatorial themes and identified opportunities for a staged public art trail throughout the Ferguson Valley.

In March 2023, the first artwork on the trail was installed with the commissioning of the 'Valley Frame' sculpture on Pile Road. In May 2026, the Shire undertook a targeted Community Engagement and Visioning Workshop to reactivate the project, reaffirm the community's support for the initiative and determine how best it should progress from concept plan through to product development. The engagement process brought together Aboriginal Elders, local artists, businesses, community representatives, State Government representatives and residents through visioning activities and a subsequent strategic review process.

The engagement outcomes provides clear stakeholder support for:

- Continuing the development of the trail as a significant cultural tourism, economic development and placemaking initiative for the Shire;
- Adopting '**Connection to Land'** as the overarching trail theme;
- Progressing the '**Follow Fergus'** brand identity through the development of style guide for the trail; and
- Prioritising a staged implementation program commencing with identified "Quick Win" sites to activate the trail, followed by a targeted funding and advocacy program to develop new installations.

This report seeks Council endorsement of the Visioning Report, theme, branding direction and next steps.

Change to Officer Recommendation **-** No Change.

Note: A member of the public entered the meeting at 5:27pm.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

244-26 MOVED: Cr T G Gardiner SECONDED: Cr S L Gillespie

THAT Council:

1. **Receives and endorses the Ferguson Valley Public Art Trail - Stage 1 Community Engagement: Visioning Report (August 2026) (Appendix ORD: 12.3.1B).**

2. **Endorses the overarching Public Art Trail Theme of "Connection to Land" as the guiding theme for future planning, design development, funding applications and public art commissions associated with the Ferguson Valley Public Art Trail.**

3. **Endorses the proposed Trail Brand "Follow Fergus" as the preferred branding framework for the Ferguson Valley Public Art Trail and the development of a style guide to support the brand.**

4. **Authorises the Chief Executive Officer to progress the next phase of planning for the Ferguson Valley Public Art Trail project, including:**

    a. **Approve officers to develop an Engagement Plan to consult the community (and the original artist) on their level of support for the proposed relocation of the "Fergus the Bull" sculpture from its current position on Forrest Highway, to the Dardanup Town Centre as the potential Trail Head for the Ferguson Valley Public Art Trail project;**

    b. **Conduct targeted stakeholder engagement with local landowners, cultural heritage representatives, Department of Biodiversity, Conservation and Attractions and Main Roads to undertake site assessments to determine the Stage 1 priority sites ("Quick Win" activation projects and new "Momentum" building installations) and allow detailed planning and delivery activities to progress;**

    c. **Prepare a business case, partnership proposal and funding applications (through WA State Government and Lotterywest) to package together the installation of a number (4+) of new public artworks ("Momentum" and "Signature"), along with the delivery of the trail as a new tourism destination product for the Ferguson Valley and the Shire of Dardanup.**

d. Initiate artist Registration of Interest processes to progress Stage 1 priority projects (once sites have been identified and assessed), subject to available budget allocations and future external funding outcomes.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

In 2021, the Shire received funding from the Department of Local Government, Sport and Cultural Industries to prepare a Public Art Trail Concept Plan for the Ferguson Valley. Extensive consultation undertaken throughout 2021 and 2022 informed the development of the Concept Plan, which was subsequently endorsed by Council.

The Concept Plan established:

- A long-term vision for a staged Public Art Trail;
- Guiding principles including accessibility, cultural appropriateness, respect and connection to place;
- Priorities relating to local history and culture, tourism, community engagement and support for local artists;
- Three curatorial themes:
    - Bibbulmun Noongar Boodja;
    - People of the Land; and
    - Grow; and
- Fourteen potential public art locations throughout the Ferguson Valley.

The Concept Plan recognised that successful delivery of the trail would require ongoing community involvement and staged implementation over a number of years.

Following Council's endorsement of the Concept Plan, the first public artwork was commissioned and installed on Pile Road in 2023 – 'Valley Frame'. This sculpture has proven to be extremely popular with both local residents and tourists visiting the valley, re-enforcing the value that a public art trail could have for the region.

With a period of 3 years having passed since the initially installation, the Shire contracted an arts consultancy team in May 2026 to undertake a Community Engagement and Visioning workshop. The purpose of this work was to not only reinvigorate the project, but test and refine future delivery priorities, identify a unifying theme and brand identity, and establish a practical implementation pathway.

Legal Implications - None.

Council Plan

2.2 - Increase participation in sport, recreation and leisure activities.
11.1 - Support industry and business growth.
12.1 - Grow visitor numbers by improving tourism infrastructure, experiences and marketing.

Environment

All future artwork delivered as part of the Ferguson Valley Public Art Trail project will be guided by an environmental assessment and site-specific approval processes. The Concept Plan and Visioning Report both emphasise protection of landscape values, environmental stewardship and sensitive site design.

Precedents - None.

Budget Implications

There are no direct budget implications associated with the endorsement of the Stage 1 Community Engagement: Visioning Report.

The next phase of project planning and trail delivery activities can all be achieved within the Shire's existing Public Art Projects budget as approved in the Long Term Financial Plan.

2026/27 - $10,000
2027/28 - $10,000

The activities to be funded will include;

- Community engagement (process recommended) - to determine the level of community support for the proposed relocation of the 'Fergus the Bull' sculpture;
- Stakeholder engagement and assessment of priority sites;
- Development of the Follow Fergus brand style guide; and
- Activation of identified "Quick Win" sites and, subject to cost estimates, installation of selected "Momentum" artworks.

Future project implementation including new "Momentum" and "Signature" artwork installations will be subject to:

- Annual budget consideration;
- Grant funding outcomes;
- External partnerships and sponsorship;
- Council approval of future works programs and capital expenditure.

Budget – Whole of Life Cost

Whole of life costs will be considered in line with future asset management considerations once new artworks are planned and confirmed.

Council Policy Compliance

The Public Art Policy (SDev CP509) seeks to guide the delivery and maintenance of public art projects that contribute to creating a sense of place, promote the expression of local identity, and reflect on the shared values of the community. All current and future artworks associated with the Ferguson Valley Public Art Trail will be planned and maintained in line with this policy.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.3.1C) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Ferguson Valley Public Art Trail	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Health / People	Public safety risks may arise if future artwork locations are progressed without appropriate site assessments, particularly at road reserve locations, lookout points or areas with vehicle interactions. Future site-specific risk assessments and safety audits will be undertaken during detailed design and implementation phases.
	Financial	External grant funding and partnership contributions may not be secured, limiting the Shire's ability to implement priority projects and resulting in stakeholder expectations exceeding available resources. Business case to be developed with staged implementation recommended. All artwork installations to remain subject to future Council budget approval and external funding outcomes.
	Legal and Compliance	Failure to obtain landowner approvals, environmental approvals, heritage clearances, cultural heritage consultation outcomes, or approvals from agencies such as DBCA and Main Roads may delay or prevent implementation of identified artworks. Detailed site assessments to be undertaken, all relevant approvals to be obtained prior to project commencement, thorough consultation processes to be completed during planning phases.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
	Reputational	Community dissatisfaction may arise if the proposed "Follow Fergus" branding, relocation of the Fergus the Bull sculpture, site selection, or future artwork themes are perceived as inconsistent with community expectations or cultural values. Targeted stakeholder engagement (including community, artist, land owner etc) to be undertaken to ensure transparent decision-making before progressing implementation activities.

Officer Comment

Community Engagement

Extensive community engagement has been undertaken through both the 2022 Concept Plan process and the Stage 1 Community Engagement and Visioning Report 2026 process including active involvement from local residents, Aboriginal stakeholders, artists, tourism operators, businesses and State Government agencies.
The draft report was circulated to all stakeholders in addition to the engagement workshop attendees to seek comments, feedback and input into the report before it was made final. The recommendations contained within this report directly reflect the outcomes of those engagement activities.

Shire of Dardanup Youth Advisory Group

Consulted on: Thursday 1st October 2026

The Ferguson Valley Public Art Trail Concept Plan was considered by the Youth Advisory Group (YAG) at its scheduled meeting on 1st October 2026. The following comments and recommendations were provided by members of the group;

> *'As frequent users of the Ferguson Valley, members expressed strong support for the project and the opportunities it presents for young people both within and outside the region. Members noted that the 14 locations identified within the concept plan hold significance for many young people as places for recreation, relaxation and social connection. YAG members recommended that this be considered when engaging artists to ensure future installations enhance and add value to these spaces.*
>
> *Members also strongly advocated for the use of sustainable materials and waste minimisation practices throughout the project, recognising the strong connection between the trail, the natural environment and the identity of the Ferguson Valley.*
>
> *The Youth Advisory Group welcomed the opportunity to contribute to future planning, activation and celebration of the Ferguson Valley Public Art Trail and expressed its interest in providing further feedback as the project progresses.'*

The Ferguson Valley Public Art Trail presents opportunities to engage young people throughout the planning, development, delivery and promotion of the project. Additional engagement opportunities include consultation with local primary schools, Eaton Community College and the broader community to inform concept development and satellite activation activities. Early involvement of these groups may also foster a sense of ownership, helping to minimise vandalism, graffiti and anti-social behaviour.

Development and activation activities could include student-created artwork that complements the installations, community youth workshops, launch events at trail locations and the development of promotional content, such as a youth-led road trip video showcasing the trail as an interactive experience for visitors and residents.

Alignment with the 2022 Concept Plan

A key objective of the Stage 1 Community Engagement Visioning process was to ensure future trail development remained aligned with the foundations established in the 2022 Concept Plan. Importantly, the emerging theme of '**Connection to Land'** does not replace the Concept Plan. Rather, it provides a unifying narrative that brings together the three original curatorial themes and priorities established through the 2022 community consultation process.

The Connection to Land theme incorporates:

- *Bibbulmun Noongar Boodja*
  The Concept Plan recognised the significance of Bibbulmun Noongar Country, cultural landscapes, waterways, stories and continuing cultural connection. The Visioning Report reinforces this through a focus on 60,000 years of Noongar connection to Country and culturally led storytelling opportunities.

- *People of the Land*
  The Concept Plan identified the importance of telling stories associated with farming, timber milling, railways, migration and community life. Workshop participants consistently identified settlement history, agriculture and community identity as central elements of the future trail experience.

- *Grow*
  The Concept Plan highlighted the Ferguson Valley's landscape, flora, fauna and evolving relationship with the environment. The engagement process similarly identified nature, stillness, stewardship and environmental appreciation as dominant themes across all participant groups.

Analysis of the workshop data identified three themes that consistently appeared across all participant groups and site discussions:

- Nature and stillness;
- Journey and exploration; and
- Connection to land.

Participants described the trail as an experience that should:

"*Walk in the footprints of those that have come before us*" and encourage visitors to "*slow down, immerse yourself in the magic and stories of the land*."

The engagement findings clearly demonstrated that the community wishes the trail to be more than a collection of sculptures. Rather, it should tell an interconnected story about the people, cultures, industries, landscapes and histories that have shaped the Ferguson Valley.

Accordingly, the recommended 'Connection to Land' theme is considered a contemporary articulation of the intent originally established by Council in 2022.

Trail Brand - "Follow Fergus"

Workshop participants considered numerous naming options and branding concepts. The preferred concept was **Follow Fergus**, centred around the existing Fergus the Bull sculpture as a recognisable and memorable character capable of guiding visitors through the trail experience.

The proposed brand:

- Is family-friendly and tourism-focused;
- Provides a consistent identity across physical and digital experiences;
- Creates opportunities for interactive interpretation;
- Supports storytelling across trail sites; and
- Leverages an existing public artwork already associated with the region.

The Visioning Report notes that future consultation should occur regarding the long-term location, conservation and interpretation of the Fergus sculpture, however, these matters do not impact the suitability of the Follow Fergus brand concept itself.

Recommended Next Steps

The Stage 1: Community Engagement Visioning Report recommends progression to implementation readiness through:

- Development of a Stage 1 Action Plan;
- Development of a Follow Fergus brand and style guide;
- Investigation of external funding opportunities;
- Development of business cases and partnership proposals;
- Cultural consultation processes;
- Artist Expressions of Interest;
- Detailed planning of priority sites; and
- Further stakeholder engagement regarding Fergus and trail delivery.

Officers support these recommendations and consider them consistent with Council's original vision established through the 2022 Concept Plan.

END REPORT

12.3.2 Burekup Community and Sporting Precinct – Stage 2 Update

Reporting Department	*Community & Economic Development Directorate*
Responsible Officer	*Mr Craig Johnson - Director Community and Economic Development*
Reporting Officer	*Mrs Melanie Hamilton - Manager Community Development*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic.*
Voting Requirement	*Absolute Majority.*
Attachments	*Appendix ORD: 12.3.2A – Business Case: Burekup Community and Sporting Precinct Upgrade* *Appendix ORD: 12.3.2B – Project Plan: Burekup Community and Sporting Precinct Upgrade – Stage 2* *Appendix ORD: 12.3.2C – Risk Assessment*

DECLARATION OF INTEREST

Shire President, Cr T G Gardiner, and Councillors L W Davies and A C Jenuor declared an Impartiality Interest in this item.

Please refer to Part 11 'Declaration of Interest' for full details.

Overview

The purpose of this report is to advise Council that the Shire of Dardanup has been successful in securing $2,090,000 in Lotterywest grant funding for the delivery of key elements for Stage 2 of the Burekup Community and Sporting Precinct Upgrade.

The funding will deliver a new skate park and BMX pump track, a playground upgrade, a new children's nature play area and a community amphitheatre upgrade, with the project to be completed by 30 June 2029. Council is requested to accept the grant funding and note the updated funding position for the remaining Stage 2 components.

Discussion

It was noted that there was an administrative error in the Resolution. The year was corrected to reflect 2027.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

245-26 MOVED: Cr A L Webster SECONDED: Cr M R Hutchinson

THAT Council:

1. **Accepts the Lotterywest grant funding of $2,090,000 awarded to the Shire of Dardanup for the Burekup Community and Sporting Precinct Upgrade to be completed by 30 June 2029 in accordance with the conditions of the Lotterywest grant agreement with the following budget amendments required to the 2026/27 financial year to facilitate the commencement of the project:**

a. Allocate funding of $300,000 in the 2026/27 Annual Budget for planning and detailed design; and

b. Increase the 2026/27 Annual Budget for grant funding by $300,000 to recognise the grant portion to be expended by 30th June ~~2026~~ 2027 with the remaining of the grant funding to be carried to the following financial year.

2. Notes the updated funding position for Stage 2 of the Burekup Community and Sporting Precinct Upgrade, including those components that are still subject to external funding being secured.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The Burekup Community and Sporting Precinct Concept Master Plan was developed through community engagement and endorsed by Council in June 2024 [Res: 160-24]. The plan responds to a clear vision for the development of modern, inclusive spaces where local families and young people can come together, be active and connect with one another. The precinct looks to combine facilities to support both structured sport and informal youth-focused recreation opportunities with new and upgraded infrastructure.

The upgrade project is being delivered in three stages:

- Stage 1 – Sports Oval Upgrade and Changeroom Replacement: oval levelling, drainage and protection works have been completed. The new changerooms, public toilets, storage shed and cricket training net are in progress.
- Stage 2 – Youth Recreation Space and Sporting Facility Upgrades: the subject of this report.
- Stage 3 – Future Stage: sports oval infrastructure, oval lighting, reticulation upgrades and changeroom extensions, subject to future external funding.

In May 2026 the Shire submitted an application to Lotterywest for the youth recreation components of Stage 2. The Shire has been advised that the application was successful, with $2,090,000 awarded towards:

- New Skatepark Facility and BMX Pump Track;
- Playground Upgrade, Landscaping and Shade;
- New Children's Nature Play Area; and
- Community Amphitheatre Upgrade.

Legal Implications

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or
(b) is authorised in advance by resolution; or*
(c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

The grant is also subject to the conditions of the Lotterywest grant agreement, including expenditure only on the approved components, completion by 30 June 2029, progress reporting and final acquittal.

Council Plan

2.2 - Increase participation in sport, recreation and leisure activities.
9.3 - Provide quality community facilities
14.2 - Ensure equitable, inclusive and transparent engagement and decision-making.

Environment - None.

Precedents

Council endorsed the Burekup Community and Sporting Precinct Concept Master Plan at its Ordinary Council Meeting held 26 June 2024 (resolution number 160-24).

Budget Implications

Stage 1 of the Burekup Community and Sporting Precinct project is fully funded, with $750,000 listed in the 2026/27 operating budget for the delivery of the toilet and changeroom facility (currently under construction).

The total cost for stage 2 of the Burekup Community and Sporting Precinct project is estimated at $4,108,300. The Lotterywest grant of $2,090,000 in intended to fully fund the community / youth recreation components as detailed in items 1 – 4 of the project breakdown below. Officers continue to explore external funding sources to deliver elements 5 – 9 of the project, with the Shire committed to the delivery of the new carpark and lighting, and road network upgrades and landscaping (items 10 and 11), subject to future budget consideration and long term financial plan approval.

The project breakdown for Stage 2 is summarised below.

STAGE 2 PROJECT BREAKDOWN		
1	New Skatepark and BMX Pump Track	Fully funded – Lotterywest Grant
2	Playground Upgrade	Fully funded – Lotterywest Grant
3	New Children's Nature Play Area	Fully funded – Lotterywest Grant
4	Community Amphitheatre Upgrade	Fully funded – Lotterywest Grant
5	Multi-use Sports Court Upgrades	*External funding to be sourced (State / Federal)*
6	Country Club Ablutions & Entry Upgrades	*External funding to be sourced (State / Federal)*
7	New Active Open Space – Junior Training Area	*External funding to be sourced (State / Federal)*
8	Country Club Covered Area Upgrades	*External funding options to be considered*

STAGE 2 PROJECT BREAKDOWN		
9	Short Stay RV Area Upgrades	*External funding options to be considered*
10	New Carpark and Lighting	*Subject to budget approval - Shire of Dardanup*
11	Road Network Upgrades and Landscaping	*Subject to budget approval - Shire of Dardanup*

Budget – Whole of Life Cost

The project elements funded through the Lotterywest grant will be delivered over three financial years, from 2026/27 to 2028/29. The 2027/28 and 2028/29 expenditure will be listed for consideration in the relevant Annual Budgets and reflected in the Long Term Financial Plan.

On completion the new infrastructure will be added to the Shire's asset register and Asset Management Plans. Ongoing maintenance, inspection and renewal costs will be incorporated into future operating budgets.

Council Policy Compliance

- CnG CP034 – Procurement Policy

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.3.2C) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Burekup Community and Sporting Precinct – Stage 2 Update	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Residual Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Cost escalation before construction may exceed the funded budget. Managed through quantity surveyor estimates, contingency and early procurement.
	Reputational	Not accepting or not delivering the funded components would affect community confidence and the Shire's relationship with Lotterywest.
	Legal and Compliance	Grant conditions, including completion by 30 June 2029, progress reporting and acquittal, must be met. Managed through the Project Plan reporting schedule.

Officer Comment

The Lotterywest funding of $2,090,000 is a significant investment in Burekup and secures the youth recreation components that the community has consistently identified as its highest priority.

The funding will deliver:

- a new skate park and BMX pump track, co-designed with the Youth Advisory Group and local young people;

- a playground upgrade, including landscaping and shade;
- a new children's nature play area; and
- a community amphitheatre upgrade.

Staging plan & funding strategy

The table below outlines the updated staging plan and funding strategy for the Burekup Community and Sporting Precinct project.

STAGE 1	**PROPOSED FUNDING SOURCE**
Oval Leveling, Drainage, Pitch Upgrade	Fully funded – Shire of Dardanup (completed)
Oval Protection Works – Bollard Installation	Fully funded – Shire of Dardanup (completed)
New Cricket Training Net	Fully funded – Burekup CC (in progress)
New Changerooms, Toilets, Storage Shed	Fully funded – Shire of Dardanup / DCITS (in progress)
STAGE 1 TOTAL	**$833,822**
STAGE 2	**PROPOSED FUNDING SOURCE**
New Skatepark and BMX Pump Track	Fully funded – Lotterywest Grant
Playground Upgrade	Fully funded – Lotterywest Grant
New Children's Nature Play Area	Fully funded – Lotterywest Grant
Community Amphitheatre Upgrade	Fully funded – Lotterywest Grant
Multi-use Sports Court Upgrades	*External funding to be sourced (State / Federal)*
Country Club Ablutions & Entry Upgrades	*External funding to be sourced (State / Federal)*
New Active Open Space – Jr Training Area	*External funding to be sourced (State / Federal)*
Country Club Covered Area Upgrades	*External funding options to be considered*
Short Stay RV Area Upgrades	*External funding options to be considered*
New Carpark and Lighting	*Subject to budget approval - Shire of Dardanup*
Road Network Upgrades and Landscaping	*Subject to budget approval - Shire of Dardanup*
STAGE 2 TOTAL	**$4,108,300**
STAGE 3	**PROPOSED FUNDING SOURCE**
New Sports Oval Infrastructure	*External funding to be sourced (State / Federal)*
Installation of Sports Oval Lighting	*External funding to be sourced (State / Federal)*
Reticulation Upgrades	*External funding to be sourced (State / Federal)*
Changeroom Extensions - 3 & 4	*External funding to be sourced (State / Federal)*
STAGE 3 TOTAL	**$1,925,000**
TOTAL PROJECT COST: $6,867,122	

Applications for State or Federal funding will be pursued for the multi-use sports courts, Country Club ablutions and entry, and junior training area. External funding options will be considered for the Country Club covered area and minor upgrades to the short stay RV area.

Components without secured funding will not proceed until funding is confirmed. Stage 2 has been planned so that the Lotterywest-funded components can be delivered independently.

Delivery timeframe

The indicative delivery program is outlined below and will be updated once all project funding is confirmed.

YEAR	KEY ACTIVITIES
2026/27	Grant agreement executed; procurement planning; community and stakeholder engagement and youth co-design.
2027/28	Detailed design; construction contracts awarded; construction works commence.
2028/29	Construction completed; commissioning and project handover; community launch event. Asset Management Plans updated; grant acquittal and project close-out by 30 June 2029.

END REPORT

12.4 INFRASTRUCTURE DIRECTORATE REPORTS

12.4.1 Food Organic and Garden Organic (FOGO) Waste Management and Costs

Reporting Department	*Infrastructure Directorate*
Responsible Officer	*Mr André van der Merwe – Acting Director Infrastructure*
Reporting Officer	*Ms Eliza- Jane Jacques – Coordinator of Environment and Waste* *Mrs Natalie Hopkins – Director Corporate & Governance*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Absolute Majority*
Attachments	*Appendix ORD: 12.4.1A – Risk Assessment* *Confidential Attachment A – FOGO Cost Breakdown*

Overview

At the Ordinary Council Meeting held on 26 August 2026 Council considered the future management of *'Food Organic and Garden Organic'* (FOGO) waste and resolved, under Resolution 219-26, not to proceed with RFQ QUO-F0426144 for FOGO Processing, Transport and Regional Transfer Station at that time.

This report has been prepared in response to Council Resolution 219-26 and provides Council with the requested information to support its understanding of the financial implications of the current FOGO waste management arrangements and the basis upon which waste service charges are determined.

Also included in this report is a progress update on the Council's request that the Chief Executive Officer continue monitoring regional FOGO processing opportunities and report back to Council should viable future options become available.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

246-26 MOVED: Cr A C Jenour SECONDED: Cr T G Gardiner

THAT Council:

1. **Receives the officer report prepared in response to Resolution 219-26 of the Ordinary Council Meeting held 26th August 2026, outlining:**
   a. **The cost implications of FOGO waste being diverted to landfill; and**
   b. **The pricing methodology used to determine the applicable waste service charges.**
2. **Notes the progress update on the investigation of an interim FOGO aggregation arrangement at the Shire's Waste Transfer Station, including the amendment to licence L8888 approved by the Department of Water and Environmental Regulation in August 2026.**
3. **Notes that, where an underspend is identified in the 2026/27 FOGO expenditure budget, Council may consider at the 2026/27 Mid-Year Budget**

Review whether the funds are transferred to the Waste Management Reserve or provided as a credit to individual properties in the following financial year.

4. Approves unbudgeted expenditure up to $50,000 for the Waste Transfer Station for upgrade of the site to provide for the FOGO service, to be funded from the Waste Management Reserve.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

In February 2026, the Minister for Environment, the Hon. Matthew Swinbourn, announced an additional $95 per tonne to the South West FOGO Transport Rebate (SWFT Rebate).

In May 2026, the Shire sought quotations through the WALGA Preferred Supplier Program for FOGO aggregation, transport and processing services. Following consideration of the procurement in June and August 2026, Council resolved not to proceed with the procurement at that time and to retain the current arrangements of diverting FOGO waste to landfill.

At the ordinary Council meeting dated 23 August 2026 Council considered the outcomes of RFQ QUO-F0426144 for the provision of FOGO Processing, Transport and Regional Transfer Station services and resolved not to proceed with the procurement process at this time.

Following an assessment of the submissions received, Council determined to maintain the current waste management arrangements, whereby FOGO material continues to be collected and diverted to landfill, pending the identification of a sustainable and financially viable long-term solution. Council further requested that the Chief Executive Officer continue to monitor regional FOGO processing opportunities and report back should suitable options become available.

In addition, Council sought a subsequent report detailing the financial implications of diverting FOGO waste to landfill and the methodology used to determine waste service charges. Council also resolved to formally advise the Minister for Environment of its decision and express its appreciation for the State Government's subsidy offer, while noting that the offer would not be accepted at this time.

This report presents the outcomes from Part 4 and 5 of the Council Resolution 219-26.

Ordinary Council Meeting 23 August 2026 – Council Resolution 219-26:

219-26 MOVED - Cr TG Gardiner SECONDED – Cr KA Laurentsch

THAT Council:

1. Receives the submission for QUO-F0426144 FOGO Processing, Transport & Regional Transfer Station received from Veolia Environmental Services, Remondis Go Organics Pty Ltd, Re.Cycle (Canning Vale) Pty Ltd and Cleanaway Pty Ltd (Confidential Attachment A – Under Separate Cover).

2. Does not proceed with RFQ QUO-F0426144 FOGO Processing, Transport & Regional Transfer Station at this time.

3. Retains the current waste management arrangements by collecting FOGO and diverting it to landfill until a sustainable long term solution has been established.

4. Requests the Chief Executive Officer to continue monitoring regional FOGO processing opportunities and report back to Council should viable future options become available.

5. Request that a report be presented to Council for the October 2026 meeting outlining:

i) the cost implications of FOGO waste being diverted to landfill; and
ii) the pricing methodology used to determine the applicable waste service charges.

6. Requests that the CEO write to the Hon Matthew Swinbourn, MLC, Minister for Environment to advise him of Councils decision and formally thank the Minister for their subsidy offer, while noting that Council has resolved not to take up the offer at this time.

This report responds to Resolution 219-26 by outlining the financial implications of the current FOGO disposal arrangements and the methodology used to determine the applicable waste service charges.

Legal Implications

Local Government Act 1995

Part 6 Financial management, Division 5 Financing local government activities, s. 6.17

s. 6.17. Setting level of fees and charges

(1)In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

(a) the cost to the local government of providing the service or goods; and
(b) the importance of the service or goods to the community; and
(c) the price at which the service or goods could be provided by an alternative provider.

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
(a) under section 5.96; or
(b) under section 6.16(2)(d); or
(c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.

(4) Regulations may —
(a) prohibit the imposition of a fee or charge in prescribed circumstances; or
(b) limit the amount of a fee or charge in prescribed circumstances.

Council Plan

6.1 - Increase awareness and adoption of sustainable practices.
6.2 - Adopt innovative and more sustainable waste management solutions.

Environment

All collected FOGO bin material is currently being diverted to landfill, pending establishment of a sustainable long-term FOGO processing solution.

Precedents

The Shire has previously procured and contracted for the processing of kerbside-collected FOGO waste. Historical procurement information has been considered where relevant to the financial analysis presented in this report.

Budget Implications

During the 2025/26 financial year, direct cost savings associated with diverting FOGO waste to landfill were identified as part of the adopted 2025/26 Mid-Year Budget Review, with approximately $121k anticipated to be transferred to the Waste Management Reserve (Ordinary Council Meeting 25 March 2026, Resolution 54-26). Following completion of the 2025/26 end-of-year reconciliation, the actual amount transferred to the Waste Management Reserve in relation to FOGO waste was approximately $51k.

FOGO Expenditure 26/27

As part of the 2026/27 Annual Budget, the following budget provisions have been made:

ACTIVITY – EXPENDITURE	BUDGET	JOB	TASK	GL
Kerbside - Organic Waste Removal	$341,566	AD14023	26155	22025
Kerbside – Organic Waste Processing	$403,000	AD14023	26158	22025
FOGO Aggregate & Transport Fee	$361,400	AD14023	26301	22025

Waste Revenue 26/27

As part of the 2026/27 Fees and Charges, the following fees are prescribed by Council for the 2026/27 financial year:

*WASTE FEES – REVENUE	FEES 26/27	FEE 25/26	FEE 24/25
3 Bin Waste Collection Service	$336 (+5.0%)	$320 (+3.2%)	$310
Additional FOGO Service (240l)	$154 (+4.8%)	$147 (+2.8%)	$143

**Note, there are further fees not included in this report for Additional or Alternative Rubbish Services*

There are approximate 6,345 services levied for Rubbish Collection Services resulting in budgeted Waste Fees Revenue of $2.1M for 26/27.

Waste Management Reserve 26/27

The 2026/27 Annual Budget includes a provisional transfer to the Waste Management Reserve. As part of the 2026/27 Mid-Year Budget Review, any potential savings identified within the FOGO waste expenditure budget may be considered later in the financial year as a transfer to the Waste Management Reserve, consistent with the treatment of FOGO savings in the 2024/25 and 2025/26 financial years.

As part of the annual end-of-year financial reconciliation process, waste-related income and expenditure are reviewed, with any resulting underspend or overspend transferred to or from the Waste Management Reserve in accordance with the Shire's established budget management approach.

This approach will also apply to FOGO processing costs. Where an underspend is identified, Council may determine whether the funds are transferred to the Waste Management Reserve or, alternatively, whether a credit is provided to individual properties in the following financial year. This matter may be considered as part of the 2026/27 Mid-Year Budget Review in March 2027.

Budget – Whole of Life Cost

There are no additional whole-of-life costs arising directly from this report.

The current arrangement of diverting collected FOGO waste to landfill will continue pending identification of a sustainable long-term processing solution. The ongoing costs associated with this arrangement, including landfill disposal and related waste management costs, are incorporated within the Shire's annual waste management budget and are subject to annual reconciliation.

Any future change to FOGO processing arrangements would be subject to a separate assessment of whole-of-life costs, including processing, transport, transfer station and associated operational costs, together with any applicable rebates or subsidies.

Council Policy Compliance

The Shire's Waste Management Policy Infr CP069 establishes the areas and property types eligible for kerbside waste, recycling and FOGO collection services and provides the basis for applying the relevant waste service charges.

Properties within the prescribed waste collection areas are subject to the applicable compulsory waste service fee, while properties outside these areas are generally not charged unless an optional service is requested and approved. The Policy also provides for additional bin services to be charged in accordance with the Shire's adopted Fees and Charges.

These provisions are relevant to the pricing methodology outlined in this report, as the applicable waste service charges are determined having regard to the services provided to properties, the Shire's adopted Fees and Charges and the associated costs of delivering the waste service.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.1A) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	FOGO Financial Breakdown OCM Report	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Unexpected budget adjustments or credits will alter the known financial annual budget
	Legal and Compliance	Non-compliance with the legislative requirements will raise compliance issues with the Local Government Act 1995.
	Reputational	Non-compliance with the legislative requirement may lead to erosion of community confidence.

Officer Comment

Questions asked by Council at the Ordinary Council Meeting [Res: 219-26] held on 26th August 2026, and the officer responses, are set out below.

Part 4 of Council Resolution 219-26 - Requests the Chief Executive Officer to continue monitoring regional FOGO processing opportunities and report back to Council should viable future options become available.

The Shire has been investigating the viability for the Shire's Waste Transfer Station to accept FOGO material for aggregation, for haulage up to a Perth processor. The below is a short-term option, which will conclude once a viable long-term option in the South West is realised.

In August 2026, the Shire successfully amended Waste Transfer Station licence L8888 with the Department of Water and Environmental Regulation. The amendment permits the Waste Transfer Station to hold FOGO material for up to 48 hours before it is transferred to another licensed waste processing facility.

Under the proposed arrangement, FOGO collection trucks would discharge directly from the elevated ramp platform, by gravity, into a sealed, designated skip bin. The bin would then be covered to contain odour and prevent vermin access, before being transported to Perth for composting.

Officers have investigated options for skip hire, transport and processing, and are now preparing a procurement plan. Indicative expected costs of the service are detailed in Confidential Attachment A. Subject to the Shire successfully securing the South West FOGO Transport Subsidy, the estimated ongoing operation cost of the service is approximately $403,000 per annum, excluding any required site preparation or infrastructure upgrades.

Costs not included in the operating estimate include site preparation works for the Waste Transfer Station, currently estimated at between $30,000-$50,000. Upgrades to the Waste Transfer Station will be required to accommodate a new skip bin pad and truck access driveway, with a quotation currently being sourced from a local contractor.

The Shire is aiming towards a January to February commencement to transport FOGO. The impact of the commencement will affect the savings/surplus of the current year budget.

It is proposed the money held within the waste reserve be used to fund the site works to accommodate FOGO at the Shire's own facility. Therefore, it is requested that budget considerations wait until the mid-year budget review for decision.

Once the cost is known that expenditure is expected to be funded by the FOGO waste reserve. This means the upgrades can proceed without additional impact on rates to fund to Waste Transfer Station facility upgrades to accept FOGO for onward processing.

Part 5 of Council Resolution 219-26 - Request that a report be presented to Council for the October 2026 meeting outlining:

(i) What is the cost implications of FOGO waste being diverted to landfill?

Since the diversion of FOGO waste to landfill, the Shire has experienced savings in expenditure previously associated with the processing of FOGO waste.

In 2024/25, the saving associated with FOGO collection and processing was approximately **$111,812**. Following the completion of the 2025/26 end-of-year reconciliation, a further **$51,061** was identified as a saving and transferred to the Waste Management Reserve.

The 2026/27 Annual Budget currently provides for expenditure associated with FOGO collection, processing, aggregation and transport. As FOGO is currently being diverted to landfill, the actual expenditure incurred will differ from the original budget provisions. Any resulting underspend will be identified through the Shire's normal financial monitoring and end-of-year reconciliation processes.

The financial benefit of the current arrangement is therefore dependent on the difference between the budgeted cost of FOGO processing and the actual cost of disposing of FOGO waste to landfill, together with any associated collection, transport and disposal costs. The actual annual saving will continue to vary depending on FOGO volumes and the costs incurred during each financial year.

(ii) What is the pricing methodology used to determine the applicable waste service charges?

The waste service charge is determined annually through the Shire's budget and Fees and Charges processes, having regard to the overall cost of providing waste services and the financial impact on ratepayers.

When the three-bin FOGO service was introduced in 2021/22, the Domestic 3 Bin System charge increased from $225.70 to $229.70 per service, an increase of $4.00 per service. Since its introduction, the three-bin waste service charge has generally been adjusted with reference to CPI.

For 2026/27, the adopted three-bin waste service charge, including FOGO, is $336 per service. The current budget estimates the direct cost associated with the FOGO component is $202 per property per annum, however this was to be subsidised by the $66 per tonne rate, which brings it back down to approximate $136 direct FOGO cost per property. Depending on FOGO Waste Processing volumes, this figure could further reduce by $42 per service. The waste service charge contributes to the overall cost of the Shire's waste management services, with actual income and expenditure considered through the annual budget and financial management processes.

Where actual waste management expenditure varies from budgeted estimates, the resulting position is considered through the Shire's normal financial monitoring and end-of-year reconciliation processes, including consideration of the Waste Management Reserve.

END REPORT

12.4.2 Emergency Bridge Repairs

Reporting Department	*Infrastructure Directorate*
Responsible Officer	*Mr André van der Merwe – Acting Director Infrastructure*
Reporting Officer	*Ms Rachel Sweeney – Manager Assets*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Absolute Majority*
Attachments	*Appendix ORD: 12.4.2A – Risk Assessment*

Overview

The Shire of Dardanup has received advice from Main Roads Western Australian that emergency repairs are required to be undertaken on Bridge 3658 on Ferguson Road over the Ferguson River, which is at risk of being load rated should no works occur, and Bridge 3662 on Ferguson Road over the Ferguson River, which currently has two piles with a theoretical load rating on 0%.

These emergency repair works are now required due to the deferral of State-funded bridge refurbishment projects in the 2026/27 and 2027/28 financial years, with a risk that funding constraints and project deferrals may continue over the next five years. Main Roads has confirmed that, provided the works are completed to its required standards at an agreed price, the Shire will be eligible to claim reimbursement for two-thirds of the costs associated with the emergency repair works, excluding any propping hire costs.

Further maintenance works on Bridge 4821 on Martin Pelusey Road over the Ferguson River are also recommended to be undertaken, using unspent funds from previous bridge works allocated to the Shire in the 2018/17 financial year, to avoid future costly emergency repair works.

Funds for the Shire's contribution of these repair works can be sourced from the Shire's Road Construction and Major Maintenance Reserve.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

247-26 MOVED: Cr T G Gardiner SECONDED: Cr A C Jenour

THAT Council:

1. Increases the 2026/27 Annual Budget allocation for grant funding by $68,124 to recognise the below funding to be received from Main Roads Western Australia for Emergency Bridge Repairs:

BRIDGE	WORK TYPE	FUNDING TO BE RECEIVED
Bridge 3658 on Ferguson Road	**Pile Propping**	**$3,714**
Bridge 3658 on Ferguson Road	**Emergency repairs to prevent load rating**	**$15,910**
Bridge 3662 on Ferguson Road	**Emergency repairs to prevent load rating**	**$48,500**

2. Allocates $60,895 in the 2026/27 Annual Budget, from the Road Construction and Major Maintenance Reserve to the below new projects for bridge repairs:

BRIDGE	WORK TYPE	BUDGET ALLOCATION
Bridge 3658 Ferguson Road	**Emergency repairs to prevent load rating**	**$7,955**
Bridge 3662 on Ferguson Road	**Emergency repairs to prevent load rating**	**$24,250**
Bridge 4821 Martin Pelusey Road	**Identified repairs due to state funding being indefinitely deferred**	**$28,690**

3. Allocates $24,480 in the 2026/27 Annual Budget, from the Unspent Grant Reserve related to unspent LGGC Special Projects Grants for Bridge 4821 Martin Pelusey.

4. Increases the rural bridge maintenance budget by $153,769 in the 2026/27 Annual Budget for the following:

- **Bridge 3658 Ferguson Road for pile propping by $3,714;**
- **Bridge 3658 Ferguson Road for emergency pile banding and repairs by $23,865;**
- **Bridge 3662 Ferguson Road for emergency pile repairs by $72,750; and**
- **Bridge 4821 Martin Pelusey repairs by $53,170.**

CARRIED
By Absolute Majority
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Definitions relating to bridge inspection, investigation and repair work practises are listed below:

TYPE	DESCRIPTION	FREQUENCY	RESPONSIBLE	COMMENTS
Level 1 Bridge Inspections	Routine visual inspection undertaken to identify obvious defects, damage or changes that may affect the condition, safety or serviceability of a bridge.	Every Year	Shire	Must be completed every year to pass the annual audit and qualify to have emergency works 2/3 funded

TYPE	DESCRIPTION	FREQUENCY	RESPONSIBLE	COMMENTS
Bridge Routine Maintenance	Vegetation clearing, termite treatment, drainage cleaning etc.	Every Year	Shire	Must be completed every year to pass the annual audit and qualify to have emergency works 2/3 funded
Level 2 Bridge Inspections	Detailed visual inspection undertaken to assess and record the condition of individual bridge components and identify deterioration, defects or damage that may affect the safety or serviceability of the structure	Timber – Every 5 Years Concrete - Every 7 Years	Main Roads WA	These reports are used to identify when a load rating assessment, and emergency works, are required. These reports are also used to inform Main Roads 10-Year Bridge Strategy
Monitoring of At-Risk Bridge Components	If a high risk component has been identified in a Level 2 inspections (such as a pile requiring propping or potential failure) Main Roads will monitor this every 6 months	As required	Main Roads WA	These routine inspections can trigger emergency works if bridge components deteriorate beyond an acceptable limit
Level 3 Bridge Inspections	Detailed engineering investigation undertaken where significant defects, deterioration or structural concerns have been identified through a Level 2 inspection.	As required	Main Roads WA	These reports are also used to inform detailed costs for Main Roads 10-Year Bridge Strategy
Load Rating Assessment	Engineering assessment undertaken to determine the load carrying capacity of a bridge and whether it can safely accommodate the current vehicle loads.	As required	Main Roads WA	These are used to inform urgency of repair works and load rating restrictions applied to structures
Main Roads 10-Year Bridge Strategy	A 10-year strategy detailing the proposed scope, timing and funding requirements for bridge maintenance, repair, renewal, replacement and widening works across the Shire's bridge network. This program is fully state funded.	Every Year	Main Roads WA	Indicative costings are reached through the Level 2 inspections and are updated with detailed costs and scopes once Level 3 inspections and detailed design has been undertaken
Emergency Repair Scope and Designs	Scoping and design of emergency works required on structures	As required	Main Roads WA	Main Roads will provide this to the Shire to seek quotes for emergency works

Legal Implications

Under the *Local Government Act 1995* and associated legislation the Shire has responsibilities for the management of local roads and associated infrastructure under its control, including bridges.

If the required emergency works are not undertaken the bridge may require a reduced load rating to manage the structural risks identified by Main Roads Western Australia. While load restrictions and appropriate signage can be implemented compliance by road users can be difficult to monitor and enforce.

Where the Shire is aware of a structural issue and the associated risk, failure to undertake required works may expose the Shire to legal liability should the bridge fail or result in injury or property damage. This risk is increased where reliance is placed on a load restriction that cannot be consistently monitored or enforced.

Council Plan

10.3 - Improve road safety, connectivity and traffic flow.
13.2 - Manage the Shire's resources responsibly

Environment - None.

Precedents

At the Ordinary Council Meeting held on the 23rd of February 2022, Council Endorsed an unbudgeted expenditure of $156,899 to undertake emergency repairs on Bridge 3678 on Pile Road over Ferguson River.

Budget Implications

The propping works are to be funded from the Bridge Maintenance – Rural budget for a total of $2,476.83. This budget has a total of $110,876 for Materials and Contracts, however due to costs associated with the yearly Level 1 (visual) bridge inspections the Shire is required to undertake, and any works required resulting from these inspections, this budget may need adjusting during the mid-year budget review to account for the emergency propping works.

Undertaking the abovementioned repair works will require an additional draw-down of funds from the Road Construction and Maintenance Reserve of $61,165. This reserve currently has sufficient funds available for this.

Budget – Whole of Life Cost - None

Council Policy Compliance - None

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.2A) for full assessment document.

TIER 3 – 'High' or 'Extreme' Inherent Risk.	
Report Title	Emergency Bridge Repairs
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)

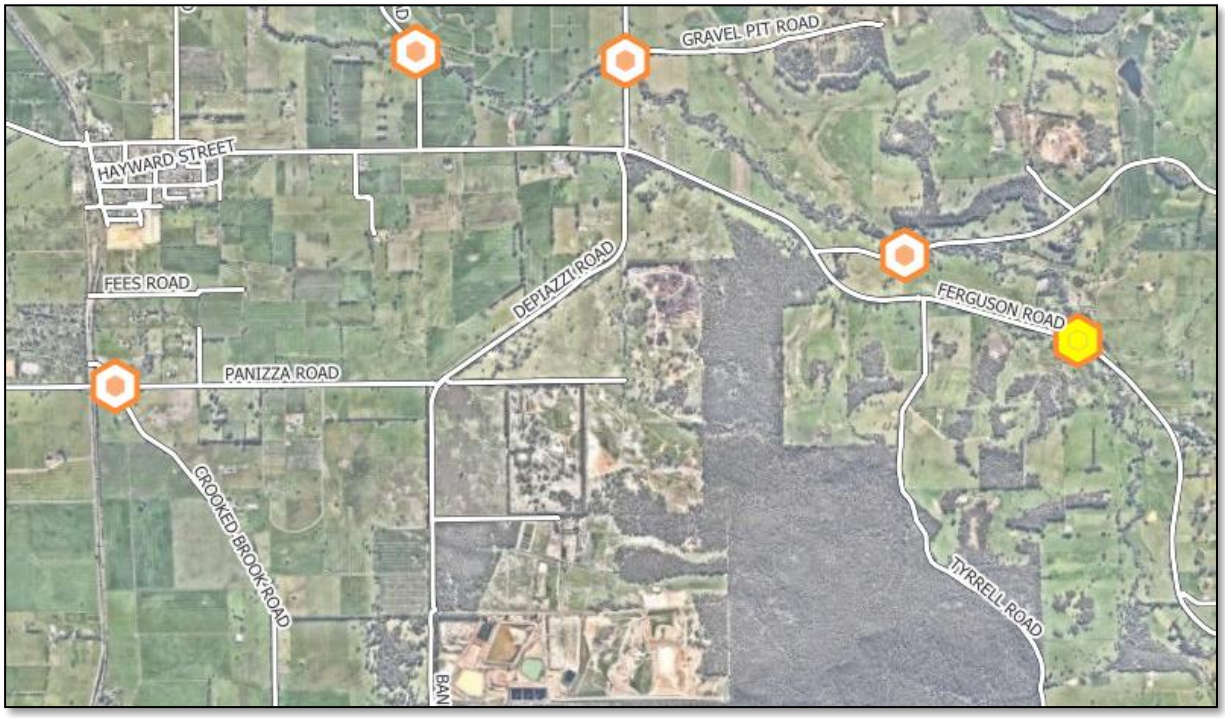
TIER 3 – 'High' or 'Extreme' Inherent Risk.		
Risk Action Plan (treatment or controls proposed)	Undertake specified emergency repair works.	
Residual Risk Rating (after treatment or controls)	Low (1-4)	
Risk Category Assessed Against	Health / People	If the bridge is load restricted heavy vehicles may be required to use alternative routes that are not designed to accommodate the increased volume or type of traffic. This may increase the risk of vehicle conflicts and road crashes resulting in injury to road users.
	Health / People	If the emergency repair works are not undertaken and a load restriction is imposed there remains a risk that vehicles exceeding the permitted load may continue to use the bridge given the difficulty in monitoring and enforcing load restrictions. This could result in further deterioration or failure of the bridge potentially causing serious injury or fatality to road users.
	Financial	Failure to undertake the required emergency works may result in further deterioration or failure of the bridge potentially requiring significantly more costly emergency works, major renewal or replacement of the structure.
	Service Interruption	Load rating the bridge would disrupt access along Ferguson Road and Golding Crescent and require vehicles, particularly heavy vehicles, to use alternative routes. This may result in increased travel times, disruption to residents and businesses and reduced access for freight, agricultural and emergency service vehicles
	Legal and Compliance	The Shire may have legal liability where detour routes are not suitable for the increased volume or type of traffic, and an incident results in injury or property damage. Particularly where the Shire is aware of safety concerns along the alternative route and has not implemented measures to manage this.
	Reputational	Load restriction may result in significant disruption to road users, residents and businesses particularly where suitable alternative routes are limited. This may result in community dissatisfaction and reputational damage to the Shire.
	Property	Failure to undertake the required emergency works may result in further deterioration or failure of the bridge, resulting in significant damage to a Shire

TIER 3 – 'High' or 'Extreme' Inherent Risk.	
	asset and potentially requiring major renewal or replacement.

Officer Comment

Bridge 3658 on Ferguson Road over the Ferguson River

The Shire received notification from Main Road Western Australia on the 21st of August 2026 that a capacity assessment of Bridge 3658 Ferguson Road over Ferguson River had been carried out based on the detailed inspection report dated 28th March 2024.



This capacity assessment calculations show that the bridge should have a 13 tonne load limit unless emergency repairs are carried out, which would increase the capacity of the bridge back to 100% of the design vehicle and a load rating no longer required.
The emergency repairs specified are listed below:

SPAN/PIER NUMBER	MEMBER	PRIORITY	DESCRIPTION OF REPAIR WORK	PROPPING LOAD (KN)	RATED VALUE	ACHIEVED LOAD
Pier 2	Pile 1	Emergency	Band at 400 centres	-	-	Full
Pier 2	Pile 3	Emergency	Prop immediately then repair ASAP. Use Practice Notes Pier Pile Repair Type 2A with 250UC.	-	13 tonne	Full

General comments provided from Main Roads regarding these emergency repairs were provided:

- The inspection report indicates that Pier 2 Piles 1 and 3 are heavily rotted and the lack of capacity governs the load capacity of the structure.
- It is recommended that Pier 2 Pile 3 should be propped and potted.
- Band Pier 2 Pile 1 at 400 centres over the defect zone.

- Propping near a support is only viable if on site drillings can confirm that the stringer has an annulus of solid timber at least 100 mm thick within 1 m of the support.

This structure is utilised by the following heavy haulage single trip vehicles and heavy haulage period permit vehicles which would be impacted by imposing a load rating of 13 tonnes on the structure. Should the bridge be load rated these vehicles will be required to find alternative routes, resulting in increased traffic on roads not designed for this purpose and increased road wear, maintenance requirements and safety risks.

- 2 Axle Bus, Coach and Fire Truck
- 2 Axle Fire Truck
- 2 Axle Special Purpose Vehicle
- 3 Axle All Terrain Special Purpose Vehicle
- 3 Axle Special Purpose Vehicle
- 4 Axle All Terrain Special Purpose Vehicle
- 4 Axle Special Purpose Vehicle
- Australian Defence Force Vehicles
- Block Truck Tandem Drive Overmass
- Block Truck Tri Drive Overmass
- Class 1 RAV Low Loader Overmass Category 1
- Class 1 RAV Low Loader Overmass Category 2
- Class 1 RAV Low Loader Overmass Category 3
- Class 1 RAV Low Loader Overmass DBCA
- Dual Tracked Agricultural Machine
- Half Tracked Agricultural Machine
- Heavy Lift Tow Semi-Trailer
- Heavy Lift Tow Truck 21t Tandem Drive
- Heavy Lift Tow Truck 23.5t Tri Drive
- Heavy Lift Tow Truck 23t Tandem Drive
- Heavy Lift Tow Truck 27t Tri Drive
- Quad Tracked Agricultural Machine
- Wheel Agricultural Machine 12t/Axle
- Wheel Agricultural Machine 14t/Axle
- Oversize B-Double Network OBD1
- Oversize Divisible Products Networks OSDP1, OSDP2, OSDP3
- PBS Tandem Drive Network Level 1 PBS1B.1
- Tandem Drive Concessional Level 1 N1.1, N2.1, N3.1
- Tandem Drive Networks 1-10 N1, N2, N3
- Tri Drive Concessional Level 1 TD1.1
- Tri Drive Networks 1-5 TD1

Main Roads requested the Shire advise on the intended course of action and anticipated start and finished dated by 4th September 2026.

Quotes for the works were received and approved by Main Roads WA for the following value:

WORKS	COST	AMOUNT TO BE CLAIMED FROM MRWA	SHIRE CONTRIBUTION
Pile repairs and banding	$23,865.00	$15,910.00	$7,955.00
Pile propping installation	$5,570.50	$3,713.67	$1,856.83
Prop hire	$620.00	-	$620.00
TOTAL	$30,055.50	$19,623.67	10,431.83

The propping works were completed on the 14th of September, once water levels has receded enough and were funded from the Bridge Maintenance – Rural budget. This budget has a total of $110,876 for Materials and Contracts, however due to costs associated with the yearly Level 1 (visual) bridge inspections the Shire is required to undertake, and any works required resulting from these inspections, this budget may need adjusting during the mid-year budget review to account for the emergency propping works.

The Shire's contribution of $10,431.83 is required to be funded from the Roads Upgrade and Maintenance Reserve.

Prior to 21st August 2026, the Shire had received no notification that the condition of this structure had deteriorated to a level where the introduction of load limit would be necessary if emergency works were not undertaken.

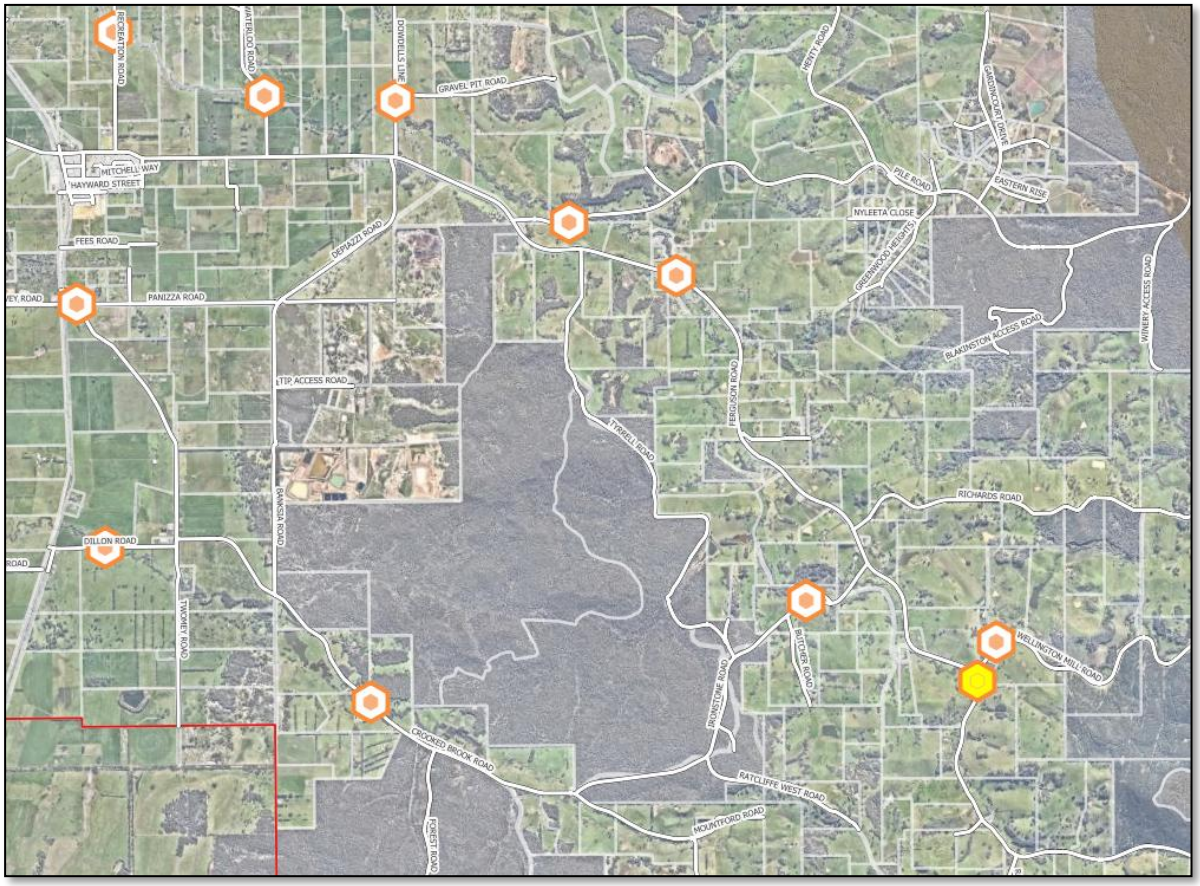
This structure received substructure and superstructure repairs in the 2020/21 financial year totalling $414,000, funded by the state government, however these works did not include repairs on Pier 2, Piles 1 and 3. In the subsequent 2025/26 and 2026/27 10-Year Bridge Strategy, provided yearly by Main Roads Western Australia, the following comment was included for this structure.

"*No work – await next L2 Inspection*"

The structure was subsequently identified in the 2027/28 Bridge Strategy as requiring approximately $100,000 for repair works. As a result of limited state funding available the identified repair works will no longer be funded through the 2027/28 Bridge Program and instead have been deferred to 2028/29 where it is likely they will be further deferred.

Bridge 3662 on Ferguson Road over the Ferguson River (Kerr's Bridge)

The Shire received notification from Main Road Western Australia on the 9th September 2026 that following a load rating of Bridge 3622, abutment 1 Piles 5 and 6 fail under lateral earth pressure alone (the horizontal pressure of the earth pushing on theses piles) – resulting in a theoretical load rating of 0% for both piles. As such emergency repairs are required.



These piles were identified as issues during the Level 2 inspection undertaken on 24th November 2024. Following this inspection they have been monitored by Main Roads WA with an inclinometer, with the full scope of repair works included in 2027/28 in the 10-Year Bridge Strategy. The most recent inspection identified the piles have shifted to a degree which has triggered the loading assessment and requirement for emergency works as the risk of continuing with long-term propping and monitoring of the deteriorated elements is unacceptable.

The emergency repairs required are listed in the table below:

SPAN/PIER NUMBER	MEMBER	PRIORITY	DESCRIPTION OF REPAIR WORK
Abutment 1	Pile 5 & 6	Emergency	Replace A1 Piles 5 and 6 as Per MRWA Standards and specification. Supply and Install Bands as Per Supplied Drawings. Install Timber Sheeting Piles 4-5, 5-6. Replace Timber Sheeting 7-8 with new sheeting. (Once the pile 6 is replaced, the existing sheeting will be too short)

Quotes for the works were received and approved by Main Roads WA for the following value

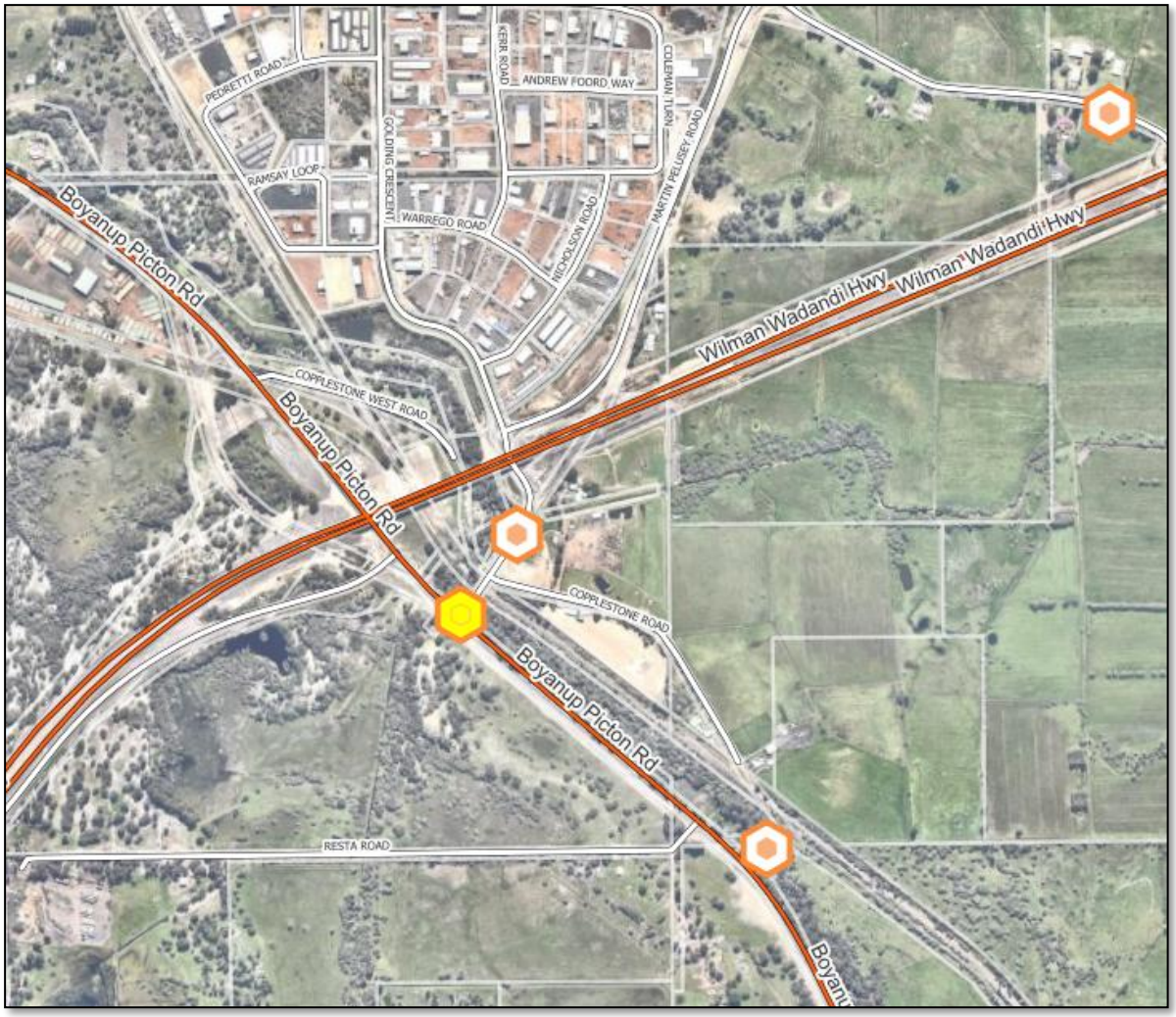
WORKS	COST	AMOUNT TO BE CLAIMED FROM MRWA	SHIRE CONTRIBUTION
All Pile Repair Works	$72,750.00	$48,500.00	$24,250.00

The Shire's contribution of $24,250 is required to be funded from the Roads Upgrade and Maintenance Reserve.

The structure was identified in the 10-Year Bridge Strategy as requiring approximately $300,000 in repair works in the 2027/28 financial year. Due to limited State Government funding, these works will no longer be funded in 2027/28 and have instead been deferred to 2028/29. Main Roads has further advised that, based on current funding availability, it is unlikely that programmed repair works to this bridge will be undertaken within the next five years.

Bridge 4821 on Golding Crescent over the Ferguson River (7 Mile Bridge)

The Level 2 detailed inspection report on Bridge 4821, completed on 20th October 2021, raised the below works as repair works to be funded through the Main Roads 10-Year Bridge Strategy in the 2027/28 financial year, along with other structure repairs, for a total of $300,000.



SPAN/PIER NUMBER	MEMBER	PRIORITY	DESCRIPTION OF REPAIR WORK
Abutment 1	Pile 1 & 2	Medium	Abut 1 – Pile 1 & 2 replace with steel Beam in concrete footing
Abutment 1	Pile 1 & 3	High	PGI sheeting repairs at Abut 1 between Pile 1 & 3
Abutment 2	Pile 12	Low	Replace with steel Beam in concrete footing
Abutment 2	Pile 1 & 4 and Pile 7 & 9	High	Full height timber sheeting at Abut 2 between Pile 1 & 4 and Pile 7 & 9.
Pier 2	Pile 1-5	High	Install pile bands
General Maintenance		High	Repair span 2 LHS scupper (this will require UBIU). - Replace Abut 2 LHS & RHS width markers & posts on correct alignment

The Shire has received advise from Main Roads that the allocated $300,000 in state funding in 2027/28 has been deferred until the 2028/29 financial year and is likely to continue to be deferred for the following 5 years. While these works have not yet been deemed emergency works, is it likely in the coming years if these items are not addressed, emergency works will be required.

Quotes for the works were received and approved by Main Roads WA for the following value

WORKS	COST	AMOUNT TO BE CLAIMED FROM MRWA	SHIRE CONTRIBUTION
All Repair Works	$53,170.00	$24,480	$28,690

The Shire currently has $24,480 in unspent funds from a previous LGGC Special Projects project, identified through the Main Roads 10-Year Bridge Strategy in 2017/18, on this bridge. Main Roads has supported the use these unspent funds on these repair works.

As such it is recommended that the Shire undertake these works now, utilising this $24,480 and $28,690 from the Roads Reserve, to avoid propping and emergency repair costs in the future.

Bridge Funding Overview

Main Roads Western Australia identified approximately $31 million in required bridge funding across the South West Region in this financial year however, only $5 million was allocated to the region from a total State-wide allocation of approximately $14 million

At the South West Regional Road Group Technical Committee Meeting held on the 13th July 2026, Main Roads presented on the bridge funding shortfall and advised the following:

> "*Due to a significant reduction in the allocation for 2027/28 bridge maintenance, at least 15 bridges in SWR will require emergency repairs in 2026/27. LGs will need to arrange these repairs, MRWA is available to assist with designs and surveillance. Subject to passing audit, LGs can claim 2/3 of the costs back*."

Shire officers are awaiting feedback from Main Roads Western Australia on this scope of works suitability to be eligible for the 2/3 funding claim.

WALGA subsequently advised it will commence preparing a discussion paper prioritising the critical issue arising from a lack of bridge funding in the southwest region and begin consulting for the next State Road Funds to Local Government Agreement (SRFLGA) over the next year. The Technical Committee provided a letter to the State Advisory Committee in May, also aiming to table this issue however have not yet received any update or response on this.

In the 2027/28 Bridge Strategy provided by Main Roads, 14 of the Shire's 18 Bridges were to receive funding for repair and widening works totalling $3,387,000. This funding has now all been deferred to the 2028/29 financial year due to previously mentioned funding shortages. Should this funding shortage continue it is likely these projects will be deferred further, and the Shire will be required to undertake more emergency works in the future. This is further confirmed by Main Roads Western Australia, who advised in correspondence on the 4TH September that the Shire should "*Consider purchasing the props rather than hiring. The props will pay for themselves over 1 to 2 years. It is likely that the Shire will have further propping requirements in the coming years*"

It is recommended that the Shire liaise with Main Roads to identify all bridges over the coming years that will require these emergency works to enable the Shire to ensure funding remains available in the Road Construction and Maintenance Reserve, while not over-quarantining funds that are better utilised addressing road renewal priorities.

END REPORT

12.4.3 Endorsement of Local Planning Policy CP110 – Open Spaces Standards of Provision

Reporting Department	*Infrastructure Directorate*
Responsible Officer	*Mr André van der Merwe – Acting Director Infrastructure*
Reporting Officer	*Ms Rachel Sweeney – Manager Assets*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.4.3A – Draft Local Planning Policy CP110 – Open Spaces Standards of Provision* *Appendix ORD: 12.4.3B – Submission from Parcel Property* *Appendix ORD: 12.4.3C – Risk Assessment*

Overview

Council is requested to consider endorsement of Local Planning Policy *CP110 – Open Space Standards of Provision*. This Local Planning Policy is a strategic planning framework that defines what type of open space is needed, where it should be located, and the standard to which it should be developed and maintained across the Shire. This framework will help ensure that open space is delivered consistently, equitably and sustainably in new developments across the Shire as our community grows.

As per clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed draft Local Planning Policies was advertised to the public for comment prior to adoption, with one public comment received from Parcel Realty Pty Ltd.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

248-26 MOVED: Cr S L Gillespie SECONDED: Cr T G Gardiner

THAT Council endorses Draft Local Planning Policy *CP110 – Open Spaces Standards of Provision* (Appendix ORD: 12.4.3A) as follows:

Shire of Dardanup

POLICY NO:
SDev CP110 – LOCAL PLANNING POLICY – OPEN SPACES STANDARDS OF PROVISION

GOVERNANCE INFORMATION			
Procedure Link:	NA	**Administrative Policy Link:**	NA

ADMINISTRATION INFORMATION								
Version	1		OCM	28/10/2026	Res:	XX-20	**Synopsis:**	Policy Adopted

1. RESPONSIBLE DIRECTORATE

Development Services

2. PURPOSE OR OBJECTIVE

This Local Planning Policy has been adopted by the Shire of Dardanup to ensure the following:

- All residents have fair and reasonable access to quality parks and recreation areas
- Future investment in new parks, upgrades, and renewals is managed, cost-effective and sustainable
- A consistent framework is in place to guide the quantity, quality, distribution and functionality of open spaces in new developments across the shire to ensure they meet the recreational, environmental and community needs of current and future residents.
- A local interpretation is available of the West Australian Planning Commission's (WAPC) Liveable Neighbourhoods Operation Policy (Liveable Neighbourhoods), suitable for the Shire of Dardanup
- Supporting healthy, active, and connected communities

This Policy specified the Shire's position on the planning, provision, location, design and embellishment of Open Spaces and is to be utilised by applicants, administration and Council in the design, assessment and determination of the following:

- Shire Renewal, Upgrade and Expansion Projects;
- Scheme Amendments;
- District and Local Structure Plans;
- Local Development Plans;
- Subdivision Applications; and
- Development Applications.

This Policy is not intended to be applied retrospectively to existing POS areas and to not directly require upgrades of services and assets already in place. Where upgrades are however proposed, the Policy is relevant and must be given due regard.

3. REFERENCE DOCUMENTS

Planning and Development Act, 2005
Planning and Development (Local Planning Schemes) Regulations, 2015 (Regulations)
Shire of Dardanup Local Planning Scheme No. 9 (LPS9)
State Planning Policy 3.6 Infrastructure Contributions
Liveable Neighbourhoods, 2009 Element 4
IPWEA Local Government Subdivisional Guidelines (IPWEA, 2026)
Shire of Dardanup Open Spaces Asset Management Plan 2026-2030
All District and Local Structure Plans in the Shire of Dardanup approved by the WAPC
Department of Sport and Recreations "Guide to shared use facilities"
Department of Sport and Recreations "Classification Framework for Public Open Space"
WAPC's Operational Policy 2.4 - Planning for school sites
Relevant Australian Standards for Playground Equipment for Construction, Use and Maintenance

4. DEFINITIONS

For the purpose of this policy a Public Open Space (Open Space) refers to land which is available for public access and is reserved or used for active sport, passive recreation, preserving the natural environment, providing connectivity or aesthetic value to a Place and it considered creditable Public Open Space. Public open space is defined under the *Metropolitan Region Scheme 1997*, and in addition it may include land that is owned freehold and has a recreation purpose.

5. POLICY

5.1 General

- Open Spaces shall be identified in structure plans and subdivisional proposals for urban development consistent with the provisions of this policy
- Open Spaces should be provided in accordance with Liveable Neighbourhoods and the requirements of Schedule 1 and 2

- Land which is not considered to form Open Spaces includes, in addition to those specified in Liveable Neighbourhoods, the following:

  - Drainage reserves for the treatment and/or storage of up to One (1) year average recurrence interval rainfall event.
  - Any residential entry statement treatments unless they form part of a consolidated parcel of Open Space and so not compromise use.
  - Restricted access conservation areas (i.e. fenced off from the public with controlled access).
  - Any land that's primary purpose is a road verge, public access way or any land designated for a fully vegetated land use buffer with no demonstrated community recreation benefit.

- Open Spaces should be defined by its functional class, being a description of how spaces can be used by the community. These can include a combination of "restricted and "unrestricted" open space, as per the provision of Liveable Neighbourhoods and in accordance with Schedule 1 and 2 of this Policy, provided the "restricted" open space performs a genuine public open space function.

5.2 Distribution of Open Spaces

A variety of Open Spaces should be provided within a specified area that ensures a balance of sizes, hierarchies and locations within a community. However, small and fragmented areas of POS are not considered appropriate and will not be supported. The provision of Open Spaces should be in accordance with the requirements shown in Schedule 1.

5.3 Development of Open Spaces

Where a subdivision application proposes the creation of Open Spaces, the Shire will in its response to the WAPC, request that the standard condition for subdivision development be imposed requiring the applicant to develop the open space to the standard requirements detailed in this policy - and to the satisfaction of the Shire.

No clearing of vegetation or other works is permitted to occur within an area of open space until the Shire of Dardanup has granted approval for the subdivisional/development application earthworks drawings.

The Shire maintains the position that Open Space elements need to be delivered at the earliest reasonable phase in new developments. The Shire may consider bonding construction on the Open Space in line with the Shire's Policy Infr CPO404 – Shire Acceptance of Bonds.

5.4 Sport Open Space design

To ensure maximum potential for Sport Open Spaces to accommodate a full variety of recreational activity, it should be designed generally in accordance with the Department of Local Government and Cultural Industries Sport dimensions, guidelines and relevant Australian Standards.

5.5 Location of Public Open Space

Individual Open Spaces should form part of an interconnected network of spaces for the purposes of encouraging pedestrian movement, ecological connectivity and improving public amenity.

Areas of remnant native vegetation and ecological corridors (for critical fauna movement) should be protected and enhanced. Where the site adjoins remnant native vegetation, buffers should address fauna-sensitive lighting design in addition to noise, traffic and light spill mitigation measures.

Local Structure Plans should, to the satisfaction of the Shire, include Open Space locations, aesthetic vision, design principles, activity levels, retention of existing vegetation, significant tree surveys and concept plans.

5.6 Co-location of Public Open Space with School Sites

Co-location of Open Spaces with public school sites is supported in the interest of optimizing joint use and management, rationalizing water use and creating community hubs. Co-location should be investigated (but not assumed) at each site and is subject to:

- Creation of a larger, more multipurpose recreation or community precinct as a result of the co-location;
- The provisions of the Shire's 'Shared use Agreement' for Development and Shared Use Facilities with Department of Education in line with WAPC's Operational Policy 2.4 and the Department of Sport and Recreations "Guide to Shared Use Facilities.

These principles and associated protocol provide an understanding between the Shire and the Department of Education. The design for such facilities may need to be guided by a Local Development Plan as a condition of subdivision approval.

5.7 Co-location of Public Open Space with Drainage Reserves and Urban Water Management within Public Open Space

Co-location of Open Spaces with drainage reserve and infrastructure is supported provided the co-located Open Spaces provide an acceptable level of use to the community as a recreation space and meets the requirements of Liveable Neighbourhoods and Schedule 1. Where it is proposed to integrate stormwater management features within Open Space, the Space must be appropriately sized to accommodate features and not dominated primarily by the drainage function. Spaces must be designed to ensure drainage infrastructure, water features and vegetation minimise mosquito breeding habitat.

5.8 Multiple Use Corridors

Multiple-use Corridors (MUC's) will form part of the Open Space network where required along major spines of existing and realigned natural waterways and drains and may be include stormwater management and enhancement of wildlife corridor systems located throughout the Shire.

The primary purpose of a MUC is to accommodate existing drainage function, proposed stormwater management functions, environment wildlife corridor and recreational links. The drainage channel of the MUC used for the 20% AEP will not count towards creditable Open Space. Areas accommodating between the 1 EY to 20% AEP events may be considered for restricted POS credit if it can be demonstrated that the land provides an appropriate open space/recreation function.

5.9 Community Purpose Sites

Community Purpose sites contribute to community centers, meeting halls, libraries, and sporting precincts. These developments are increasingly important in growing areas and particularly viable in neighborhood centers. The inclusion of community purpose sites as part of the Open Space is acceptable subject to meeting one or more of the following criteria:

- The community purpose site being located within an activity center as part of forming an element of mixed primary use for such center.
- The community purpose site being provided adjacent to another parcel of Open Space and a function of the community purpose site relating to that Open Space (e.g. a community centre with facilities to support the sporting use of the Open Space).
- A need being identified by a community development plan or other community needs study.
- Discussion with and approval of the Shire of Dardanup.

- Alignment with a Community Infrastructure Development Contribution Plan (CIDCP).

Where community facilities are located on Open Space (e.g. a sporting pavilion), the space required to accommodate the facility should be considered as part of the Open Space planning process and included as part of the Open Space allocation. A specific community purpose site is not required in these instances.

5.10 Open Spaces in Industrial Areas

Open Spaces area generally not provided and supported within industrial areas. However, should drainage requirements include the provision of a multiple use type corridor, there should be attempts made to connect corridors of drainage areas together and provide planting and other supporting infrastructure that enable utilisation by the daily workforce within such areas.

5.11 Landscape and Vegetation Management Plans

Applicants must provide at the structure plan stage a Landscape and Vegetation Management Plan, an Open Space Management Plan and a Bushfire Management Plan (where applicable). At subdivision stage more detailed Landscape and Vegetation Management Plans and Maintenance Schedules may be required.

5.12 Irrigation within Public Open Space

Applicants must submit detailed irrigation drawings for the Shire Approval. In order to support Hydrozoning and efficient irrigation, it is essential that soil condition is identified at the early stages of park design. Poor soils may require substantial soil amendment to ensure plant vigour and health. A soil test must be provided as part of the landscape and irrigation detailed design submission and should be addressed within the Open Space concept. These designs are to provide the appropriate level of irrigation to service the site.

Irrigation should only be used in higher use areas (sports turf, key laws and kickabout areas etc.) and should include soil-moisture and weather-response irrigation controllers were possible in higher order parks. Scheme water is not acceptable for post establishment irrigation of Open Spaces. Non-irrigated zones are to use local native drought tolerant plant species.

5.13 Environmental Resilience and Climate Chage

All Open Space sites should be assessed against current and projected bushfire, flood, heat and coastal hazard risks, with very high risks sites only proceeding with a formal mitigation plan.

5.14 Playgrounds

The Shire required playgrounds is to be provisioned across the Shire as detailed in Schedule 1 and 2. All playgrounds must comply with the relevant Australian Standards and give specific consideration to the Shire's Disability Access and Inclusion Plan 2023 – 2028.

5.15 Toilet Facilities

Toilet facilities should be provided within Open Spaces in accordance with Liveable Neighbourhoods and the requirements set out in Schedule 1. The following aspects should be considered when decisions are made regarding the provision of toilet facilities:

- Accessibility to other public toilet facilities in the vicinity.
- Associated recreational infrastructure (barbeque/picnic/play equipment).
- Level and likelihood of anti-social behavior in the surrounding area.
- Significant surveillance by the public.

5.16 Cash-in-lieu of Public Open Space

The Shire will accept cash-in-lieu of Open Spaces where it is considered that the provision of 10% of the gross subdivisible area for Open Space will not result in spaces of sufficient size or quality to be of benefit to the community, or where sufficient space already exists in the surrounding areas. Where Cash-in-lieu is considered acceptable, this shall occur in accordance with the Planning and Development Act, 2005. In circumstances where a subdivider proposes to allocate more than 10% POS, there needs to be discussion with the Shire on the following:

- What is driving the additional need for Open Spaces.
- What other assets and uses are located within the Open Spaces, and are these impacting the additional need for these Spaces.
- If effective asset management is driving an increased Open Space size (for example drainage corridors needing to be modified to form a natural creek asset) and what options exist to address this in other ways.
- Whether cash in lieu is likely to be generated by other subdivisions in the locality.
- Whether there is certainty as to timeframes to generate cash in lieu funds.

5.17 Viable Asset Management

At times an applicant may seek to develop a level of Open Space which exceeds the standards set through the Policy. This may be in the form of adding additional infrastructure elements such as created water bodies, elevated board walk and structures surrounding such water bodies, fountains, highly embellished boulevard treatments, ornamental lighting, extensive public art features, significant adventure playgrounds, etc. While the standards set through this Policy are already high and considered acceptable to achieving the objectives of the Policy, the Shire is open to considering higher standards provided a viable asset management solution is agreed upfront.

This may be either:

- A specified area rate to be applied to the land, and the developer agreeing to impose a suitable notification on the title of all allotments indicating the presence of the specified area rating and the reason for it. The developer must also agree to publicize the presence of this; or
- An extended maintenance period of a minimum of seven years.

5.18 Consultation

Applicants need to consult with the Shire of Dardanup regarding the planning and development of Open Spaces at all stages of the planning process, to ensure that it meets the needs of the Shire of Dardanup and the community in the long term.

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Schedule 1

Shire of Dardanup Hierarchy					Activities											Standards			
Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Useable (Creditable) Open Space Size (Ha)	Criteria	Minimum Standard Required[4]
1	Passive/ Environmental Reserve	Reserves primarily managed for environmental or waterway purposes, with limited or no formal recreational infrastructure. Public access may be informal or restricted to protect environmental values.	Local	Nature Space	✓		✓	✓						Short Stay/ Walkthrough	Connecting with nature Walking paths/trails Bushland/ wetland conservation	• Inclusion in restricted POS calculations unless a community recreation benefit is demonstrated to the Shire • Restricted access conservation areas (i.e. fenced off from the public with controlled access)	N/A	>0.1	• No earthworks (unless deemed necessary by the Shire) except to where it pertains to grading for universally accessible trails • Weed control management strategy required	• Bollards/fencing to control access • Circulation pathways • Access required for maintenance and emergency vehicles where necessary • Tree protection and understory revegetation • Directional or Interpretative signage (QR Codes) • Conservation fencing • Cement stabilised limestone trail surfacing
			Neighbourhood		✓		✓							Short Stay/ Walkthrough						
2	Pocket Park	Spaces that provide low-intensity, close-to-home amenity for surrounding residents. These spaces support casual use, passive recreation and visual relief within the urban environment and are not intended to function as major activity hubs.	Local	Recreation Space	✓		✓	✓	*					Short Stay	Connecting with nature Casual, unorganised sport General recreation Off-lead dog exercise considered Environmental conservation	• Small local parks provided at the expense of the appropriate provision of other POS types in the Hierarchy (as determined by the Shire) • Open Space parcels where the principal purpose is an entry statement to a housing estate or a road verge or buffer or any other area that has no community benefit as a Public Open Space • Open Space parcels where an unacceptable percentage of the area is impacted by only drainage infrastructure or unusable inundation areas • Inaccessible or widely distributed	400m	0.1-0.4	• Not the preferred type. If provided justification is required regarding maintenance, useability and function • May incorporate significant trees or other retained vegetation • May incorporate a limited, carefully considered drainage function where inundation areas for water quality/quantity also provide useable open space3 • May be provided to improve accessibility to Open Spaces where larger spaces are not feasible • May play a connectivity role as part of a linear Open Space network • Located throughout neighbourhoods	• Seating • Full landscaping with no irrigation (unless deemed suitable by the Shire) with waterwise planting • If irrigation required, it is to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways • Bollards to control unauthorised access • Provision of shade trees • Access required for maintenance and emergency vehicles where necessary • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles
3	Local Park	Spaces that provide everyday recreational and social opportunities for nearby residents, generally within walking distance. These reserves support informal recreation, play and social interaction and contribute to neighbourhood liveability.	Local	Recreation Space	✓		✓	✓	✓			✓		Short Stay	Connecting with nature Casual, unorganised sport Children's play General recreation Youth recreation Off-lead dog exercise Environmental conservation	• Open Space parcels where an unacceptable percentage of the area is impacted by only drainage infrastructure or unusable inundation areas • Areas subject to poor drainage and flood prone areas are to be avoided.	800m	0.4-1	• Located on a pedestrian/cyclist network to maximise access • Bound by street frontages to maximise visibility • Located throughout neighbourhoods • Located adjacent to residences to maximise passive surveillance • Preferred POS type where surrounding dwellings are R40 or smaller • May incorporate a limited, carefully considered drainage function where inundation areas for water quality/quantity also provide useable open space3 • Provision of sufficient on-street car parking	• Seating • Play and recreation equipment based on the play space hierarchy in Schedule 2 • Provision of natural shade (trees) over play area[2] • Picnic setting with natural shade (provision of shade trees) and a bin with bin surround • Drinking fountain with dog bowl • Full landscaping with irrigation, turf and with waterwise planting. Irrigation to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways and bike racks • Bollards to control unauthorised access • Provision of shade trees • Access for maintenance and emergency vehicles • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles

* The provision of play spaces with local open space should only be considered where there is an identified gap in provision, otherwise play spaces should only be installed in neighbourhood and district spaces. Provision gaps will be identified by the Shire.
[1] In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc. These areas are to have an appropriate safety buffer to prevent balls entering roads, drainage basins or adjoining sensitive areas.
[2] The Shire's preference is for tree planting as the primary shade provider for playgrounds and picnic areas; however, the Shire requires the installation of a shades sail until such a time as tree shade is adequate
[3] If drainage inundation is required for stormwater quality/quantity management, the preferred method is a grassed amphitheatre type retention area. Bio-retention basins are only permitted in POS where a sufficient pollutant load in the stormwater runoff is demonstrated.
[4] The Shire will assess and advise if any minimum requirements stated are not suited or required in individual Open Spaces

Shire of Dardanup Hierarchy | Activities | Standards

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Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Useable (Creditable) Open Space Size (Ha)	Criteria	Minimum Standard Required[4]
4	Neighbourhood Park or Sporting Precinct	Spaces that support a wide range of recreational, sporting and community activities and function as key local hubs. These reserves typically contain higher-order infrastructure and facilities designed to accommodate organised sport and structured recreation.	Neighbourhood	Recreation Space[2]	✓		✓	✓	✓	✓	✓	✓		Long Stay	Connecting with nature Casual, unorganised sport Children's play General recreation Youth recreation Off-lead dog exercise Community Event Space Environmental conservation Public/community art and placemaking	• Sites adjacent or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill • POS parcels where a significant percentage of the area is impacted by drainage infrastructure or inundation • Areas subject to poor drainage and flood prone areas are to be avoided	2km	1-5	• Located central to the catchment to maximise accessibility • Located with road frontages and on main neighbourhood connector roads • Sufficient in size to be used for festivals and events up to 300 people where specified • Provision of sufficient on-street car parking and connectivity to public transport systems • Size and community demand will determine the desire for public toilets which is to be specified by the Shire. POS designs must accommodate space and service connections for future infrastructure assets mentioned above, regardless of whether they form part of the initial construction phase	• Benches/seating • Play and recreation equipment based on the play space hierarchy in Schedule 2 • Shade over play area[3] • Picnic settings with picnic shelters • 1 x BBQ facility with 2 hot plates with shelter and drinking fountains with dog bowls • Public toilets as required • Bins with bin surrounds and bike racks • Full landscaping with irrigation, turf and with waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways/cycle paths and interpretive signage and wayfinding • Bollards to control unauthorised access • Provision of shade trees • Access for maintenance and emergency vehicles • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles include security lighting • Power and water connection points for events • Skatepark/pump track and associated lighting
				Sport Space[2]	✓	✓	✓		✓	✓	✓	✓	✓	Long Stay	Organised sport Casual, unorganised sport Community Event Space	• Sites adjacent or in close proximity to residences should be avoided or appropriate buffers provided so as to minimise impact of noise, traffic and light spill • POS parcels where a significant percentage of the area is impacted by drainage infrastructure or inundation • Areas subject to poor drainage and flood prone areas are to be avoided • Areas of limited resources for future demands and growth to be avoided, such as inadequate long-term groundwater supply or insufficient areas for future expansion	2km	3-5	• Located central to the catchment to maximise accessibility • Located with road frontages and on main neighbourhood connector roads • May be co-located with primary school facilities • Sufficient in size to be used for festivals and events • Provision of sufficient car parking with a mix on street bays and or onsite parking and connectivity to public transport systems • Size/community demand will determine the desire for pavilions, change rooms and/or toilets, which is to be specified by the Shire. POS designs must accommodate space for future infrastructure assets mentioned above, regardless of whether they form part of the initial construction phase	• Benches/seating or tiered viewing platform • Multi-use half court or full court • Cricket pitch and cricket nets • Permanent sporting goals (dependent on use) • Bins with surrounds and drinking fountains with dog bowls • Multipurpose junior/senior sports oval with sports lighting • Circulation pathways/cycle paths • Earthworks and retaining as required • Full landscaping incorporating a multi-station irrigation system, high-quality roll-on turf for playing areas, and waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Access required for maintenance and emergency vehicles where necessary • Power and water connection points for events • Tree and vegetation protection where possible • Maximize CPTED principles include security lighting

[1] In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc. These areas are to have an appropriate safety buffer to prevent balls entering roads, drainage basins or adjoining sensitive areas.
[2] A Hierarchy 4 Open Space may be a combination of a Recreation and Sport Space
[3] The Shire's preference is for tree planting as the primary shade provider for playgrounds and picnic areas; however, the Shire requires the installation of a shade sail until such a time as tree shade is adequate
[4] The level and numbers of provision of sporting items for a Hierarchy 4 Sport Space and the facilities required is to be specified by the Shire

Shire of Dardanup Hierarchy	Activities	Standards

Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Recreation	Organised Sport	Nature	Kick About[1]	Play Space	Picnicking	Events	On Street Parking	Off Street Parking[5]	Length of Stay	Potential Uses	Unacceptable Uses	Indicative Catchment Radius	Size (Ha)	Criteria	Minimum Standard Required[4]
5	District/Iconic Open Space and Sporting Precinct	Spaces of district significance that contribute strongly to the identity, tourism appeal and liveability of the Shire. These areas provide high environmental, social and economic value and typically function as destination locations rather than neighbourhood amenities. They attract visitation from across the Shire and, in some cases, from outside.	District	Recreation Space[2]	✓		✓	✓	✓	✓	✓		✓	Long Stay	Connecting with nature Casual, unorganised sport Children's play General recreation Youth recreation Off-lead dog exercise Community Event Space Environmental conservation Public/community art and placemaking	• Upgrade of existing sites adjacent to or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill • Areas not serviced by a public transport system should be avoided	Serves the Shire	>5	• Located on or close to neighbourhood roads and connected to public transport systems and other community facilities • Easily accessible by pedestrians, cyclists and motor vehicles • Sufficient in size to be used for festivals and events • Easily accessible by pedestrians, cyclists and motor vehicles • Adress universal access and inclusion comprehensively	• Benches/seating • Play and recreation equipment based on the play space hierarchy in Schedule 2 • Shade over play area[3] • Picnic settings with picnic shelters • 2 x BBQ facility with 2 hot plates, shelters and drinking fountains • Bins with bin surrounds and bike racks • Full landscaping with irrigation, turf and with waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Unrestricted turf kickabout area • Circulation pathways/cycle paths • Bollards to control unauthorised access • Provision of shade trees • Access for maintenance and emergency vehicles • Public/community art and place activation • Tree and vegetation protection where possible • Earthworks and retaining as required • Maximize CPTED principles and include security lighting • Power and water connection points for events • On site car parking • Public Toilets • Skatepark/ pump track (as specified by the Shire)
				Sport Space[2]	✓	✓	✓		✓	✓	✓		✓	Long Stay	Organised sport Casual, unorganised sport Community Event Space	• Upgrade of existing sites adjacent to or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill • Areas not serviced by a public transport system should be avoided • Areas of limited resources for future demands and growth to be avoided, such as inadequate long-term groundwater supply or insufficient areas for future expansion	Serves the Shire	>5	• May be co-located with primary or high schools • Located on or close to neighbourhood roads and connected to public transport systems and other community facilities • Easily accessible by pedestrians, cyclists and motor vehicles • Sufficient in size to be used for festivals and events • Adress universal access and inclusion comprehensively	• Benches/seating or tiered viewing platform • Multi-use half court or full court • Cricket pitch and cricket nets • Bins with surrounds and drinking fountains • Multipurpose junior/senior sports oval with sports lighting with permanent sporting goals • Circulation pathways/cycle paths • Earthworks and retaining as required • Full landscaping incorporating a multi-station irrigation system, high-quality roll-on turf for playing areas, and waterwise planting • Irrigation to be hydro zoned with a groundwater license provided • Access for maintenance and emergency vehicles and on site car parking • Power and water connection points for events • Tree and vegetation protection where possible • Maximize CPTED principles include security lighting • Toilets, changerooms, pavilion buildings

				Nature[2] Space	✓		✓		✓	✓		✓	Long Stay	Connecting with nature Scenic walking paths/trails Bushland/wetland conservation Community Events	• Restricted access conservation areas (i.e. fenced off from the public with controlled access)	Serves the Shire	>5	• Ecological corridor and connectivity role at a regional scale, to support climate-driven species migration.	• Bollards or fencing to control unauthorised access • Circulation pathways • Access required for maintenance and emergency vehicles where necessary • Tree and vegetation protection • Understory revegetation • Directional or Interpretative signage (QR Codes) • Conservation fencing • Cement stabilised limestone trail surfacing • Benches/seating

[1] In the case of a Kick About space, there must be enough unrestricted space to kick a ball, play a small game of cricket etc. These areas are to have an appropriate safety buffer to prevent balls entering roads, drainage basins or adjoining sensitive areas.
[2] A Hierarchy 5 Open Space may be a combination of a Recreation, Nature and Sport Space
[3] The Shire's preference is for tree planting as the primary shade provider for playgrounds and picnic areas; however, the Shire requires the installation of a shade sail until such a time as tree shade is adequate
[4] The level of provision of sporting items for a Hierarchy 5 Sport Space and facilities required is to be specified by the Shire
[5] Where on site car parking is provided consider the use permeable surfacing and canopy tree shading to reduce the local urban heat island effect and to help manage stormwater.

Schedule 2

Shire of Dardanup Hierarchy		Description	Classification as per Department of Sport and Recreation		Length of Stay	Indicative Catchment Radius	Play Experience/ Function	Ages	All Abilities Considerations	Features to Consider
2	Pocket Park	Spaces that provide low-intensity, close-to-home amenity for surrounding residents. These spaces support casual use, passive recreation and visual relief within the urban environment and are not intended to function as major activity hubs.	Local	Recreation Space	Short Stay	400m	Early childhood play Small-scale social interaction Nature-based local play	0-5 years	As assessed by the Shire	Informal nature play using loose natural materials (e.g. logs, rocks and planting). No formal play structures over 600 mm or wooden playgrounds
3	Local Park	Spaces that provide everyday recreational and social opportunities for nearby residents, generally within walking distance. These reserves support informal recreation, play and social interaction and contribute to neighbourhood liveability.	Local	Recreation Space	Short Stay	800m	Mixed-age play experiences Moderate physical challenge play Exploratory and imaginative play Multi-user neighbourhood recreation Graduated physical challenge	0-12 years 12+ may be required if specified by the Shire	As assessed by the Shire	Small play structures Swings for infants and older children Basketball hoop and hardstand
4	Neighbourhood Park or Sporting Precinct	Spaces that support a wide range of recreational, sporting and community activities and function as key local hubs. These reserves typically contain higher-order infrastructure and facilities designed to accommodate organised sport and structured recreation.	Neighbourhood	Recreation Space	Long Stay	2km	Adventure and physical challenge play Integrated sport and play opportunities Social and event-based recreation All-ages / intergenerational and multi-purpose recreation area Teen-specific recreation developed through direct consultation	0-15 years	As assessed by the Shire however minimum of 2 accessible item required	Destination-style equipment Large climbing or rope towers Youth play Formal nature play Basketball hoop and hardstand Communal seating with shade away from active zones for tween/teen users
5	District/Iconic Open Space and Sporting Precinct	Spaces of district significance that contribute strongly to the identity, tourism appeal and liveability of the Shire. These areas provide high environmental, social and economic value and typically function as destination locations rather than neighbourhood amenities. They attract visitation from across the Shire and, in some cases, from outside.	District	Recreation Space	Long Stay	Serves the Shire	Signature destination play Tourism and visitor attraction Regional adventure play All-abilities destination recreation Nature immersion play Civic gathering and event space	All ages	As assessed by the Shire however minimum of 3 accessible items required	Regional destination playground Graduated adventure play and challenge benefit play Sensory play Youth recreation Integrated landscape play Basketball hoop and 3x3 hardstand Hand ball areas and ball wall

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							All-ages / intergenerational and multi-purpose recreation area, providing varying play and recreational opportunities for all ages from toddlers through to older adults within a single space Landscape play			Skate park / pump track Formal nature play
				Nature Space			Informal/sensory nature play Outdoor exercise	All ages	N/A	Informal nature play elements (balance logs, stepping stones, rock scrambles) Exercise equipment
Notes: Child-developmentally appropriate play should cover the following four categories – cognitive play, creative play, social/dramatic play and physically active play. It is important to provide sufficient physical challenge in play spaces to limit playground vandalism due to unmet needs Where the Shire identifies a provision gap, the Shire can request provision for play spaces catering to age ranges outside of those specified above										

CARRIED
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For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The Shire's Open Spaces Asset Management Plan 2026-2030 was adopted at the ordinary council meeting on the 25th March 2026. This Asset Management Plan includes the following recommendation:

> 4. *Develop Standards of Provision for Open Space to guide internal renewal and expansion planning, as well as the acceptance of gifted assets through the subdivision process. This will ensure the Shire sustainably delivers and accepts assets that align with community needs, while avoiding both under-provision and over-provision of open space infrastructure.*

This Standard of Provision will support informed decision-making and ensure that future Open Space growth is appropriately located, distributed, and aligned with the Shire's long-term financial capacity and community needs. Standards of Provision for each of the Shire's Open Space Hierarchy Classes below will be included in the framework.

Legal Implications

Under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, a Local Planning Policy forms part of the local planning framework and is a relevant consideration in the assessment of planning applications. When determining planning applications, the Shire must have due regard to any relevant Local Planning Policies.

Council Plan

2.2 - Increase participation in sport, recreation and leisure activities.
8.1 - Support responsible planning & development.
9.3 - Provide quality community facilities
13.2 - Manage the Shire's resources responsibly

Environment

The Standards of Provision will ensure Passive/Environmental Reserves across the Shire are protected and appropriately enhanced and are not included in POS calculations for new developments as 'usable open space' unless a clear benefit to community recreation can be demonstrated.

Precedents

At the Ordinary Council Meeting on 26th August 2026, Council resolved as follows:

> *THAT Council, pursuant to clauses 3 and 4 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, prepare and advertise CP110 – Draft Local Planning Policy – Open Spaces Standards of Provision (the Draft Policy) (Attachment A) as a draft local planning policy.*

Budget Implications - None.

Budget – Whole of Life Cost

Implementation of the Open Space Standards of Provision will ensure that public open space infrastructure is appropriately provided within new residential developments to avoid both over and under provision. This will help ensure the Shire does not take ownership and ongoing maintenance responsibilities for an excessive amount of infrastructure while also reducing the risk of the Shire having to fund open space infrastructure that should be delivered as part of the subdivision process

Council Policy Compliance

The Local Planning Policy aligns with *Infr CP074 – Asset Management* ensuring that new open space and associated infrastructure provided through development is appropriate, fit for purpose and considers the Shire's long-term asset management requirements. The Standards of Provision will provide greater consistency in the type and standard of assets provided within public open space, helping to avoid unnecessary or over-provisioned infrastructure and ensuring future maintenance and renewal requirements are considered when new assets are proposed.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.3C) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Adoption of CP110 - Local Planning Policy – Open Spaces Standards of Provision	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Health / People	Insufficient play and recreation equipment and reserves in new developments resulting in children playing in unsafe areas not designated for that purpose.
	Financial	Shire is required to fund essential open space infrastructure in new developments as they are not installed at the time of subdivision.
	Financial	Over-provision of infrastructure can create an unnecessary future financial liability for the Shire through increased ongoing maintenance, renewal and replacement costs over the life of the assets.
	Reputational	Under provision of Open Space equipment in new developments resulting in inadequate opportunities for the community to exercise and recreate which will result in community unhappiness.
	Reputational	Shire is seen to have a lack of community recreation opportunities compared to neighbouring local governments.
	Environment	Environmental reserves are not protected appropriately during development resulting in destruction of vegetation and biodiversity.

Officer Comment

It is recommended that the Shire implements a Standard of Provision for Open Spaces to guide the future planning, delivery and renewal of the Open Space network. This will establish a clear framework for determining the need for, scale, hierarchy and location of new and upgraded Open Spaces across both existing communities and proposed subdivision developments throughout the Shire.

This Standard of Provision:

- Establishes levels of service, including the facilities and infrastructure expected within open space hierarchy.
- Defines allowable new reserve sizes and locations by open space hierarchy.
- Establishes catchment and accessibility targets.
- Will enable over or under provision in the existing Open Space network.
- Informs land acquisition and developer contribution requirements.
- Provides a consistent basis for decision-making.

By establishing a clear and consistent framework, the Standard of Provision will support informed decision-making and ensure that future Open Space growth is appropriately located, distributed, and aligned with the Shire's long-term financial capacity and community needs.

Pursuant to clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Draft Local Planning Policy *CP110 – Open Spaces Standards of Provision* was advertised for public comment from the 3rd to the 23rd September 2026.

During the advertisement process one comment was received from Parcel Realty Pty Ltd. The full response from Parcel can be found in (Appendix ORD: 12.4.3B). A summary of their comments, along with the Shire's response and updates to the proposed policy are detailed below.

RELATED SECTION	COMMENT	SHIRE OFFICERS RESPONSE	POLICY UPDATE
Land Use Buffers	Parcel Property considers the blanket exclusion of land use buffers from being classified as open space to be too restrictive. They note that some buffers can be appropriately designed and used as functional community open space while also managing land use conflicts particularly between residential areas, town centres, roads and other infrastructure. It is recommended that the Policy be more flexible by considering different types of buffers and allowing them to contribute towards restricted or unrestricted open space where they provide a demonstrated community benefit.	Land-use buffers will be considered as Restricted and Un-Restricted Open Space where it can be demonstrated to the Shire that there is a community recreation benefit or use.	From: *Any land that's primary purpose is a road verge, public access way or a fully vegetated land use buffer.* *To:* *Any land that's primary purpose is a road verge, public access way or any land designated for a fully vegetated land use buffer with no demonstrated community recreation benefit.*
Vegetation Clearing and Subdivision Clearances	Parcel Property supports the managed retention of vegetation but considers the requirement preventing vegetation clearing within open space until earthworks and landscape drawings are approved to be too restrictive. They note that there may be times where vegetation cannot reasonably be retained, such as low-lying land requiring fill. They request vegetation retention should instead be addressed through earlier planning stages, including Local Structure Planning and subdivision approval, where areas for retention can be identified before detailed engineering and landscaping design. It is therefore recommended that the requirement be removed from the Policy.	Agree that requiring approved landscaping plans before clearing and earthworks can commence is too onerous. Protection of significant trees is assessed at the Structure Plan stage as noted. The approval of earthworks drawings will also include consideration of appropriate vegetation protection measures.	From: *No clearing of vegetation or other works is permitted to occur within an area of open space until the Shire of Dardanup has granted approval for the subdivisional earthworks, engineering and landscaping drawings.* *To:* *"No clearing of vegetation or other works is permitted to occur within an area of open space until the Shire of Dardanup has granted approval for the subdivisional/development application earthworks drawings."*

RELATED SECTION	COMMENT	SHIRE OFFICERS RESPONSE	POLICY UPDATE
	Parcel Property supports the timely delivery of public open space but considers the requirement for POS to be completed as part of each relevant subdivision stage to be overly restrictive. They note that existing subdivision clearance processes already provide a mechanism for local governments to require POS to be delivered before final lots are cleared. The submitter considers the proposed requirement may have unintended consequences, including developers excluding POS from earlier subdivision stages, delays where POS construction does not align with civil works or seasonal construction periods, and increased upfront development costs which may impact project viability. It is therefore recommended that the requirement be removed and POS delivery continue to be managed through existing subdivision clearance processes.	Agree with this comment.	From: *The Shire maintains the position that Open Space elements need to be delivered at the earliest phase possible in new developments. Each stage of subdivision, where POS is proposed, must include full completion of the POS. In an exceptional circumstance the Shire may consider bonding construction on the Open Space in line with the Shire's Policy Infr CPO404 – Shire Acceptance of Bonds.* *To:* *The Shire maintains the position that Open Space elements need to be delivered at the earliest reasonable phase in new developments. The Shire may consider bonding construction on the Open Space in line with the Shire's Policy Infr CPO404 – Shire Acceptance of Bonds.*
Co-Location of Public Open Space with School Sites	Parcel Property are supportive of the co-location of open space with school sites and believe they are effective ways to ensure use and community is ingrained into open spaces. We are however aware that the current approved Wanju District Structure Plan (DSPs) would be non-compliant with this provision, with all but the private schools not collocated with open space. This raises separate questions regarding the preparation of future Local Structure Plans (LSPs) and whether compliance with the DSP does not result in compliance with the Policy. Further clarification on who manages this policy clash is requested if it is retained.	The Policy does not require open space to be co-located with school sites, but states that this approach is supported where appropriate. As such the current Wanju District Structure Plan is not inconsistent with the Policy.	No change

RELATED SECTION	COMMENT	SHIRE OFFICERS RESPONSE	POLICY UPDATE
Multiple Use Corridors	Parcel Property considers that Multiple Use Corridors should be eligible for open space credit where they provide both drainage/environmental functions and opportunities for public recreation. They note that the Policy's requirement for only areas outside the 1:10 year inundation extent to receive credit does not align with Liveable Neighbourhoods, which allows restricted credit for certain areas subject to more frequent inundation. It is recommended that the Policy be amended to align with Liveable Neighbourhoods and allow restricted credit for Multiple Use Corridors where it can be demonstrated that the area provides an appropriate recreational and community benefit.	The Shire agrees that areas subject to inundation more frequently than the 1:10 year event, but less frequently than the 1:1 year event, may still provide an appropriate recreational benefit and be suitable for consideration as restricted open space, in line with Liveable Neighbourhoods.	*From:* *Areas accommodating between the 1 EY to 20% AEP events may be considered for restricted POS credit if it can be demonstrated that the land provides an appropriate open space/recreation function.* *To: Areas accommodating between the 1 EY to 20% AEP events may be considered for restricted POS credit if it can be demonstrated that the land provides an appropriate open space/recreation function.*
Landscape and Vegetation Management Plans	Parcel Property considers that requiring a Landscape and Vegetation Management Plan, Open Space Management Plan and Maintenance Schedule at subdivision stage creates an unnecessary additional layer of reporting and may duplicate information already considered through structure planning. For developments involving multiple landholdings, it is considered that these requirements are better addressed at structure planning stage, where the management and delivery of open space can be considered across the broader development area. It is recommended that the Policy require these plans at structure planning stage or limit the subdivision-stage requirement to developments that are not subject to a broader structure planning process.	The Shire agrees that many of these documents should be provided at the Structure Planning stage. However, some developments may require more detail at subdivision stage depending on the proposed embellishment of the POS and the characteristics of the area. This section has been reworded to provide more flexibility around when these documents are required.	*From: Applicants for subdivisions should provide a Landscape and Vegetation Management Plan, an Open Space Management Plan, a Maintenance Schedule and a Bushfire Management Plan (where applicable).* *To:* *Applicants must provide at the structure plan stage a Landscape and Vegetation Management Plan, an Open Space Management Plan and a Bushfire Management Plan (where applicable). At subdivision stage more detailed Landscape and Vegetation Management Plans and Maintenance Schedule may be required.*
Viable Asset Management	Parcel Property strongly supports the ability to utilize Specified Area Rates within the Shire of Dardanup. Specified Area Rates have been shown across Western Australia to support the continued maintenance of high amenity areas, providing	Agree	No change required

RELATED SECTION	COMMENT	SHIRE OFFICERS RESPONSE	POLICY UPDATE
	certainty to residents and local government. A particular example is Aveley in the City of Swan, where high amenity lakes and vegetation retention is supported with a specified area rate applied.		
Schedule 1 and Schedule 2 Passive/ Environmental Reserve: Unacceptable Uses	Parcel understands and agrees that environmental reserves cannot contribute significantly to the overall open space calculation. However, removing its ability to contribute proportionally results in a misalignment with Liveable Neighbourhoods and creates a risk at reduced amenity and community integration. Liveable Neighbourhoods caps restricted POS, of which this would be classified, at 2%. Such a cap acknowledges that it should not be solely responsible for the provision of recreational space as it cannot accommodate the full requirement, however where careful consideration and appropriate design allows for it to be integrated into the wider recreational vernacular. It is recommended that this be reworded to the below or similar: "Cannot be greater than two per cent of POS calculations."	Hierarchy 1 Open Spaces can be considered as Restricted Open Space where it can be demonstrated to the Shire that there is a community recreation benefit or use.	*From:* *Inclusion in POS calculations.* *To:* *Inclusion in restricted POS calculations unless a community recreation benefit is demonstrated to the Shire.*
Neighbourhood Park or Sporting Precinct: Criteria	Further clarification should be provided as to what the expectations are regarding festivals and events in the context of a neighbourhood park. Such uses of a park range in intensity and size, and the Shire should provide direction as to what each park should be expected to accommodate. Parcel strongly supports the inclusion of the provision relating to future infrastructure	Neighbourhood parks should accommodate events up to approximately 150 people as per advice from Community Development.	*To:* *Sufficient in size to be used for festivals and events specified.* *From:* *Sufficient in size to be used for festivals and events up to 150 people where specified.*

RELATED SECTION	COMMENT	SHIRE OFFICERS RESPONSE	POLICY UPDATE
	connections to allow for future infrastructure assets. Constructing spaces that are adaptable and give flexibility for the Shire in the future is beneficial to both them and the community.		
District/Iconic Open Space and Sporting Precinct: Unacceptable Uses	Parcel do not object to the provision relating to these spaces not being adjacent to or near residents, however there should be an allowance for appropriate justification through available means in site plans and other reporting. Residential uses near or adjacent to these spaces often supports the growth of an entrenched community connection with the clubs or iconic use (natural or architectural) and that should be accounted for.	Agree this unacceptable use references upgrading of existing open spaces where there are existing residents.	From: *Sites adjacent or in close proximity to residences should be avoided or appropriate buffers provided so as to minimise impact of noise, traffic and light spill.* *To:* *Upgrade of existing sites adjacent to or near residences should be avoided or appropriate buffers provided to minimise impact of noise, traffic and light spill.*

END REPORT

12.5 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.5.1 Council Policy Framework Review and Rationalisation Program Stage 1

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officers	*Mrs Donna Bailye – Manager Governance* *Mrs Cindy Barbetti – Coordinator Governance*
Legislation	*Local Government Act 1995* *Planning and Development (Local Planning Schemes) Regulations 2015*
Council Role	*Legislative*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.5.1A – Planning-related Council Policies Proposed for Amendment (Tracked Changes)* *Appendix ORD: 12.5.1B – Local Planning Policies Proposed for Amendment (Tracked Changes)* *Appendix ORD: 12.5.1C – Dev CP092 – Local Planning Policy – Millbridge Estate – Special Provisions Proposed for Revocation* *Appendix ORD: 12.5.1D – Council Policies Proposed for Revocation* *Appendix ORD: 12.5.1E – Council Policies Proposed for Transfer to Administration Policy Manual* *Appendix ORD: 12.5.1F – Risk Assessment* *Not attached: 2024-2026 Council Policy Manual (entire policy manual)* *Refer weblink: 2024-2026_Council_Policy_Manual.pdf*

Overview

This report presents the outcomes of Stage 1 of the Shire's Council Policy Framework Review and Rationalisation program. The review assessed the Council Policy Manual, Local Planning Policies and related governance documents to ensure they remain relevant, effective and aligned with legislative and organisational requirements.

The review identified policies requiring amendment, revocation and transfer to the Administration Policy Manual to improve the overall effectiveness and governance of the Shire's policy framework. The recommendations contained within this report represent the first stage of a broader policy review program, with a further review proposed to be presented to the November 2026 Ordinary Council Meeting.

Council is requested to determine the policy matters contained within this report and authorise any publication required under the *Planning and Development (Local Planning Schemes) Regulations 2015* to give effect to Council's decision.

OFFICER RECOMMENDATION

THAT Council:

1. Adopts the amended planning-related Council Policies contained within (Appendix ORD: 12.5.1A):

    - Dev CP047 – State Administrative Tribunal (SAT) Representation Policy
    - Dev CP510 – Road and Thoroughfare Naming

2. Pursuant to Schedule 2, Part 2, Clause 5 and 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

    a. determines that the amendments to the Local Planning Policies listed in (Appendix ORD: 12.5.1B) are minor amendments that do not warrant advertising;

    b. adopts the amended Local Planning Policies contained within (Appendix ORD: 12.5.1B):
        - Dev CP028 – Local Planning Policy - Variation to Deemed-To-Comply Requirements of the R-Codes Medium-Density Single House Development Standards
        - Dev CP067 – Local Planning Policy - New Roads and Upgrades – Provision for and Contributions by Developers
        - Dev CP068 – Local Planning Policy - Uniform Fencing Abutting Public Land and Street Landscaping Within Subdivisions – Maintenance
        - Dev CP084 – Local Planning Policy – Advertising Signage
        - Dev CP094 – Local Planning Policy - Dardanup West Crooked Brook Area – Provision of Foreshore Facilities Developer Contribution
        - Dev CP099 – Local Planning Policy - Display Homes – Development Standards
        - Dev CP100 – Local Planning Policy - Ancillary Dwellings – Rural Residential, Rural Smallholdings, Rural and Priority Agriculture Zones
        - Dev CP502 – Local Planning Policy – Waiving and Refunding of Fees
        - Dev CP503 – Local Planning Policy – Development Assessment Unit
        - Dev CP504 – Local Planning Policy - Amendments and Extensions to Existing Approvals
        - Dev CP505 – Local Planning Policy - Public Consultation – Planning Matters
        - Dev CP513 – Local Planning Policy - Strategic Water Tanks for Fire Fighting Purposes in Non-Reticulated Areas

    c). Revokes Dev CP092 – Local Planning Policy – Millbridge Estate – Special Provisions and directs the Chief Executive Officer to publish a Notice of Revocation in accordance with Schedule 2 Part 2 Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* contained within (Appendix ORD: 12.5.1C).

3. Revokes the following Council Policies contained within (Appendix ORD: 12.5.1D):

    - CnG CP007 – Cost Shifting Assessment
    - CnG CP126 – Cyber Security
    - Dev CP093 – Sustainability
    - Infr CP017 – Project Development
    - Infr CP048 – Plant and Vehicle Acquisitions and Disposal
    - Infr CP054 – Engineers Certificates and Reports

4. Endorses the transfer of the following policies to the Administration Policy Manual and revokes their corresponding Council Policy status as contained within (Appendix ORD: 12.5.1E):

    - CnG CP018 – Corporate Business Plan and Long-Term Financial Plan
    - CnG CP035 – Payment of Accounts
    - CnG CP039 – Related Party Disclosure
    - CnG CP124 – Superannuation
    - CnG CP127 – Asset Capitalisation Threshold Policy
    - CnG CP305 – Litigations
    - CnG CP306 – Accounting Policy for Capital Works
    - Dev CP077 – Brigade Volunteer Minimum Training Requirements
    - Dev CP083 – Provision of Food and Refreshments at Fire
    - Dev CP501 – Volunteer Bush Fire Brigade Training Expenditure Reimbursement
    - Exec CP004 – Purchased Leave – Deferred Salary Arrangement
    - Exec CP006 – Defence Reservist Leave
    - Exec CP009 – Voluntary Works or Tasks – Equipment
    - Exec CP015 – Study Leave and Study Assistance
    - Exec CP019 – Corporate Identity and Logo Use
    - Infr CP045 – Bus Shelter Approval
    - Infr CP049 – Road Safety Audit

5. Authorises the Chief Executive Officer to undertake all administrative actions necessary to give effect to Council's decision, including updating the Council Policy Manual and Administration Policy Manual and undertaking any statutory publication requirements arising from Council's decision.

6. Notes that Stage 2 of the Council Policy Framework and Rationalisation Program will be presented to the November 2026 Ordinary Council Meeting.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommendation:

- *To include an additional clause adopting the amended Dev CP503 – Local Planning Policy – Development Assessment Unit, with a further amendment to change the DAU meeting schedule from Wednesday mornings to Thursday mornings.*

AMENDED OFFICERS' RECOMMENDATION & COUNCIL RESOLUTION

249-26 MOVED: Cr S L Gillespie SECONDED: Cr B S Farrant

THAT Council:

1. Adopts the amended planning-related Council Policies contained within (Appendix ORD: 12.5.1A):

- **Dev CP047 – State Administrative Tribunal (SAT) Representation Policy**
- **Dev CP510 – Road and Thoroughfare Naming**

2. Pursuant to Schedule 2, Part 2, Clause 5 and 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

a. determines that the amendments to the Local Planning Policies listed in (Appendix ORD: 12.5.1B) are minor amendments that do not warrant advertising;

b. adopts the amended Local Planning Policies contained within (Appendix ORD: 12.5.1B):

- **Dev CP028 – Local Planning Policy - Variation to Deemed-To-Comply Requirements of the R-Codes Medium-Density Single House Development Standards**
- **Dev CP067 – Local Planning Policy - New Roads and Upgrades – Provision for and Contributions by Developers**
- **Dev CP068 – Local Planning Policy - Uniform Fencing Abutting Public Land and Street Landscaping Within Subdivisions – Maintenance**
- **Dev CP084 – Local Planning Policy – Advertising Signage**
- **Dev CP094 – Local Planning Policy - Dardanup West Crooked Brook Area – Provision of Foreshore Facilities Developer Contribution**
- **Dev CP099 – Local Planning Policy - Display Homes – Development Standards**
- **Dev CP100 – Local Planning Policy - Ancillary Dwellings – Rural Residential, Rural Smallholdings, Rural and Priority Agriculture Zones**
- **Dev CP502 – Local Planning Policy – Waiving and Refunding of Fees**
- **Dev CP504 – Local Planning Policy - Amendments and Extensions to Existing Approvals**
- **Dev CP505 – Local Planning Policy - Public Consultation – Planning Matters**
- **Dev CP513 – Local Planning Policy - Strategic Water Tanks for Fire Fighting Purposes in Non-Reticulated Areas**

c. Revokes Dev CP092 – Local Planning Policy – Millbridge Estate – Special Provisions and directs the Chief Executive Officer to publish a Notice of Revocation in accordance with Schedule 2 Part 2 Clause 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* contained within (Appendix ORD: 12.5.1C).

d. Adopts the amended Dev CP503 – Local Planning Policy – Development Assessment Unit as contained within (Appendix ORD: 12.5.1B) with the following additional amendment:

- **That the DAU meet on Thursday mornings instead of Wednesday mornings.**

3. Revokes the following Council Policies contained within (Appendix ORD: 12.5.1D):

- **CnG CP007 – Cost Shifting Assessment**
- **CnG CP126 – Cyber Security**
- **Dev CP093 – Sustainability**
- **Infr CP017 – Project Development**
- **Infr CP048 – Plant and Vehicle Acquisitions and Disposal**
- **Infr CP054 – Engineers Certificates and Reports**

4. Endorses the transfer of the following policies to the Administration Policy Manual and revokes their corresponding Council Policy status as contained within (Appendix ORD: 12.5.1E):

- **CnG CP018 – Corporate Business Plan and Long-Term Financial Plan**
- **CnG CP035 – Payment of Accounts**
- **CnG CP039 – Related Party Disclosure**
- **CnG CP124 – Superannuation**
- **CnG CP127 – Asset Capitalisation Threshold Policy**
- **CnG CP305 – Litigations**
- **CnG CP306 – Accounting Policy for Capital Works**
- **Dev CP077 – Brigade Volunteer Minimum Training Requirements**
- **Dev CP083 – Provision of Food and Refreshments at Fire**
- **Dev CP501 – Volunteer Bush Fire Brigade Training Expenditure Reimbursement**
- **Exec CP004 – Purchased Leave – Deferred Salary Arrangement**
- **Exec CP006 – Defence Reservist Leave**
- **Exec CP009 – Voluntary Works or Tasks – Equipment**
- **Exec CP015 – Study Leave and Study Assistance**
- **Exec CP019 – Corporate Identity and Logo Use**
- **Infr CP045 – Bus Shelter Approval**
- **Infr CP049 – Road Safety Audit**

5. Authorises the Chief Executive Officer to undertake all administrative actions necessary to give effect to Council's decision, including updating the Council Policy Manual and Administration Policy Manual and undertaking any statutory publication requirements arising from Council's decision.

6. Notes that Stage 2 of the Council Policy Framework and Rationalisation Program will be presented to the November 2026 Ordinary Council Meeting.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Council Policies provide strategic direction and guidance for decision-making by Council and the administration, ensuring decisions are made in a consistent, transparent and accountable manner. The Shire's Council Policy Manual comprises Council Policies and Local Planning Policies that support the delivery of services, management of assets, governance obligations and statutory responsibilities.

The Shire's Policy Framework requires Council Policies to be reviewed on a biennial basis to ensure they remain current, comply with legislative requirements, reflect contemporary best practice and continue to meet the needs of the organisation and community.

Council last undertook a comprehensive review of the Council Policy Manual in October 2024. Since that time, Council has adopted a number of new policies and amendments to existing policies in response to legislative changes, operational requirements and emerging governance needs through ordinary review processes.

The assessment phase of the 2026 biennial review has now been completed, with officers assessing the ongoing relevance, effectiveness and governance status of all Council Policies and Local Planning Policies.

To support the review process, a workshop was held with the Executive Management Team in September 2026 to consider the ongoing relevance of Council Policies, identify opportunities for policy rationalisation and discuss the appropriate governance framework for the management of policy documents. Feedback from the workshop informed the recommendations for amendment, revocation and transfer contained within this report.

Following completion of the review, officers identified an opportunity to progress a number of policy rationalisation and governance improvement initiatives ahead of the broader review of the Council Policy Manual. This included Local Planning Policy matters requiring timely consideration by Council, policies identified as obsolete or redundant, and operational policies that are more appropriately managed within the Administration Policy Manual.

To support the review process, a workshop was held with the Executive Management Team in September 2026 to consider the ongoing relevance of Council Policies, identify opportunities for policy rationalisation and discuss the appropriate governance framework for the management of policy documents. Feedback from the workshop informed the recommendations for amendment, revocation and transfer contained within this report.

Accordingly, implementation of the review outcomes has been divided into two stages. This report represents Stage 1 and has been designed to progress:

- amendments to Local Planning Policies and associated statutory planning matters;
- policy rationalisation initiatives, including the revocation of redundant policies;

- governance improvements through the transfer of operational policies to the Administration Policy Manual; and
- selected Council Policy amendments identified during the review.

The remaining recommendations arising from the 2026 biennial review of Council Policies will be presented to the November 2026 Ordinary Council Meeting as Stage 2 of the Policy Framework Review and Rationalisation Program.

Legal Implications

Council's responsibility for determining the local government's policies is established under section 2.7(2)(b) of the *Local Government Act 1995*. Council Policies support the effective governance of the Shire by providing strategic direction and guiding consistent decision-making.

> ***2.7. Role of council***
>
> *(1) The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
>
> *(2) The council's governing role includes the following —*
>
> *(a) overseeing the allocation of the local government's finances and resources;*
>
> ***(b) determining the local government's policies;***
>
> *(c) planning strategically for the future of the district;*
>
> *(d) determining the services and facilities to be provided by the local government in the district;*
>
> *(e) selecting the CEO and reviewing the CEO's performance;*
>
> *(f) providing strategic direction to the CEO.*

The review and amendment of Local Planning Policies is undertaken in accordance with Schedule 2, Part 2, Clauses 4, 5 and 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which establish the requirements for the preparation, adoption and amendment of Local Planning Policies.

Where Council determines that proposed amendments are minor in nature and are unlikely to adversely affect existing landowners, residents, land users or the general public, the amendments may be adopted without public advertising. Alternatively, where amendments are considered to be more than minor in nature, the Regulations require the proposed policy amendments to be advertised for public comment prior to adoption.

> ***4. Procedure for making local planning policy***
>
> *(1) If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
>
> *(a) publish in accordance with clause 87 the proposed policy and a notice giving details of —*
>
> *(i) the subject and nature of the proposed policy; and*
>
> *(ii) the objectives of the proposed policy; and*
>
> *(iii) how the proposed policy is made available to the public in accordance with clause 87; and*
>
> *(iv) the manner and form in which submissions may be made; and*
>
> *(v) the period for making submissions and the last day of that period;*
>
> *(b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*

(c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.

(2) The period for making submissions specified in a notice under subclause (1)(a)(v) must not be less than the period of 21 days after the day on which the notice is first published under subclause (1)(a).

(3) After the expiry of the period within which submissions may be made, the local government must —

(a) review the proposed policy in the light of any submissions made; and

(b) resolve to —

(i) proceed with the policy without modification; or

(ii) proceed with the policy with modification; or

(iii) not to proceed with the policy.

(3A) The local government must not resolve under subclause (3) to proceed with the policy if —

(a) the proposed policy amends or replaces a deemed-to-comply provision of the R-Codes; and

(b) under the R-Codes, the Commission's approval is required for the policy; and

(c) the Commission has not approved the policy.

(4) If the local government resolves to proceed with the policy, the local government must publish notice of the policy in accordance with clause 87.

(5) A policy has effect on publication of a notice under subclause (4).

(6) The local government must ensure that an up-to-date copy of each local planning policy made under this Scheme that is in effect is published in accordance with clause 87.

(7) Subclause (6) is an ongoing publication requirement for the purposes of clause 87(5)(a).

[Clause 4 amended: SL 2020/252 r. 46.]

5. Procedure for amending local planning policy

(1) Clause 4, with any necessary changes, applies to the amendment to a local planning policy.

(2) Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.

Officers have reviewed the proposed amendments contained within (Appendix ORD: 12.5.1B) and consider them to be minor amendments for the purposes of Clause 5(2), as the majority relate to legislative reference updates, administrative corrections, formatting improvements, clarification of existing requirements and organisational changes. The amendments do not materially alter policy intent or create additional obligations on affected landowners or applicants.

6. Revocation of local planning policy

A local planning policy may be revoked —

(a) by a subsequent local planning policy that —

(i) is prepared in accordance with this Part; and

(ii) expressly revokes the local planning policy;

or

(b) by a notice of revocation —

(i) prepared by the local government; and

(ii) published by the local government in accordance with clause 87.

[Clause 6 amended: SL 2020/252 r. 47.]

Council Plan

13.1 - Adopt best practice governance.
13.2 - Manage the Shire's resources responsibly.
14.2 - Ensure equitable, inclusive and transparent engagement and decision- making.

Environment - None.

Precedents

Council reviews its policies regularly, with the last full Policy Manual review being presented to the Ordinary Meeting of Council on the 23rd October 2024 [Res: 274-24].

Budget Implications

While this report does not have any direct budget implications, various Policies contained within the Policy Manual have budget allocations and implications.

Budget – Whole of Life Cost - None.

Council Policy Compliance **-** All Council policies.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.1F) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Event	2026 Biennial Policy Manual Review	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial Impact	Policies that do not reflect current legislative obligations, operational practices or risk management requirements may result in inefficient use of resources, increased costs or potential financial liability.
	Service Interruption	Outdated or unclear policies may result in inconsistent decision-making and service delivery across the organisation.
	Legal and Compliance	Policies that are outdated, inconsistent with current legislation or no longer aligned with contemporary governance practices may expose the Shire to legal and compliance risks.
	Reputational	Failure to maintain an up-to-date and transparent policy framework may

Tier 2 – 'Low' or 'Moderate' Inherent Risk.		
		adversely impact public confidence in the Shire's governance and decision-making processes.

Officer Comment

The Shire's Council Policy Manual is reviewed on a biennial basis to ensure policies remain current, relevant, aligned with legislative requirements and reflective of contemporary organisational practices. Since the previous review, a number of policies have been amended, new policies have been adopted, legislative requirements have changed and operational practices have evolved.

As part of the 2026 Biennial Council Policy Review, all Council Policies, Local Planning Policies and related governance documents were reviewed by the relevant business units. The review considered the ongoing strategic value of each policy, legislative compliance, duplication with other documents and the most appropriate governance framework for managing the subject matter.

Following the review, officers have identified policies that are recommended for amendment, revocation or transfer to the Administration Policy Manual. The review has also identified several Local Planning Policies requiring amendment and one Local Planning Policy that is no longer required and is recommended for revocation.

The currently adopted 2024-2026 Policy Manual remains available on the Shire's website: 2024-2026_Council_Policy_Manual.pdf

Council Policies to be Endorsed

The following Council Policies have been reviewed and are recommended for amendment. The proposed changes range from administrative and legislative updates through to targeted policy improvements intended to improve clarity, reflect current practices and ensure the policies remain contemporary and fit for purpose.

COUNCIL POLICIES TO BE ENDORSED (Appendix ORD: 12.5.1A)		
Policy Name	**Directorate**	**Comments**
Dev CP047 – State Administrative Tribunal (SAT) Representation Policy.	Development Services	The review is limited to updating reference numbering. The policy intent and application remain unchanged.
Dev CP510 – Road and Thoroughfare Naming	Development Services	No change.

Local Planning Policies to be Endorsed

The following Local Planning Policies have been reviewed by Development Services and are recommended for amendment. Officers consider the proposed amendments to be minor in nature as they primarily relate to administrative updates, improved clarity, legislative reference updates and alignment with current planning practices. The amendments do not substantially alter the intent of the policies or introduce significant new planning requirements. Accordingly, officers consider the amendments suitable for adoption without advertising pursuant to Clause 5(2) of Schedule 2 Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

LOCAL PLANNING POLICIES TO BE ENDORSED (Appendix ORD: 12.5.1B)		
Policy Name	**Directorate**	**Comments**
Dev CP028 – Local Planning Policy - Variation to Deemed-To-Comply Requirements of the R-Codes Medium-Density Single House Development Standards	Development Services	The review is limited to updating references to the relevant Planning Bulletin. The policy intent and application remain unchanged.
Dev CP067 - Local Planning Policy - New Roads and Upgrades – Provision for and Contributions by Developers	Development Services	The policy has undergone a minor review to improve clarity, formatting and consistency. Amendments include updates to references, policy numbering and document structure, together with minor wording refinements to better align the policy with current planning and asset management documentation. No substantive changes are proposed to the circumstances in which developer contributions are required, the methodology for determining contributions, or the requirements for road construction and upgrades associated with development.
Dev CP068 – Local Planning Policy - Uniform Fencing Abutting Public Land and Street Landscaping Within Subdivisions – Maintenance	Development Services	The policy has undergone a minor review to improve clarity and alignment with current planning legislation and Local Planning Policy requirements. Amendments include an updated purpose statement to better articulate the intent of the policy, inclusion of application and reference document sections consistent with Local Planning Policy formatting, and minor administrative updates. No substantive changes are proposed to the developer obligations relating to the provision, maintenance and handover of uniform fencing or street landscaping within subdivisions.
Dev CP084 – Local Planning Policy – Advertising Signage	Development Services	The policy has been reviewed and modernised. Key changes include updated signage definitions and standards, expanded exemptions for low-impact signage, tweaked provisions for illuminated and electronic signage, signage strategy requirements for multi-tenancy sites, and improved guidance relating to heritage, safety and amenity considerations. The amendments provide a clearer and more contemporary framework for the assessment and management of advertising signage.
Dev CP094 – Local Planning Policy - Dardanup West Crooked Brook Area – Provision of Foreshore Facilities Developer Contribution	Development Services	The policy has undergone a minor review to improve clarity and align references with Local Planning Scheme No. 9 and current planning terminology. Amendments include updating references from the former Small Holding zone to the Rural Residential zone, administrative updates to policy wording and document structure, and clarification of provisions relating to the calculation and review of developer contributions. No substantive changes are proposed to the requirement for developer contributions towards foreshore facilities or the methodology used to determine contribution rates.
Dev CP099 - Local Planning Policy - Display Homes – Development Standards	Development Services	The policy has undergone a minor review to improve clarity and align references with Local Planning Scheme No. 9 and current Shire policies. Amendments include updating the responsible directorate name, clarifying the temporary nature of display home approvals, updating references to the Shire's Advertising Signage Policy, and making minor refinements to development standards relating to parking,

LOCAL PLANNING POLICIES TO BE ENDORSED (Appendix ORD: 12.5.1B)		
Policy Name	**Directorate**	**Comments**
		signage and application requirements. No substantive changes are proposed to the overall assessment framework or development standards for display homes.
Dev CP100 – Local Planning Policy - Ancillary Dwellings – Rural Residential, Rural Smallholdings, Rural and Priority Agriculture Zones	Development Services	The policy has undergone a minor review to align with Local Planning Scheme No. 9 and the current Local Planning Policy format. Amendments include updates to administrative sections, clarification of the policy application provisions, reference to Special Control Areas under LPS9, and updates to directorate naming and document structure. No substantive changes are proposed to the policy intent, eligibility requirements, or development standards for ancillary dwellings.
Dev CP502 - Local Planning Policy – Waiving and Refunding of Fees	Development Services	The policy has undergone an administrative review only. Amendments are limited to updating directorate and position titles to reflect the current organisational structure, with no changes proposed to the policy intent, eligibility criteria, fee waiver and refund provisions, or delegated authority arrangements.
Dev CP503 - Local Planning Policy – Development Assessment Unit	Development Services	The policy has undergone an administrative review to reflect the Shire's current organisational structure, position titles and operational processes. Key amendments include updates to Directorate and officer position titles, clarification of the Development Assessment Unit's role and functions, refinements to membership and meeting procedures, and minor updates to application assessment and referral processes. No significant changes are proposed to the purpose of the Development Assessment Unit or the framework for assessing and determining development applications.
Dev CP504 – Local Planning Policy - Amendments and Extensions to Existing Approvals	Development Services	Policy has been updated with stronger references to Clause 77 of the Deemed Provisions and the requirement to assess amendments against the relevant provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. The revised policy also provides clearer guidance on when advertising is required, introduces a specific section on administrative corrections ('Slip Rule'), and sets out the factors the Shire will consider when deciding whether to grant extensions of time for development approvals.
Dev CP505 – Local Planning Policy - Public Consultation – Planning Matters	Development Services	The policy has undergone a review to refine public consultation requirements and improve administrative clarity. Key amendments include updates to consultation timeframes for certain planning matters, clarification of consultation processes and notification requirements, removal of provisions that may create ambiguity regarding public submissions, and minor administrative updates to align the policy with current organisational structures and planning practices. The policy's overall intent and consultation framework remain unchanged.
Dev CP513 – Local Planning Policy - Strategic Water Tanks for Fire Fighting Purposes in Non-Reticulated Areas	Development Services	The policy has been updated to align with the Guidelines for Planning in Bushfire Prone Areas (2024), clarify strategic firefighting water supply requirements for subdivision and structure plan proposals, and improve guidance regarding the design, installation and ongoing management of strategic water tanks.

Local Planning Policy for Revocation

Officers have reviewed the following Local Planning Policy and determined that it is no longer required, as its purpose and planning outcomes are now addressed through the existing statutory planning framework. Subject to Council's determination, the policy will be revoked and a Notice of Revocation published in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

LOCAL PLANNING POLICY TO BE REVOKED (Appendix ORD: 12.5.1C)		
Policy Name	**Directorate**	**Comments**
Dev CP092 – Local Planning Policy - Millbridge Estate – Special Provisions	Development Services	The Local Planning Policy is proposed for revocation as its site-specific development requirements are now captured within adopted Local Development Plans for the affected areas. The statutory planning framework will continue to guide development outcomes, making the policy redundant.

Council Policies Proposed for Revocation

The following Council Policies are recommended for revocation as they are no longer required, have been superseded by other documents, duplicate legislative requirements or no longer reflect the Shire's current strategic direction and operational practices.

COUNCIL POLICIES TO BE REVOKED (Appendix ORD: 12.5.1D)		
Policy Name	**Directorate**	**Comments**
CnG CP007 – Cost Shifting Assessment	Corporate & Governance	The policy does not provide Council with a decision-making framework capable of preventing or mitigating cost shifting and largely reflects administrative processes that occur as part of normal budget, planning and advocacy activities. As such, a standalone Council policy is not considered necessary, and it is recommended that this policy be revoked.
CnG CP126 – Cyber Security	Corporate & Governance	This policy is to be revoked as it is now covered by the Shire's Cyber Security Strategy and PRIS legislation.
Dev CP093 – Sustainability	Development Services	It is recommended that this policy be revoked. The policy was originally adopted to provide guidance on environmental, social and economic sustainability considerations in the assessment of planning proposals and development applications. Since the policy was adopted, the planning framework has evolved significantly, with sustainability outcomes now addressed through the Shire's Local Planning Scheme, Local Planning Policies, State Planning Policies, structure planning requirements, subdivision processes and other legislative assessment frameworks. Many of the matters contained within the policy are either duplicated by, or appropriately addressed through, these existing statutory and strategic planning instruments. Revoking the policy will reduce duplication within the policy framework while ensuring sustainability considerations continue to be assessed through the relevant legislative and planning processes.

COUNCIL POLICIES TO BE REVOKED (Appendix ORD: 12.5.1D)		
Policy Name	**Directorate**	**Comments**
Infr CP017 – Project Development	Infrastructure	It is proposed that the policy be revoked, as its intent and requirements are now adequately addressed through the Shire's integrated planning framework, including the Strategic Community Plan, Corporate Business Plan, annual budget process and supporting procedures. These mechanisms provide the established framework for project prioritisation, assessment and delivery, making a standalone Council Policy unnecessary.
Infr CP048 – Plant and Vehicle Acquisitions and Disposal Policy	Infrastructure	It is proposed that the policy be revoked, as the acquisition and replacement of plant and vehicles is now guided through the Shire's Asset Management Plans, Long Term Financial Plan, annual budget process and Integrated Planning Committee (IPC). The replacement thresholds contained within the policy are operational in nature and are more appropriately maintained within asset management documentation, where they can be reviewed and updated in response to changing operational requirements and asset performance.
Infr CP054 – Engineers Certificates and Reports	Infrastructure	The policy is proposed for revocation as qualification and competency requirements for engineering works are already managed through employment, procurement, professional accreditation and legislative frameworks, making a standalone Council Policy unnecessary.

Council Policies to be Transferred to the Administration Policy Manual

Officers have reviewed the following Council Policies and determined that they are operational in nature and would be more appropriately managed as Administration Policies. Transferring these documents will ensure that strategic and governance matters remain within the Council Policy Manual, while allowing operational procedures and administrative requirements to be maintained and updated efficiently through internal administrative processes.

Several of the policies proposed for transfer relate to employee benefits and employment arrangements, including study assistance, purchased leave, defence reservist leave and superannuation. These policies originally formed part of the Shire's broader workforce attraction and retention initiatives; however, these are now embedded within the Employee Value Proposition (EVP) framework that was delivered in 2023. As these matters relate to the day-to-day management of employees and operational employment practices, officers consider they are more appropriately administered through the Administration Policy Manual rather than retained as Council Policies. The proposed transfer does not alter the intent, availability or application of the benefits, but instead reflects a governance change to ensure employee-related operational matters are managed through the most appropriate policy framework.

Any decisions relating specifically to the employment benefits of the Chief Executive Officer will continue to be considered separately and transparently in accordance with the CEO's Contract of Employment and applicable governance processes.

POLICIES TO BE TRANSFERRED TO ADMINISTRATION POLICIES (Appendix ORD: 12.5.1E)		
Policy Name	**Directorate**	**Comments**
CnG CP018 – Corporate Business Plan and Long-Term Financial Plan	Corporate & Governance	A review of CnG CP018 – Corporate Business Plan and Long-Term Financial Plan has identified that the Local Government Act 1995, Local Government (Administration) Regulations 1996 and Local Government (Financial Management) Regulations 1996 require the Shire to undertake forward planning, prepare and review its Corporate Business Plan and prepare and adopt an Annual Budget. However, there is no specific legislative requirement for Council to adopt a policy governing the budget development process, Corporate Business Plan or Long-Term Financial Plan. The current policy primarily establishes the Shire's administrative processes and indicative timeframes, including the submission and assessment of budget requests, annual planning timelines and the treatment of late or emerging requests. These matters are operational in nature and can be appropriately managed by the administration while remaining consistent with the legislative requirements and Council's adopted strategic priorities. It is therefore recommended that CnG CP018 be reclassified from a Council Policy to an Administrative Policy. This would retain a documented framework for the annual Corporate Business Plan, Long-Term Financial Plan and Annual Budget development process while providing the administration with greater flexibility to amend operational timeframes and processes as required, without requiring Council to formally amend the policy.
CnG CP035 – Payment of Accounts	Corporate & Governance	The information in this policy is procedural in nature. Content to be moved to an Administration Policy and Procedure.
CnG CP039 – Related Party Disclosures	Corporate & Governance	Policy CP039 – Related Party Disclosure Policy be revoked as a Council Policy and incorporated into Administrative Policy AP027 – Related Party Disclosure. The requirement to manage and disclose related party transactions arises from Australian Accounting Standard AASB 124 Related Party Disclosures, the financial reporting requirements of the Local Government Act 1995 and associated financial management regulations. There is no legislative requirement for a Council-adopted policy addressing related party disclosures. The administrative processes contained within the policy relate primarily to financial reporting, record keeping, annual declarations, and compliance procedures. These matters are operational in nature and are more appropriately managed through an Administrative Policy. Accordingly, the document should be retained as Administrative Policy AP027 – Related Party Disclosure for information, guidance and compliance purposes, while removing duplication within the Council Policy Manual.

POLICIES TO BE TRANSFERRED TO ADMINISTRATION POLICIES (Appendix ORD: 12.5.1E)		
Policy Name	**Directorate**	**Comments**
CnG CP124 – Superannuation	Corporate & Governance	This policy will be transferred to an Administration Policy as part of a broader review and consolidation of employee benefit policies.
CnG CP127 – Asset Capitalisation Threshold Policy	Corporate & Governance	The information in this policy is procedural in nature, with the threshold defined by FM Regulations 17A. Content to be moved to an Administration Policy and Procedure.
CnG CP305 – Litigations	Corporate & Governance	Review of CnG CP305 – Litigations has identified that, while the principles contained within the Policy remain relevant to the appropriate and fair management of civil claims and litigation, there is no legislative requirement for the Shire to maintain a separate Council Policy addressing litigation or model litigant conduct. The Shire already has a Council Policy addressing Legal Representation, which provides the appropriate Council-level framework for the provision and funding of legal advice and representation for elected members and employees. The detailed management of claims, legal proceedings, legal costs, settlement matters and the conduct of litigation is primarily administrative and operational in nature and is more appropriately managed through an Administrative Policy and associated procedures. It is therefore recommended that CnG CP305 – Litigations be revoked as a Council Policy, with its relevant principles reviewed and incorporated into an Administrative Policy for Litigation and Legal Claims Management. This approach retains appropriate governance controls and expectations while reducing duplication and providing greater flexibility for administration to manage litigation in accordance with legislative requirements, legal advice and the Shire's delegations.
CnG CP306 – Accounting Policy for Capital Works	Corporate & Governance	As accounting treatment is an operational function governed by Accounting Standards, Council oversight of detailed accounting methodologies is not required. It is recommended that the policy be transferred to an Administration Policy.
Dev CP077 – Brigade Volunteer Minimum Fire Training Requirements	Development Services	The policy relates to operational training requirements and administrative processes for volunteer bushfire brigades. It is proposed that the policy be transitioned to an Administration Policy to allow training standards and procedural requirements to be updated more efficiently as operational needs and DFES requirements evolve.
Dev CP083 – Provision of Food and Refreshments at Fire	Development Services	The policy is operational in nature and deals with internal processes for providing food and refreshments to volunteer firefighters during emergency incidents. It is proposed that the policy be transferred to an Administration Policy to support more efficient management of operational requirements.
Dev CP501 – Volunteer Bush Fire Brigade Training Expenditure Reimbursement	Development Services	The policy relates to operational reimbursement arrangements for Volunteer Bush Fire Brigade members attending approved training. As it primarily establishes administrative processes, reimbursement rates and claim requirements, it is proposed that the content be transferred to an Administration Policy, allowing

POLICIES TO BE TRANSFERRED TO ADMINISTRATION POLICIES (Appendix ORD: 12.5.1E)		
Policy Name	**Directorate**	**Comments**
		reimbursement provisions to be updated in line with ATO rates, DFES requirements and operational needs.
Exec CP004 – Purchased Leave – Deferred Salary Arrangement	Executive	This policy will be transferred to an Administration Policy as part of a broader review and consolidation of employee benefit policies.
Exec CP006 – Defence Reservist Leave	Executive	This policy will be transferred to an Administration Policy as part of a broader review and consolidation of employee benefit policies.
Exec CP009 – Voluntary Works or Tasks - Equipment	Executive	The policy is operational in nature, dealing with volunteer management, insurance, inductions and equipment use. It is proposed that the policy be transferred to an Administration Policy to support more efficient management of volunteer and WHS requirements.
Exec CP015 – Study Leave and Study Assistance	Executive	This policy will be transferred to an Administration Policy as part of a broader review and consolidation of employee benefit policies.
Exec CP019 Corporate Identity and Logo Use	Executive	The policy relates to the operational management and use of the Shire's corporate logo. It is proposed that the policy be transitioned to an Administration Policy to allow branding and communication requirements to be managed and updated administratively as required.
Infr CP045 – Bus Shelter Approval	Infrastructure	The policy has been identified as operational rather than strategic in nature, as it primarily sets out the assessment, approval and design requirements for bus shelters. It is proposed that the policy be transferred to an Administration Policy, allowing operational standards, technical specifications and consultation requirements to be updated efficiently in response to service delivery needs without requiring Council approval.
Infr CP049 – Road Safety Audit	Infrastructure	The policy is operational in nature and establishes circumstances where Road Safety Audits are required, together with associated technical and accreditation requirements. As these matters are guided by industry standards, Main Roads WA requirements, and engineering best practice, it is proposed that the policy be transferred to an Administration Policy.

Officers consider that the proposed amendments, revocations and transfers will improve the effectiveness of the Shire's policy framework, ensure policy documents remain current and relevant, and support good governance practices through the appropriate management of strategic and operational matters. This report represents Stage 1 of the Policy Framework Review and Rationalisation Program, with further recommendations to be presented to the November 2026 Ordinary Council Meeting.

END REPORT

12.5.2 Quarterly Corporate Performance Report – July to September 2026

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officer	*Mrs Amy Bywaters – Executive Assistant*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.5.2A – Quarterly Corporate Performance Report* *Appendix ORD: 12.5.2B – Risk Assessment*

Overview

This report presents Council with the attached Quarterly Corporate Performance (QCP) Report for the period July to September 2026 (Appendix ORD: 12.5.2A) in relation to the organisation's performance against the Shire's Corporate Business Plan, Annual Budget, and Grants.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

250-26 MOVED: Cr S L Gillespie SECONDED: Cr B S Farrant

THAT Council receives the Quarterly Corporate Performance Report for the period July to September 2026 as per (Appendix ORD: 12.5.2A).

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The purpose of this report is to provide Council with an update on the Shire's performance against the Council Plan Initiatives, Capital Projects, and Grant Funding for 2026/27. The report now includes additional information and performance indicators to give council a more detailed overview of the organisations progress.

The first Quarterly Corporate Performance Report covers the period from 1 July 2026 to 30 September 2026.

Legal Implications - None.

Council Plan

13.1 - Adopt best practice governance
13.2 - Manage the Shire's resources responsibly

Environment - None.

Precedents

The Quarterly Corporate Performance Report is provided in accordance with the Chief Executive Officer Key Performance Indicators as set by Council. The report forms part of the CEO's annual KPIs for the 2026/27 financial year and details the delivery of initiatives contained within the Council Plan and delivery of the Capital Works Program contained within the Annual Budget.

The report is presented to Council each quarter for endorsement. The last Quarterly Corporate Performance Report (Q4 - 2025/26) was presented to Council on the 22 July 2026.

Following a Council workshop, it was agreed that from Quarter 1 of the 2026/27 financial year (reporting period July-September 2026), several key reporting items would be incorporated into the Quarterly Corporate Performance Report. As from Quarter 1, there are now additional key measures including in the report.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.2B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Quarterly Corporate Performance Report – July to September 2026	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Reputational	Failure to achieve Council Plan objectives or effectively report organisational performance may adversely impact Council's reputation and stakeholder confidence.

Officer Comment

The Quarterly Corporate Performance Report – Quarter 1 is presented to Council for information. Any matters identified within the report requiring further consideration or decision by Council will be the subject of a separate report. This report provides an overview of performance against Council Plan initiatives and the Capital Works Program.

The report provides Council with an update on the organisation's progress and performance during the first quarter for the 2026/27 financial year. It supports Council's ongoing monitoring of key initiatives and projects and helps ensure transparency and accountability in delivering Council's priorities.

Further detail on the Shire's overall performance is provided in the Quarterly Corporate Performance Report (Appendix ORD: 12.5.2A).

END REPORT

12.5.3 Setting of Council Meeting Dates & Christmas Closure

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officer	*Mrs Donna Bailye - Manager Governance*
Legislation	*Local Government Act 1995* *Local Government (Audit) Regulations 1996* *Local Government (Administration) Regulations 1996* *Emergency Management Act 2005* *Bush Fires Act 1954*
Council Role	*Legislative.*
Voting Requirement	*Simple Majority.*
Attachments	*Appendix ORD: 12.5.3A – Risk Assessment Tool* *Confidential Attachment B – All Meetings Planner 2027*

Overview

Council is requested to determine the schedule of Ordinary Council Meetings and Committee meetings for 2027.

Council is also requested to consider the Shire's proposed Christmas/New Year business closure for 2026/27 to enable workforce planning and advance notice to the community.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION 'A' & COUNCIL RESOLUTION

251-26 MOVED: Cr A C Jenour SECONDED: Cr L W Davies

THAT Council:

1. **Sets the following Ordinary Council Meeting dates for the period of January 2027 to December 2027, with meetings commencing at 5:00pm at the Shire of Dardanup Administration Centre, Eaton:**

2027 DATE
Wednesday, 27th January 2027
Wednesday, 24th February 2027
Wednesday, 24th March 2027
Wednesday, 28th April 2027
Wednesday, 26th May 2027
Wednesday, 23rd June 2027
Wednesday, 28th July 2027
Wednesday, 25th August 2027
Wednesday, 29th September 2027
Wednesday, 27th October 2027
Wednesday, 24th November 2027
Wednesday, 15th December 2027

2. **Sets a Special Council Meeting to be held on the 20th October 2027 for the purpose of electing a Shire President and a Deputy Shire President and to allocate seating for the newly elected Council, with the meeting commencing at 5:00pm at the Shire of Dardanup Administration Centre, Eaton.**

3. Sets the following 2027 meeting dates and arrangements for the Committees of Council established under the *Local Government Act 1995*, with meetings to be held at the Shire of Dardanup Administration Centre, Eaton, unless otherwise specified:

COMMITTEE	2027 DATE AND TIME
Audit, Risk and Improvement Committee (ARIC)	Wednesday, 10th March 2027 at 2:30pm
	Wednesday, 9th June 2027 at 2:30pm
	Wednesday, 8th September 2027 at 2:30pm
	Wednesday, 17th November 2027 at 2:30pm (Audit Exit Meeting)
	Wednesday, 8th December 2027 at 2:30pm
Behaviour Complaints Committee	As required, with meetings convened by the Chief Executive Officer in consultation with the Presiding Member. Reserved Meeting Date, Wednesday, 30th September 2027 at 3.30pm
Integrated Planning Committee (IPC)	Wednesday, 10th March 2027 at 9:00am
	Wednesday, 21st April 2027 at 9:00am
CEO Review Committee	At least once per year to facilitate an annual assessment of the Chief Executive Officer's performance. Reserved Meeting Date, Wednesday, 2nd June 2027 at 3.30pm
Selection and Nominations Committee	Convened as required to assess applications and prepare recommendations to Council. Reserved Meeting Date, Wednesday, 27th October 2027 at 3.30pm

4. Notes the following 2027 meeting arrangements for the Local Emergency Management Committee (LEMC) established under the *Emergency Management Act 2005:*

2027 DATE
Wednesday, 10th February 2027
Wednesday, 12th May 2027
Wednesday, 11th August 2027
Wednesday, 10th November 2027

5. Notes the following 2027 meeting arrangements for the Bush Fire Advisory Committee (BFAC) established under the *Bush Fires Act 1954:*

2027 DATE
Wednesday, 17th March 2027
Wednesday, 16th June 2027
Wednesday, 6th October 2026

6. Sets the Annual General Meeting of Electors date for Wednesday, 27th January 2027, in accordance with section 5.27 of the *Local Government Act 1995*, commencing at 6:00pm in the Council Chambers of the Shire of Dardanup Administration Centre, Eaton.

7. Requests that the Chief Executive Officer advertises the meeting dates, times and places required to be publicly notified under the *Local Government (Administration) Regulations 1996* by publishing them in accordance with those requirements and on the Shire of Dardanup's website.

8. Notes that the 2027 local government election is scheduled for Saturday, 16th October 2027, with subsequent Council governance arrangements to include the swearing in of any newly elected members, the election of a Shire President and Deputy Shire President, and the nomination of elected members to Council Committees.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

OFFICER RECOMMENDATION 'B' & COUNCIL RESOLUTION

252-26 MOVED: Cr A C Jenour SECONDED: Cr L W Davies

THAT Council:

1. Endorses the Shire of Dardanup 2026/27 Christmas/New Year business closure of Administration services, Library services, and Recreation Centre services, from 12:00pm on Thursday, 24th December 2026 to Sunday, 3rd January 2027 inclusive, with normal business operations resuming on Monday, 4th January 2027; and

2. Authorises the closure to be communicated to the community in advance and be made available on the Shire of Dardanup's website.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Council determines its Ordinary Council Meeting and Committee meeting schedule annually to provide certainty to Elected Members, employees and the community, and to facilitate the timely publication of meeting details as required by the *Local Government (Administration) Regulations 1996*.

Council's established practice is to hold Ordinary Council Meetings at the Shire of Dardanup Administration Centre, Eaton, on the fourth Wednesday of each month, commencing at 5:00pm. For 2027, the proposed schedule generally maintains the established monthly meeting patten, with dates adjusted where necessary to accommodate the calendar and operational requirements.

Committee meeting arrangements have been developed having regard to the purpose, functions, responsibilities and meeting requirements established within each Committee's respective Terms of Reference, together with its anticipated business requirements for 2027. Where a committee meets only as required, meeting dates cannot be reasonably determined in advance, and meetings will be convened when necessary in accordance with its Terms of Reference.

The meeting arrangements for all Committees are included to provide Council with a consolidated overview of the Shire's proposed governance and committee commitments for 2027.

The Annual General Meeting of Electors is required to be held once each financial year and not more than 56 days after the local government accepts the annual report for the preceding financial year. The 2027 meeting is proposed to be held on 27th January 2027, having regard to the anticipated acceptance of the Shire of Dardanup 2025/26 Annual Report in December 2026.

The 2027 local government election is scheduled for Saturday, 16th October 2027. Following the election, the new Council will undertake the required swearing in of newly elected members, the election of a Shire President and Deputy Shire President, and consideration of elected member representation on Council Committees. The proposed meeting schedule allows for these governance matters to be addressed following the election.

The proposed Christmas/New Year business closure is also presented to Council for consideration to facilitate workforce planning and provide advance notice to the community.

Legal Implications

Section 5.25(1)(g) of the *Local Government Act 1995* provides for regulations (Section 12.(2)) relating to the giving of public notice of the date and agenda for council or committee meetings.
The *Local Government Act 1995* and the *Emergency Management Act 2005*, respectively require the establishment of:

- An Audit, Risk and Improvement Committee; and
- A Local Emergency Management Committee.

The *Bush Fires Act 1954*, section 67 provides that a Council may appoint a Bush Fire Advisory Committee.

The Shire of Dardanup Standing Orders Local Law 2014 applies to the conduct of Council and Committee meetings.

Regulation 12 of the *Local Government (Administration) Regulations 1996* requires a local government to give local public notice of the dates, times and places of Ordinary Council Meetings and Committee meetings that are required under the Act to be open to members of the public or are proposed to be

open to members of the public. Any change to the date, time or place of such a meeting must also be publicly notified.

Section 5.27 of the *Local Government Act 1995* requires a general meeting of electors to be held once each financial year and not more than 56 days after the local government accepts the annual report for the previous financial year.

The Shire of Dardanup 2025/26 Annual Report is scheduled for Council review and consider adoption at its Ordinary Council meeting to be held in December 2026.

Council Plan

13.1 - Adopt best practice governance
13.2 - Manage the Shire's resources responsibly
14.1 - Increase community awareness, knowledge and understanding of Shire activities and key messages
14.2 - Ensure equitable, inclusive and transparent engagement and decision-making.

Environment - None.

Precedents

Council determines its Ordinary Council Meeting and Committee meeting schedules annually for the forthcoming calendar year. The proposed 2027 schedule generally maintains Council's established meeting pattern.

Budget Implications

Minor administrative costs associated with the publication of meeting information and community notification are accommodated within the adopted Annual Budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance

- Exec CP205 – Council Meeting Framework

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.2A) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Setting of Meeting Dates 2027	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Service Interruption	Inadequate planning or communication of the Christmas/New Year closure may temporarily disrupt community access to Shire services.
	Legal and Compliance	Failure to publish Council and Committee meeting details in accordance with legislative requirements may result in non-compliance.
	Reputational	Inadequate communication of meeting arrangements or the Christmas/New Year closure may negatively impact community confidence in the Shire.

Officer Comment

Section 5.25(1)(g) of the *Local Government Act 1995* provides for regulations concerning the giving of public notice of the date and agenda for Council or Committee meetings. Regulation 12 of the *Local Government (Administration) Regulations 1996* requires a local government to give local public notice of the dates, times and places of Ordinary Council Meetings and Committee meetings that are required under the Act to be open to members of the public or are proposed to be open to members of the public. Any change to those meeting details must also be publicly notified.

Council is also requested to determine the Annual General Meeting of Electors date for 2027. Section 5.27 of the *Local Government Act 1995* requires a general meeting of electors to be held once each financial year and not more than 56 days after the local government accepts the annual report for the preceding financial year.

The 2027 local government election is scheduled for Saturday, 16th October 2027. Following the election, the new Council will undertake the required swearing in of any new elected members, the election of a Shire President and Deputy Shire President, and consideration of elected member representation on Council Committees.

The proposed 2027 meeting schedule provides a consistent and coordinated program for Council and its Committees, while allowing for operational requirements and the different meeting arrangements applicable to each Committee. The Ordinary Council Meetings are scheduled to commence at 5:00pm at the Shire of Dardanup Administration Centre, Eaton, on the dates set out in this report. The December meeting is scheduled for Wednesday 15th December 2027 to accommodate end-of-year operational requirements and the Christmas/New Year period.

The 2027 local government election is scheduled for Saturday, 16th October 2027. Following the election, a Special Council Meeting is proposed for Wednesday, 20th October 2027, to elect the Shire President and Deputy Shire President and allocate seating for the newly elected Council. Consideration of elected member representation on Council Committees will also be required following the election.

Where a Committee meeting is required under the Act to be open to the public, the applicable meeting details will be publicly notified in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

The proposed Annual General Meeting of Electors date of Wednesday, 27th January 2027 has been identified having regard to the anticipated timing of acceptance of the Shire's 2025/26 Annual Report and the statutory timeframe under section 5.27 of the *Local Government Act 1995*.

Should Council determine the proposed meeting arrangements, the meeting details required to be publicly notified under Regulation 12 will be published in accordance with the Regulation.

The proposed Christmas/New Year business closure is intended to support workforce planning and provide the community with advance notice of the period during which normal business operations will be suspended. Normal operations will resume on Monday, 4th January 2027.

The matters presented in this report are submitted for Council's consideration.

END REPORT

12.5.4 Delegation 1.2.27 - Defer, Grant Discounts, Waive or Write Off Debts

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officer	*Mrs Donna Bailye – Manager Governance* *Mrs Cindy Barbetti – Coordinator Governance*
Legislation	*Local Government Act 1995, s 5.42, 5.43, 5.44 and 6.12.*
Council Role	*Legislative*
Voting Requirement	*Absolute Majority*
Attachments	*Appendix ORD: 12.5.4A – Delegation 1.2.27 (for Deletion)* *Appendix ORD: 12.5.4B – Delegation 1.2.27 (for Adoption with tracked changes)* *Appendix ORD: 12.5.4C – Risk Assessment*

Overview

The purpose of this report is to amend *Delegation 1.2.27 - Defer, Grant Discounts, Waive or Write Off Debts* to clarify Council's intent regarding the waiver, concession and write-off of debts, establish appropriate assessment criteria for community group requests, and improve governance controls relating to debt write-offs.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

253-26 MOVED: Cr T G Gardiner SECONDED: Cr M R Hutchinson

THAT Council:

1. **Revokes the existing Delegation 1.2.27 - Defer, Grant Discounts, Waive or Write Off Debts as contained in (Appendix ORD 12.5.4A).**

2. **Adopts the amended Delegation 1.2.27 as contained in (Appendix ORD 12.5.4B).**

3. **Authorises the Chief Executive Officer to update the Delegations Register accordingly.**

CARRIED
By Absolute Majority
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Council has delegated authority to the Chief Executive Officer under section 6.12 of the *Local Government Act 1995* to waive debts, grant concessions and write off amounts owing to the Shire.

A review of Delegation 1.2.27 identified several areas where clarification and refinement of the delegation would improve consistency, transparency and governance outcomes.

As part of the review, it was identified that the financial limits applying to the exercise of delegated authority would benefit from clarification and more explicit articulation within the delegation.

The review identified that requests from charitable and not-for-profit organisations were not subject to any explicit assessment criteria. As currently drafted, the delegation enables waivers and concessions to be granted to eligible organisations without consideration of the community benefit arising from the request. This has particular relevance to requests for fee reductions or waivers associated with the use of Shire facilities, where the level of community benefit may vary between applicants.

The review also found that the delegation did not adequately address operational fees and charges where it may be appropriate for the Shire to waive or reduce a fee having regard to the circumstances of the matter, despite the applicant not being a charitable or not-for-profit organisation. Examples may include animal management fees, waste-related charges, or other operational fees.

In addition, the current write-off provisions have been reviewed to provide clearer criteria for determining when a debt may be written off and to better distinguish between administrative write-offs and debts that have proven unrecoverable following recovery action.

The proposed amendments introduce a community benefit assessment criterion for charitable and not-for-profit organisations, provide appropriate discretion in relation to operational fees and charges, strengthen governance controls relating to debt write-offs, and establish a clear financial threshold for the exercise of delegated authority.

Legal Implications

Local Government Act 1995 s5.42 - Delegation of some powers and duties to CEO.
Local Government Act 1995 s5.44 - CEO may delegate powers and duties to other employees.
Local Government Act 1995 s6.12 - Power to defer, grant discounts, waive or write off debts.

The delegation is made under sections 5.42 and 6.12 of the *Local Government Act 1995*. Section 5.42 enables Council to delegate the exercise of certain powers and duties to the Chief Executive Officer, while section 6.12 provides the power to defer, grant discounts, waive or write off debts owed to the local government.

The proposed amendments relate only to Council's delegation to the Chief Executive Officer. Any sub-delegation of the delegated authority to employees under section 5.44 of the *Local Government Act 1995* is a matter for determination by the Chief Executive Officer and is not the subject of this report.

Council Plan

13.1 - Adopt best practice governance

Environment - None.

Precedents

Council's Register of Delegations is reviewed annually and additionally as required to ensure delegated authority remains contemporary, operationally effective and consistent with legislative requirements. The proposed amendments form part of this review process and relate to the existing Delegation 1.2.27 - *Defer, Grant Discounts, Waive or Write Off Debts*.

Budget Implications

The proposed amendments do not create any additional financial liability for the Shire.

The amendments improve administrative efficiency by establishing clearer authority for low-value operational fee waivers and concessions and providing clearer criteria for debt write-offs.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.4C) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Delegation 1.2.27 - Defer, Grant Discounts, Waive or Write Off Debts	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Ambiguous delegation provisions may result in inconsistent financial decisions, inappropriate fee waivers, or differing interpretations of delegated authority.
	Legal and Compliance	Ambiguity within the existing delegation may result in inconsistent application of delegated authority or decisions being made without clear authority or assessment criteria.
	Reputational	Granting waivers or concessions without transparent assessment criteria may create perceptions of inconsistency or preferential treatment. Community confidence may be impacted where decisions cannot be clearly justified.

Officer Comment

Following a review of Delegation 1.2.27, a number of amendments have been identified to improve clarity, consistency and governance outcomes. The amendments seek to achieve an appropriate balance between strengthening governance controls and maintaining operational flexibility. In

particular, the amendments introduce a community benefit assessment criterion for requests from charitable and not-for-profit organisations while also enabling consideration of operational fee and charge waivers where it is considered appropriate having regard to the circumstances of the matter.

The proposed amendments clarify the circumstances in which waivers and concessions may be granted, introduce a community benefit assessment criterion for charitable and not-for-profit organisations, provide greater flexibility in relation to operational fees and charges, and strengthen the write-off provisions by establishing clearer criteria for determining when a debt may be written off. The amendments do not alter the underlying authority delegated by Council but provide clearer guidance regarding the exercise of that authority.

The amendments also confirm and clarify the financial limits applicable to the exercise of the delegation. While the Chief Executive Officer remains the delegate under section 6.12 of the *Local Government Act 1995*, the delegation limits the Chief Executive Officer's authority to approve waivers, concessions and write-offs up to $3,000. Matters exceeding this threshold will continue to require Council determination, ensuring appropriate oversight of higher-value financial decisions while maintaining administrative efficiency for lower-value matters.

The proposed delegation relates only to Council's delegation of authority to the Chief Executive Officer. Any sub-delegation of the delegated authority to employees, including any limitations or conditions applying to those sub-delegations, is a matter for determination by the Chief Executive Officer under section 5.44 of the *Local Government Act 1995* and is not the subject of this report.

It is proposed that Council amend Delegation 1.2.27 as follows:

<u>Waivers</u>

Amend the waiver provisions to permit a debt to be waived where:

- the request is made by a charitable or not-for-profit community group, and the waiver is considered to provide a community, social, cultural or recreational benefit to residents of the Shire; or
- the debt relates to an operational fee or charge, and the waiver is considered appropriate having regard to the circumstances of the matter.

<u>Concessions</u>

Amend the concession provisions to permit a concession where:

- the request is made by a charitable or not-for-profit community group, and the concession is considered to provide a community, social, cultural or recreational benefit to residents of the Shire; or
- the concession relates to an operational fee or charge and is considered appropriate having regard to the circumstances of the matter.

<u>Write-offs</u>

Amend the write-off provisions to provide that a debt may only be written off where:

- the costs associated with continued recovery action are likely to exceed the value of the debt; or
- all reasonable recovery measures have been undertaken, and further recovery action is unlikely to result in collection of the debt.

The proposed amendments also retain the existing limitation that debts may only be written off under delegated authority where the individual debt is less than $3,000 or the cumulative debts of a debtor are less than $3,000, with larger write-offs remaining a matter for Council determination.

The proposed amendments are expected to improve consistency in decision-making, reduce ambiguity in the interpretation of delegated authority and provide greater transparency regarding the basis upon which requests for waivers, concessions and debt write-offs may be approved. The amendments also ensure requests from charitable and not-for-profit organisations are supported by a demonstrated community benefit, thereby aligning financial assistance with outcomes that benefit the residents of the Shire of Dardanup.

The Officer seeks Council's endorsement of the amended Delegation 1.2.27 as contained in (Appendix ORD: 12.5.4B).

END REPORT

12.5.5 Elected Member Training

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins - Director Corporate & Governance*
Reporting Officer	*Mrs Donna Bailye - Manager Governance*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic.*
Voting Requirement	*Simple Majority.*
Attachments	*Appendix ORD: 12.5.4A – WALGA Diploma of Local Government – Elected Member Brochure* *Appendix ORD: 12.5.4B – Risk Assessment*

Overview

This report provides information on the WALGA Local Government LGA00007EM Skill Set for Elected Members and the LGA50220 Diploma of Local Government – Elected Member and seeks Council support for Elected Members wanting to undertake these professional development opportunities.

The report also seeks approval for additional funding where participation costs exceed the annual allocation provided under Policy *CnG CP112 – Councillors' Induction Training and Professional Development.*

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

254-26 MOVED: Cr M R Hutchinson SECONDED: Cr B S Farrant

THAT Council:

1. **Notes the information contained in the report regarding WALGA Elected Member training opportunities.**

2. **Notes and endorses the following Elected Member request to participate in the following training courses:**

ELECTED MEMBER	COURSE
Cr Ruby J Trevathan	WALGA LGA00007EM Skill Set
Cr Stacey L Gillespie	WALGA LGA00007EM Skill Set

3. **Approves additional funding for Elected Members wanting to undertake the WALGA training provided in this report where the cost of the approved training exceeds the annual allocation available under Policy CnG CP112 – Councillors' Induction Training and Professional Development.**

4. **Authorises the Chief Executive Officer to make the necessary arrangements for enrolment and payment of course fees associated with the approved WALGA training.**

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Council Policy *CnG CP112 – Councillors' Induction Training and Professional Development* establishes a policy for Elected Member training and professional development opportunities and encourages participation in recognised training programs that assist Elected Members to undertake their role effectively. The policy recognises the importance of ongoing professional development and provides an annual allocation for each Elected Member to attend approved training and development opportunities.

Through discussions with the Shire President, some Councillors have expressed an interest in undertaking the WALGA Diploma of Local Government – Elected Member course (Appendix ORD: 12.5.4A), along with exploring options available to them to undertake in a staged process.

Legal Implications - None.

Council Plan

13.1 - Adopt best practice governance
14.2 - Ensure equitable, inclusive and transparent engagement and decision-making.

Environment - None.

Precedents

Council has supported Elected Member participation in professional development opportunities where the training is directly relevant to the functions and responsibilities of an Elected Member and provides a demonstrable benefit to Council's governance and decision-making capacity

Budget Implications

The 2026/27 budget provides for a total of $29,844 for Member Training & Conferences. This amount is allocated equally amongst Elected Members, with each Elected Members receiving $3,316 for training and conference attendance.

Since the commencement of the 2026/27 financial year, Councillors have actively participated in a range of professional development opportunities including WALGA training courses, the WALGA Convention and AGM, and governance-related training. The current expenditure against the Members Training and Conferences budget is provided below:

COUNCILLOR	TRAINING UNDERTAKEN	EXPENDITURE
Cr S Gillespie	CEO Recruitment Training WALGA Convention & AGM 2026	$1,930.00
Cr T Gardiner	CEO Recruitment Training WALGA Convention & AGM 2026	$1,930.00
Cr A Webster	WALGA Strategic Policy Development	$650.00
Cr B Farrant	WALGA Convention & AGM 2026 WALGA Strategic Decision Making	$2,080.00
Cr R Trevathan	WALGA Convention & AGM 2026 WALGA Strategic Decision Making WALGA Strategic Policy Development	$2,730.00
Cr K Laurentsch	WALGA Strategic Decision Making	$650.00
	Total Expenditure to Date	**$9,970.00**

A total of $19,874 remains available within the 26/27 Budget. While a portion of each Elected Member's annual training allocation remains available, the cost of the WALGA accredited training programs provided in this report exceeds the remaining allocation available to some participating Councillors. As a result, and in accordance with Council policy CnG CP122, Council is required to approve the reallocation of funding amounts.

Costings for the Courses are:

- LGA50220 Diploma of Local Government – Elected Member $10,170.00
- LGA00007EM Skill Set $1,800.00

The final funding reallocation will be dependent on the number of Elected Members wanting to undertake the training programs.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CnG CP112 – Councillors' Induction Training and Professional Development

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.4B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Elected Member Training	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Approval of additional funding may result in future budget variances.
	Legal and Compliance	Failure to provide adequate training and professional development may limit Elected Member knowledge increasing the risk of non-compliance with statutory requirements.
	Reputational	Failure to support ongoing professional development may impact Council reputation

Officer Comment

The WALGA LGA50220 Diploma of Local Government – Elected Member is a nationally recognised qualification designed specifically for elected members seeking to strengthen their governance capability, strategic decision-making and leadership skills. The course focuses on practical application within a local government environment, including governance responsibilities, financial oversight, policy development, strategic planning, community engagement and asset management.

WALGA also offers the 'Jacqui Dodd Scholarship' to support Elected Members undertaking the LGA50220 Diploma of Local Government – Elected Member. The scholarship covers 50% of training and assessment fees, up to $5,085, with regional applicants eligible to apply for reimbursement of travel expenses up to $1,000 upon successful completion of the program. Applicants must be current Elected Members of a Western Australian local government, have completed Council Member Essentials Training and not have previously received the scholarship. The 2026 scholarship nominations have closed; however, Elected Members may wish to apply for future opportunities. This scholarship may reduce the cost to Council where an Elected Member is successful, with any funding arrangements to be adjusted accordingly.

Details of the LGA50220 Diploma are provided below:

Provider	WALGA Training
Duration	12 to 24 months
Delivery	Face-to-face workshops, Zoom sessions and mentoring
Workshops	Nine structured workshops plus mentoring sessions
Units of Competency	10 units (6 core and 4 elective)
Course Fee	$10,170
Entry Requirement	Completion of Council Member Essentials Training and current service as an elected member in a WA local government

WALGA also provides a Local Government Skill Set Course which provides Councillors with an introduction to accredited local government training and may form a pathway towards completion of the LGA50220 Diploma of Local Government – Elected Member. Councillors undertaking the Skill Set will have the opportunity to develop foundational governance and leadership capabilities before considering progression to the full qualification, which is recognised across the Western Australian

local government sector as an advanced professional development program for elected members. The Skill Set program covers the first three modules from the Diploma:

- LGAMEM001 Meet elected member responsibilities
- LGAMEM002 Perform elected member functions
- LGACO4011 Analyse financial reports and budgets

Details of the LGA00007EM Skill Set are provided below:

Provider	WALGA Training
Duration	6 months
Delivery	2 Face-to-face workshops, Zoom sessions and mentoring
Workshops	Nine structured workshops plus mentoring sessions
Units of Competency	3 Units
Course Fee	$1,800.00
Entry Requirement	Completion of Council Member Essentials Training and current service as an elected member in a WA local government

Intake dates for both courses are provided below:

- Wednesday, 11th November 2026 (Registrations close Friday, 30th October 2026)
- Tuesday, 11th May 2027 (Registrations close Friday, 30th April 2027)
- Wednesday, 10th November 2027 (Registrations close Friday, 29th October 2027)

Policy CnG CP112 provides that each Elected Member is allocated an annual training and development allowance which should not normally be exceeded. However, the policy expressly acknowledges that where an annual allocation is exceeded, approval may be granted by the Chief Executive Officer or Council and the value in excess of the approved amount may be reduced from a future year's allocation. The policy further states that nothing prevents Council from approving additional funds or approving a specific application that is outside of the existing budget provisions.

Officers are seeking Council's support to assess the interest from Elected Members in undertaking the WALGA Local Government Skill Set for Elected Members or the LGA50220 Diploma of Local Government – Elected Member, and to endorse the allocation of additional funding to Elected Members wishing to undertake the training.

END REPORT

12.5.6 Monthly Statement of Financial Activity for the Period ending on 30 September 2026

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officer	*Mrs Hasreen Syed Maule – Manager Financial Services*
Legislation	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Council Role	*Executive/Strategic.*
Voting Requirement	*Simple Majority.*
Attachments	*Appendix ORD: 12.5.6A – Monthly Finance Report – 30 September 2026* *Appendix ORD: 12.5.6B – Risk Assessment*

Overview

This report presents the monthly Financial Statements for the period from 1 July 2026 to 30 September 2026 for Council endorsement.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

255-26 MOVED: Cr M R Hutchinson SECONDED: Cr A L Webster

That Council Receives the Monthly Statement of Financial Activity for the period ending 30th September 2026 (Appendix ORD: 12.5.6A).

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Monthly Statement of Financial Activity

The Monthly Statement of Financial Activity is prepared in accordance with the *Local Government Act 1995* s.6.4 and the *Local Government (Financial Management) Regulations 1996* r.34.

The purpose of the report is to provide Council and the community with a reporting statement of year-to-date revenues and expenses as set out in the Annual Budget, which were incurred by the Shire of Dardanup during the reporting period.

Legal Implications

Local Government Act 1995

6.4. Financial Report

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

(2) The financial report is to —

(a) be prepared and presented in the manner and form prescribed; and
(b) contain the prescribed information.

Local Government (Financial Management) Regulations 1996

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

(1A) In this regulation –

***committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
(b) budget estimates to the end of the month to which the statement relates; and
(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
(e) the net current assets at the end of the month to which the statement relates.

(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a). (1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) deleted
(b) an explanation of each of the material variances referred to in subregulation (1)(d); and
(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity must be shown according to nature classification.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and
(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Council Plan

13.1 - Adopt best practice governance
13.2 - Manage the Shire's resources responsibly

Environment - None.

Precedents

Each month Council receives the Monthly Financial Statements in accordance with Council Policy and *Local Government (Financial Management) Regulations 1996*.

Budget Implications

The financial activity statement compares budget estimates to actual expenditure and revenue to the end of the month to which the statement relates. Material variances and accompanying explanations are included in the notes forming part of the report.

While the Statement itself has no direct budget implications, any identified permanent variances are separately presented to Council for adoption through specific project approvals or formal budget review processes.

Budget – Whole of Life Cost - None.

Council Policy Compliance

- *CnG CP036 – Investment Policy*
- *CnG CP306 – Accounting Policy for Capital Works.*
- *CnG AP008 – Material Accounting Policies*
- *SDEV CP507 – Corporate Sponsorship (incoming)*

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.6B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Monthly Statement of Financial Activity for the Period Ended 30 September 2026	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Non-compliance with the legislative requirements will raise compliance issues.
	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational	Non-compliance with the legislative requirements may lead to erosion of community trust.

Officer Comment

The Monthly Financial Report for the period ended 30 September 2026 is contained in (Appendix ORD: 12.5.6A) and consists of:

- Statement of Financial Activity by Nature – including Net Current Assets (liquidity)
- Statement of Comprehensive Income by Program
- Statement of Financial Position
- Notes to the Statement of Financial Activity:
  - Note 1 - Nature Classifications
  - Note 2 - Explanation of Material Variances in the Statement of Financial Activity
  - Note 3 - Trust Funds
  - Note 4 - Reserve Accounts
  - Note 5 - Municipal Liabilities
  - Note 6 - Statement of Investments
  - Note 7 - Accounts Receivable - Rates and Sundry Debtors
  - Note 8 - Salaries and Wages
  - Note 9 - Rating Information
  - Note 10 - Information on Borrowings
  - Note 11 - Budget Amendments

The Statement of Financial Activity shows operating revenue and expenditure by Nature, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget and the year-to-date revised budget. The previous year annual results and current year forecasts are also included for comparative information.

The statement incorporates the surplus brought forward from the 2025/26 financial year. The 2026/27 Budget adopted in July 2026 included an estimated opening surplus of $142,002; however, the actual surplus at 30 June 2026 was $421,023. The 2025/26 Annual Financial Statements have been prepared but remain subject to financial audit and any resulting adjustments.

As at the reporting date, officers forecast the Surplus on 30 June 2027 at $485,725 against an adopted end of year budget of $163,407. The end of year surplus adjustment based on known variances in actual performance to date and estimates for the remainder of the year based on current trends as and is summarised as follows:

- Surplus Increase of $279,021 due to an adjustment of the opening year Surplus as of 1 July 2026 from the budgeted amount of $142,002 to actual $421,023;

- Surplus Increase of $45,796 representing a net budget adjustment comprising:
  - Increase of $12,992 FAG General Purpose funds, budgeted to be received in 25/26 now expected to be received in 26/27;
  - an increase of $32,804 being an increase in Local Road Grant funds originally budgeted for receipt in 25/26 but now expected in 26/27, an overall increase of $79,108 from movements in FAG General Purpose and LGGC Local Road Unspent Reserves; and

  - Minor variances across other budget items.

Note 2 – Contains explanations for items with a material variance. Actual values for the year-to-date are compared to the year-to-date budget to present a percentage variance as well as the variance amount. The minimum level adopted by Council to be used in the Statement of Financial Activity in 2026/27 for reporting material variances is 10% or $50,000, whichever is greater.

Note 6 – The Statement of Investments details Council's cash investments and compliance with credit risk limits under the Investment Policy.

The total investment portfolio is currently $22,000,000 – being $12,000,000 in Reserve Account and $10,000,000 in general municipal fund term deposit funds. As at the reporting date, 59% of the portfolio is invested with AA rated Australian banks, 7% invested with A rated Australian banks and 34% invested in BBB rated Australian banks. These funds were invested in short-term bank term deposits to maximise interest income, achieving rates ranging between 5.01% and 5.70%.

A sufficient level of cash is maintained in the Municipal and Reserve accounts to meet day to day working capital requirements. These accounts currently earn interest at approximately from 4.30% to 4.40%.

Note 7 – of the Statement of Financial Activity presents the Rates and Charges Outstanding as of 30 September 2026. Outstanding balances, including pensioner deferred amounts, totalled $10,125,401 representing 43.26% of collectible rates and charges. This is marginally lower than the 43.32% recorded at the same time last year. The management target is to maintain outstanding balances below 4% by 30 June.

Additional explanatory comments are included as part of each note within the monthly financial report to assist in understanding the reasons for positive and adverse trends and balances.

END REPORT

12.5.7 Schedule of Monthly Payments as at 30th September 2026

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins - Director Corporate & Governance*
Reporting Officers	*Mrs Hasreen Syed Maule - Manager Financial Services*
Legislation	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Council Role	*Executive/Strategic.*
Voting Requirement	*Simple Majority.*
Attachments	*Appendix ORD: 12.5.7A – Schedule of Monthly Payments as at 30th September 2026* *Appendix ORD: 12.5.7B – Risk Assessment*

Overview

Council is presented with the list of payments made from the Municipal and Trust Accounts under delegation since the last Ordinary Council Meeting.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

256-26 MOVED: Cr K A Laurentsch SECONDED: Cr S L Gillespie

THAT Council receives the Schedule of Monthly Payments report from 1st September 2026 to 30th September 2026 (Appendix ORD: 12.5.7A).

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

Where a Council has delegated authority to the Chief Executive Officer to make payments from the municipal or trust fund, a list of payments is to be presented at the Ordinary Council Meeting each month.

In accordance with Delegation 1.2.26, the Chief Executive Officer is authorised to make payments from the Municipal or Trust Funds.

Legal Implications

Local Government Act 1995

6.5. Accounts and records

The CEO has a duty –

(a) to ensure that there are kept, in accordance with regulations, proper accounts of records of the transactions and affairs of the local government; and
(b) to keep the accounts and records up to date and ready for inspection at any time by persons authorised to do so under this Act of another written law.

Local Government (Financial Management) Regulations 1996

Regulation 11. Payments, procedures for making etc.

(1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of –

(a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
(b) petty cash systems.

(2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.

(3) Payments made by a local government –

(a) subject to subregulation (4), are not to be made in cash and
(b) are to be made in a manner which allows identification of –
(i) the method of payment; and
(ii) the authority for the payment; and
(iii) the identity of the person who authorised the payment.

(4) Nothing in subregulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

Regulation 12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund –

(a) if the local government has delegated the CEO the exercise of its power to make payments from those funds – by the CEO; or
(b) otherwise, if the payment is authorised in advance by a resolution of the council.

(2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

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

(2) A list of accounts for approval to be paid is to be prepared each month showing —

(a) for each account which requires council authorisation in that month —
(i) the payee's name; and

(ii) the amount of the payment; and
(iii) sufficient information to identify the transaction; and
(b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under subregulation (1) or (2) is to be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

Regulation 13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

(a) the payee's name;
(b) the amount of the payment;
(c) the date of the payment;
(d) sufficient information to identify the transaction.

(2) A list prepared under subregulation (1) must be —

(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

Council Plan

13.1 - Adopt best practice governance
13.2 - Manage the Shire's resources responsibly

Environment - None.

Precedents

Council endorses the Schedule of Monthly Payments at each Ordinary Council Meeting.

Budget Implications

All payments are made in accordance with the adopted annual budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council's Purchasing Policy *CnG CP034 – Procurement Policy* and processed in accordance with Council Policy *CnG CP035 – Payment of Accounts*.

Payments made by either Corporate Credit Card, Corporate Debit Card or Fuel Card are transacted and processed in accordance with Council Policy *CnG CP310 – Purchasing Card Policy*.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.7B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Schedule of Monthly Payments as at 30th September 2026	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	That payments are not made in accordance with Shire's policies and procedures.
	Legal and Compliance	Not reporting schedule of monthly payments to Council is in contravention of *Local Government Act 1995*.
	Reputational	Non-compliance with a legal requirement may lead to community confidence being eroded in Shire's management and Council.

Officer Comment

A listing of payments made during the reporting period is provided in (Appendix ORD: 12.5.7A). All payments have been processed in accordance with Council's Delegation 1.2.26 – Payments from the Municipal or Trust Funds.

The report title has been amended from Schedule of Paid Accounts to Schedule of Monthly Payments to more accurately reflect the full range of payments made during the reporting month. The report includes all payments including those from Council's Municipal Fund, Trust Fund and Reserve Account.

Reserve Account payments are included in the Schedule of Monthly Payments for transparency and completeness. While transfers to or from Reserve Accounts are generally internal movements of the Shire's funds, they are separately identified in the report to provide Council with a complete view of financial transactions during the reporting period. Reserve Account transactions are managed in accordance with section 6.11 of the *Local Government Act 1995*, the adopted budget and relevant Council approvals.

END REPORT

12.6 COMMITTEES

12.6.1 Bush Fire Advisory Committee Governance and Fire Prevention Order

Reporting Department	*Development Directorate*
Responsible Officer	*Mr André Schönfeldt – Chief Executive Officer*
Reporting Officer	*Mrs Susan Oosthuizen – Director Development Services*
Legislation	*Bush Fires Act 1954 (WA)* *Local Government Act 1995*
Council Role	*Executive/Strategic.*
Voting Requirement	*Simple Majority.*
Attachments	*Appendix ORD: 12.6.1A – Bushfire Advisory Committee Meeting Minutes – 7th October 2026* *Appendix ORD: 12.6.1B – Fire Prevention & Fire Break Exemption Form 82 – Submissions* *Appendix ORD: 12.6.1C – Amended Bush Fire Advisory Committee Terms of Reference with tracked changes* *Appendix ORD: 12.6.1D – Schedule of Submissions* *Appendix ORD: 12.6.1E – Delegation 3.1.7 – Fire-Breaks* *Appendix ORD: 12.6.1F – Risk Assessment*

Overview

The minutes of the Bushfire Advisory Committee (BFAC) meeting held on 7th October 2026 are presented to Council for information (Appendix ORD: 12.6.1A). Recommendation BFAC 16-26 recommended approval of 27 applications received for firebreak exemptions/variations for three years commencing in the 2026/27 firebreak season (Appendix ORD: 12.6.1B).

An internal review, informed by verbal advice from the Western Australian Local Government Association (WALGA), identified the need to clarify BFAC's terminology, statutory decision-making authority, review the wording of the Shire's Annual Fire Prevention Notice, and ensure individual applications are assessed and determined within the applicable statutory framework. This report presents proposed amendments to governance arrangements and notice requirements, as well as the Shire's administrative processes under the *Bush Fires Act 1954*, for Council's consideration.

This report seeks Council approval to amend the Shire of Dardanup's annual gazetted Section 33 Fire Prevention Notice. This amendment will eliminate the use of the term "Exemption" and transition the Shire to a strict "Variation of Requirements" framework, ensuring alignment with recent legal and compliance guidance provided by WALGA.

This report presents the proposed assessment framework, proposed amendments to BFAC's Terms of Reference (Appendix ORD: 12.6.1C). Council is also requested to note the proposed process for the Chief Executive Officer, exercising the functions delegated under Delegation 3.1.7 – Fire-Breaks, to review the Schedule of Submissions in conjunction with the appointed Community Emergency Services Manager (CESM), determine each application within the scope of the applicable statutory powers and delegation, and notify each applicant of the outcome in writing. Any approved variation is to be documented in writing and all other applicable Fire Prevention Order requirements remaining in force.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION 'A' & COUNCIL RESOLUTION

257-26 MOVED: Cr T G Gardiner SECONDED: Cr B S Farrant

THAT Council receives the minutes for the Bushfire Advisory Committee meeting held on the 7th October 2026 (Appendix ORD: 12.6.1A).

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

OFFICER RECOMMENDATION 'B' & COUNCIL RESOLUTION

258-26 MOVED: Cr T G Gardiner SECONDED: Cr B S Farrant

THAT Council:

1. **Adopts the amended Bush Fire Advisory Committee Terms of Reference as shown in (Appendix ORD: 12.6.1C) to clarify the Committee's statutory establishment under section 67 of the *Bush Fires Act 1954*, advisory functions, membership and appointment arrangements, reporting responsibilities and relationship with the local government.**

2. **Requests the Chief Executive Officer to review and update the associated administrative procedures, as necessary, to reflect the Committee's advisory role and the applicable statutory decision-making authority to ensure consistency with the *Bush Fires Act 1954* (WA) and the Shire's applicable delegation arrangements (Appendix ORD: 12.6.1E).**

3. **Approves the removal of the term "Exemption" and all associated variations of the term from the Shire of Dardanup Annual Fire Prevention Notice issued pursuant to Section 33 of the *Bush Fires Act 1954.***

4. **Adopts the amended text for the "Alternative Compliance and Variation of Requirements" clause, as detailed in this report, for inclusion in all future publications of the Shire of Dardanup Annual Fire Prevention Notice in the Western Australian Government Gazette.**

5. **Notes that the Chief Executive Officer will review the Schedule of Submissions relating to the 2026/27 applications seeking variations to the requirements of the Annual Fire Prevention Notice, assess each application on its individual merits and determine each application only to the extent that the relevant function is within the powers of the local government and the functions delegated under Delegation 3.1.7 – Fire-Breaks.**

6. **Notes that the Chief Executive Officer will ensure each applicant is notified in writing of the determination of their application, including:**

a. where an application is approved for variation, the variation, alternative fire-prevention measures, applicable conditions and approval period, and confirmation that all other requirements of the applicable Fire Prevention Order remain in force; and

b. where an application is refused for variation, the reasons for the refusal and confirmation that the applicant remains required to comply with all requirements of the applicable Fire Prevention Order, without the requested variation.

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Background

The Shire's annual Fire Prevention Order establishes requirements for owners or occupiers of land to undertake fire prevention measures, including the provision and maintenance of firebreaks, in accordance with section 33 of the *Bush Fires Act 1954*.

Under Section 33 of the *Bush Fires Act 1954*, the Shire of Dardanup publishes an annual Fire Prevention Order in the Government Gazette directing owners or occupiers of land to clear firebreaks and manage fuel loads. Historically, the text of this notice included a dual-titled clause for "Firebreak Variations/Exemptions", providing a mechanism where owners or occupiers of land could be "exempted" from installing traditional boundary lines due to environmental, hydrological, or topographical constraints.

Historically, applications seeking alternative firebreak arrangements have been assessed by the relevant Fire Control Officer (FCO), considered by BFAC, and referred to Council with a recommendation for determination.

A Bush Fire Advisory Committee (BFAC) may be established under section 67 of the *Bush Fires Act 1954*, which provides for a local government to appoint a Bush Fire Advisory Committee to advise on matters relating to bush fire prevention, control and extinguishment. BFAC is a statutory advisory committee and is distinct from a committee of Council established under section 5.8 of the *Local Government Act 1995*.

Under section 67, the local government appoints members, including a nominated Council member, while BFAC elects its own chairperson. The local government determines the quorum and may make rules for the Committee's guidance. Section 67(4)(a) provides that BFAC may meet and adjourn as it thinks fit; the Act does not expressly require Council to set individual meeting dates. These administrative arrangements may be addressed through the Committee's Terms of Reference and applicable rules.

BFAC's role is to advise the local government and make recommendations within its statutory advisory function. Its recommendations do not themselves determine individual applications or exercise the local government's statutory decision-making powers.

An internal review of the Shire's existing processes identified a need to clarify the Bushfire Advisory Committee's advisory role, review the terminology used in the annual Fire Prevention Notice, and ensure that the applicable statutory and delegation framework are applied and recorded correctly.

On 5th October, internal correspondence documented verbal advice obtained from WALGA Governance regarding the allocation of decision-making responsibilities under the *Bush Fires Act 1954*. The advice highlighted that local governments lack the explicit statutory power under the *Bush Fires Act, 1954* to completely exempt a land owner or occupier from their overriding duty to minimize fire risk. Consequently, the wording in the Shire of Dardanup's historical notices requires an immediate structural update.

The review further identified the need to amend BFAC's Terms of Reference (Appendix ORD 12.6.1C) to clarify its advisory role and distinguish Committee recommendations from statutory decisions. It also identified the need to review administrative procedures to ensure that each application relating to firebreak variations is assessed individually and referred through the appropriate statutory and delegation framework (Appendix ORD 12.6.1D) in accordance with the applicable statutory powers and delegation arrangements (Appendix ORD: 12.6.1E).

At the BFAC meeting held on 7th October 2026, Item 8.13 considered 27 Fire Prevention & Fire Break Exemption Form 82 submissions (Appendix ORD: 12.6.1B). Recommendation BFAC 16-26 was carried, recommending that Council approve firebreak exemptions/variations for a three-year period commencing in the 2026/27 firebreak season and expiring in 2029/30.
During the meeting, the Chief Executive Officer advised that the Shire was reviewing its delegations and authorisations relating to firebreak variations, noting the advice received from WALGA and the required correction to terminology used.

Pending consideration of the amended Terms of Reference and relevant procedures, the Fire Prevention & Fire Break Exemption Form 82 submissions are being progressed for determination in accordance with the applicable statutory powers and delegation arrangements. The Chief Executive Officer, exercising the functions delegated under Delegation 3.1.7 – Fire-Breaks, will review the Schedule of submissions to determine each application on its individual merits, and ensure that each applicant is notified of the outcome in writing.
For future applications, the proposed process is for BFAC to provide advice, the relevant Shire officer to assess each application and provide a recommendation, and the Chief Executive Officer to determine the applications outcome within the scope of applicable statutory powers and delegation arrangements.

Legal Implications

Bush Fires Act 1954 (WA) – Section 67: Advisory committees

Section 67 provides the statutory basis for BFAC's establishment, composition, governance and operation. Under section 67(1), the local government may appoint persons to advise on bush fire matters. Section 67(2) requires the Committee to include a Council member nominated by the local government and to elect its own chairperson.

Under section 67(3), the local government must fix the quorum and may make rules for the Committee's guidance, accept resignations, remove members and fill vacancies. Section 67(4) addresses meetings, quorum requirements and the Committee's accountability to the local government, including the requirement under section 67(4)(c) to report fully on its activities when required.

BFAC is a statutory advisory committee established under section 67 of the *Bush Fires Act 1954*, not a committee of Council established under section 5.8 of the *Local Government Act 1995*. The proposed amendments correct this reference and clarify BFAC's statutory role and governance arrangements.

Section 67(4)(c) requires BFAC to report fully on its activities when required but does not expressly require every meeting's minutes to be presented to Council. Presenting the minutes of 7th October 2026 is therefore an administrative and transparency measure, rather than a specific statutory requirement..

Bush Fires Act 1954 (WA) – Section 48: Delegation of powers and duties

Section 48 provides for the delegation of functions under the *Bush Fires Act 1954*, subject to restrictions on sub delegation. Under Delegation 3.1.7 – Fire-Breaks (Appendix ORD: 12.6.1E), the Chief Executive Officer holds specified delegated functions relating to firebreak requirements.

The scope of the existing delegations must be considered against each particular decision proposed. Section 48(4) confirms that the delegation provisions do not limit the local government's ability to act through Council in the normal course of business.

The Schedule of Submissions provides the basis for the individual assessment of the current applications. The Chief Executive Officer will review the Schedule in conjunction with the appointed Community Emergency Services Manager and determine each application only to the extent that the relevant function is within the powers of the local government and the functions delegated under Delegation 3.1.7 – Fire-Breaks. Each determination will be documented and communicated to the applicant in writing.

Bush Fires Act 1954 (WA) – Section 33: Firebreak requirements

Section 33 establishes the statutory framework for firebreak requirements and gives the local government powers relating to the manner, place, dimensions and number of firebreaks required.

The legal basis for approving alternative firebreak arrangements must be considered against the powers available under section 33. The Act should not be interpreted as providing a general power to exempt owners or occupiers of land from all applicable fire prevention obligations.

Granting an "exemption" may imply that a property is entirely absolved from the Shire's fire prevention requirements. The terminology and process should therefore be reviewed to ensure that any approved variation is within the Shire's statutory powers, clearly specifies the alternative arrangements authorised, and leaves all other applicable requirements in force.

Council Plan

1.1 - Support the community to feel safe while using Shire facilities and public spaces
7.1 - Minimise risks and impacts from fires, floods, heat waves, and other natural disasters.
13.1 - Adopt best practice governance

Environment

Firebreak requirements and alternative fire-prevention measures support bush fire risk reduction. Individual applications should consider relevant site conditions and whether the proposed alternative measures provide an appropriate level of fire prevention.

Precedents

Presenting the minutes of the 7th October 2026 BFAC meeting to Council for information is consistent with the Shire's established administrative practice. BFAC has previously considered firebreak exemption and variation applications and made recommendations for the local government's consideration. The determination of individual applications will be undertaken by the local government or the Chief Executive Officer exercising the relevant function under an applicable delegation, in accordance with the *Bush Fires Act 1954* and the Shire's delegation arrangements.

Budget Implications

No specific additional budget allocation has been identified for the matters addressed in this report. Any material additional expenditure, if required, would be managed through the Shire's established budget processes.

Budget – Whole of Life Cost - None.

Council Policy Compliance

The assessment has regard to the following Shire of Dardanup Council policies, where relevant:

- Exec CP089 – Advisory and/or Working Groups
- SDev CP512 – General Compliance and Enforcement
- Infr CP073 – Roadside Fire Hazard Management – Rural and Semi-Rural Areas
- Infr CP402 – Vegetation Management to Mitigate Bushfire Risk in Urban Nature Spaces
- CnG CP024 – Records Management

These policies provide relevant governance, compliance, environmental management and recordkeeping context. They operate alongside, and do not replace, the statutory requirements of the *Bush Fires Act 1954* or applicable delegation arrangements. Exec CP089 does not replace section 67 of the Act as the statutory basis for BFAC's establishment and operation.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.6.1F) for full assessment document.

TIER 3 – 'High' or 'Extreme' Inherent Risk.		
Report Title	Bush Fire Advisory Committee Governance and Fire Prevention Order	
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)	
Risk Action Plan (treatment or controls proposed)	Review the firebreak variation process against the *Bush Fires Act 1954* and WALGA advice. Confirm the appropriate decision-making authority and delegation arrangements; review the BFAC Terms of Reference; assess applications individually on their merits; issue written, property-specific variation notices specifying the alternative requirements and duration; confirm all other Fire Prevention Order requirements remain applicable; and establish and maintain a register of approved variations.	
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)	
Risk Category Assessed Against	Legal and Compliance	There is a risk of statutory non-compliance if firebreak variations are determined or documented using an inappropriate process, affecting the validity of decisions and the Shire's ability to enforce fire prevention requirements.
	Health / People	If firebreak variations are inappropriate or inadequately documented, required fire prevention measures may not be implemented effectively, potentially increasing bush fire exposure and risks to community members, firefighters and property occupants.
	Reputational	Inconsistent or legally questionable decisions may undermine community confidence in the Shire's administration of fire prevention requirements and attract complaints or scrutiny.
	Environment	Inappropriate variations could reduce the effectiveness of fire prevention measures and contribute to increased bush fire risk, potentially resulting in environmental damage.
	Property	Inadequate fire prevention measures could increase the risk of damage to private property, Shire assets and infrastructure during a bush fire.

Officer Comment

An internal review, informed by verbal advice received from the Western Australian Local Government Association (WALGA), identified three linked issues: BFAC's governance arrangements, the statutory authority for decision-making, and the need for property-specific assessment and decisions. The following findings explain the proposed amendments and recommendations.

Bush Fire Advisory Committee (BFAC) Terms of Reference

Section 67 of the *Bush Fires Act 1954* provides for the establishment of bush fire advisory committees. The proposed amendments to BFAC's Terms of Reference clarify the Committee's advisory role and its relationship with the local government.

Although the Act uses the term "committee", BFAC is an advisory committee under the *Bush Fires Act 1954*, not a committee of Council established under section 5.8 of the *Local Government Act 1995*.

Accordingly, the Terms of Reference should refer to section 67 as the statutory basis for BFAC's establishment and operation.

Section 67 sets out the respective responsibilities of the local government and BFAC:

- **Establishment and appointment:** Under section 67(1), the local government may appoint such persons as it thinks fit to BFAC.
- **Council representation and chairperson:** Under section 67(2), the local government nominates a Council member to sit on BFAC, and BFAC elects its own chairperson from among its members.
- **Quorum and rules:** Under section 67(3), the local government fixes the quorum and may make rules for the Committee's guidance. It may also accept written resignations, remove members and fill vacancies.
- **Meeting arrangements:** Under section 67(4)(a), BFAC may meet and adjourn as it thinks fit. The Act does not expressly require Council to set individual meeting dates. Meeting arrangements should be consistent with the Act, the Terms of Reference and any applicable rules.
- **Reporting and accountability:** Under section 67(4)(c), BFAC is answerable to the local government and must report fully on its activities when required.

While the local government has broad discretion to appoint BFAC members, appointments must comply with section 67, including the requirement for a Council member nominated by the local government. The Terms of Reference should distinguish statutory requirements from any additional membership arrangements adopted by the Shire. Section 67 does not prescribe a fixed membership composition or expressly require Council to appoint every member at an ordinary Council meeting.

Under the proposed arrangements, BFAC provides advice and recommendations within its statutory role. Relevant officers assess that advice and the circumstances of each application to identify the appropriate statutory decision-making pathway. A BFAC recommendation is advisory and does not, of itself, approve an application or replace a decision by the authorised decision-maker.

A revised Terms of Reference has been drafted with tracked changes identifying the proposed amendments, as provided in (Appendix ORD: 12.6.1C) for Council's consideration.

<u>Delegation and Decision-making authority</u>

Section 33(1) of the *Bush Fires Act 1954* provides the local government with powers relating to the requirements specified in firebreak notices. Under section 48(1), the local government may delegate functions under the Act to the Chief Executive Officer. Section 48(4) confirms that this delegation provision does not limit the local government's ability to act through Council in the normal course of business.

The Shire's current Delegation 3.1.7 – Fire-Breaks delegates specified functions under section 33 to the CEO. Although the established process has involved BFAC recommendations being presented to Council for determination, the applicable delegation arrangements provide a decision-making pathway through the CEO. The individual applications will therefore be determined by the CEO under the applicable delegation, with the appointed CESM assisting in the review and assessment of each application.

BFAC provides advice and recommendations within its statutory advisory role but does not determine individual applications or exercise the local government's statutory decision-making powers. Council is being asked to note the proposed process, rather than determine the individual applications.

Any application for a Fire Prevention Order variation must be assessed and determined by the appropriate decision-maker, acting within the powers available under the Act and any applicable delegation. The outcome should be documented and communicated to the applicant in writing.

Where a variation is lawfully approved, the written decision should identify the property, the requirement being varied, any alternative fire-prevention measures, the approval period and applicable conditions. It should also clarify that all other requirements of the applicable Fire Prevention Notice remain in force. Where an application is refused, the applicant should be notified in writing and provided with reasons for the decision, where appropriate.

Terminology and Duration of Fire Prevention Order Variations

The terms “firebreak exemption” and “firebreak variation” have been used interchangeably in the existing process for Fire Prevention Order Variation requests. Where supported by the applicable statutory framework, “variation” more accurately describes an approved alternative to a specific requirement without removing the property from the remaining requirements of the Fire Prevention Order.

Recommendation BFAC 16-26 proposed a three-year approval period for all applications. The appropriate duration and alternative measures should be considered on the merits of each application, having regard to the property’s circumstances, the effectiveness of the proposed measures, potential changes in site conditions and applicable statutory requirements.

Assessment of Applications for 2026/27 Fire Prevention Order Variations

Recommendation BFAC 16-26 recommends approval of all received applications for a three-year period commencing in the 2026/27 firebreak season. However, the collective recommendation does not outline specific variations approved for each individual property, as required to provide sufficient information for decision-making and to provide subsequent written notice to the applicant.

A Schedule of Submissions has been prepared to support the individual assessment of each application, including the proposed outcome, any variation and duration, where applicable, and the reasons supporting the assessment. The Schedule will be reviewed by the Chief Executive Officer. It will be retained for the purposes of assessment, determination and recordkeeping and will not be included as an appendix to this report.

Applications are to be considered individually by the local government or the Chief Executive Officer exercising the relevant function under an applicable delegation. Each application should be determined on its own merits.

Following each determination, the Shire is to notify the applicant of the outcome in writing. An approved variation must specify the alternative requirements, applicable period and conditions, while confirming that all other requirements of the Fire Prevention Order remain in force. Where an application for variation is refused, the existing Fire Prevention Order requirements continue to apply without the requested variation.

These arrangements support individual, transparent and consistent consideration of the current applications and provide a basis for reviewing the Shire’s future assessment and decision-making process.

END REPORT

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

None.

15 PUBLIC QUESTION TIME

15.1 Mr Daniel Beattie – Water usage at Eaton Wash-Down Bays

Mr Daniel Beattie asked the following question regarding water usage at the Eaton boat ramp wash-down bays:

Question

> *Are ratepayers paying for the water being used at the boat ramp wash-down bays? The two taps can be left running overnight, and people are using them to fill personal property such as large containers. Other local governments have introduced paid water access. Could the Shire investigate this as an alternative?*

The Chief Executive Officer took the question on notice and advised that a further response would be provided following an investigation into potential alternative measures.

16 MATTERS BEHIND CLOSED DOORS

It is recommended that Council go Behind Closed Doors toward the end of the meeting in accordance with Shire of Dardanup Standing Orders & *Local Government Act 1995,* section 5.23.

Standing Order and the *Local Government Act 1995* provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

Section 5.23 (1) The following are to be open to members of the public —
(a) all Council meetings;
(b) all meetings of any committee.

(2) Despite subsection (1), if any of the following matters is to be dealt with at a meeting, the council or committee must close the meeting to members of the public to the extent necessary to ensure that the matter is dealt with at the meeting on a confidential basis —
(a) a matter that a committee of a House of Parliament, or a joint committee of both Houses, has advised the local government must be dealt with on a confidential basis;
(b) a matter relating to the recruitment or employment of the CEO or a senior employee, including the following —
(i) the termination of employment;
(ii) a review of performance under section 5.38;
(c) a prescribed matter;
(d) a matter that is the subject of a direction given under section 5.23AA(1).

(3) Despite subsection (1), the council or committee must close a meeting to members of the public to the extent necessary to ensure compliance with a requirement (however formulated) —
(a) that is imposed under a written law, excluding this Act and local laws; and
(b) that prohibits or restricts the making public of information.

(4) Despite subsection (1), if any of the following information is to be dealt with at a meeting, the council or committee may close the meeting to members of the public to the extent necessary to ensure that the information is dealt with at the meeting on a confidential basis —
(a) legal advice, or other information, over which the local government holds legal professional privilege;
(b) information relating to the personal affairs of an individual;
(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) a tendered methodology for calculating a price;
(d) information contained 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;
(e) information the making public of which would be likely to endanger the security (including cyber-security) of any of the local government's property or operations;
(f) information the making public of which would be likely to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
(g) prescribed information;
(h) information that is the subject of a direction given under section 5.23AA(2).

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

259-26 MOVED: Cr S L Gillespie SECONDED: Cr L W Davies

THAT in accordance with section 5.23(4)(a) and (e) of the *Local Government Act 1995*, Council resolves to go behind closed doors at (6:02) to discuss a matters containing commercially sensitive financial and business information, information the making public of which would be likely to endanger the security (including cyber-security) of the Shire's property or operations, and information subject to legal and commercial confidentiality.

Note: *Mrs Donna Bailye and Mr André van der Merwe left the meeting at 6:02pm.*
Two members of the public and Mrs Susan Oosthuizen, Ms Rachel Sweeney, and Mr Nigel Lyon left the meeting at 6:02pm and did not return.

16.1 Bunbury & Districts Softball Association – Annual Financial Report Business Plan & Key Actions 2026-2029 & Three Year Budget Est 2026-2029

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officer	*Mrs Chantal Edwards-Miller – Building Property Management Officer*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*

REPORT UNDER SEPARATE COVER

Note: In accordance with Section 5.23(4)(a) of the Local Government Act 1995, this report is not available to the public, as it contains commercially sensitive financial and business information which is to be treated as confidential.

The Shire President tables the confidential report on this matter and provides copies to each Elected Member. The report will be located in the Records Management System of the Council.

DECLARATION OF INTEREST

Acting Director Infrastructure, Mr André van der Merwe, declared an Impartiality Interest in this item.

Please refer to Part 11 'Declaration of Interest' for full details.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

260-26 MOVED: Cr M R Hutchinson SECONDED: Cr B S Farrant

Note: Mrs Donna Bailey, returned to the meeting at 6:03pm.

THAT Council receives the Bunbury and District Softball Association's Annual Report to 30th April 2026, Three-Year Budget Estimate 2026-2029, Audited Financial Reports and updated Business Plan (Confidential Attachments C-E).

CARRIED
8/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

16.2 Enterprise Resource Planning (ERP) Software Replacement Program – Quarterly Update Report – September 2026

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mrs Natalie Hopkins – Director Corporate & Governance*
Reporting Officer	*Mr Shaun Hill – Manager Information Services*
Legislation	*Local Government Act 1995*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*

REPORT UNDER SEPARATE COVER

Note: In accordance with Section 5.23(4)(a) and (e) of the Local Government Act 1995, this report is not available to the public, as it relates to information the making public of which would be likely to endanger the security (including cyber-security) of the Shire's property or operations, and information subject to legal and commercial confidentiality associated with the Shire's Enterprise Resource Planning (ERP) program.

The Shire President tables the confidential report on this matter and provides copies to each Elected Member. The report will be located in the Records Management System of the Council.

DECLARATION OF INTEREST

Director Corporate & Governance, Mrs Natalie Hopkins, declared an Impartiality Interest in this item.

Please refer to Part 11 'Declaration of Interest' for full details.

Note: Mr André van der Merwe returned to the meeting at 6:05pm.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

261-26 MOVED: Cr K A Laurentsch SECONDED: Cr B S Farrant

THAT Council:

1. **Receives the ERP Quarterly Update Report – September 2026 (Confidential Attachment F – Under Separate Cover) on the progression of the ERP Software Replacement Program.**

2. **Notes that the Deed of Variation to Contract CON-F0343509 with ReadyTech was executed on 29 September 2026 under the authority granted by Council in May 2026, providing for the completion and implementation of Phase 1 of the ERP Software Replacement Program, and the removal of Phase 2 from the contract.**

3. **Notes that the reporting requirements established under Council Resolution 29-23 (22 February 2023), Item 6, have been fulfilled, and that the September 2026 ERP Quarterly Update Report is the final report to be presented to Council in relation to the ERP Software Replacement Program.**

CARRIED
8/0

For the Motion	Against the Motion
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

262-26 MOVED: Cr S L GIllespie SECONDED: Cr L W Davies

THAT Council returns from behind closed doors, reopening the meeting to members of the public at 6:17pm.

CARRIED
8/0

For the Motion	Against the Motion
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr A L Webster	

Note: In accordance with Standing Orders s5.2(6), the Presiding Member may cause the motion passed by Council whist behind closed doors to be read out, including the details of any voting recorded.

17 CLOSURE OF MEETING

The Presiding Member advises that the next Ordinary Meeting of Council will be Wednesday, 18th November 2026 commencing at 5:00pm at the Shire of Dardanup Administration Centre, Eaton.

There being no further business, the Presiding Member declared the meeting closed at 6:17pm.