



CONFIRMED

MINUTES

FOR THE

ORDINARY COUNCIL MEETING

HELD ON THE

29th April 2026

Commencing at 5:00pm

AT

ADMINISTRATION CENTRE EATON
1 Council Drive, EATON

This document is available in alternative formats such as:

- ~ Large Print
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Upon request.



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	<p>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.</p> <p>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.</p>

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	<p>Project risk has two main components:</p> <ul style="list-style-type: none">• 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, THE 29TH OF APRIL 2026, AT THE SHIRE OF DARDANUP ADMINISTRATION CENTRE EATON AT 5:00PM.****1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

The Presiding Member, Cr T G Gardiner, 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.

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

2.1 Attendance

Cr T G Gardiner	-	Shire President
Cr Stacey L Gillespie	-	Deputy Shire President [via Teams]
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 Laurensch	-	Elected Member
Cr Ruby J Trevathan	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Ashwin Nair	-	Director Development Services
Mr Craig Johnson	-	Director Community and Economic Development
Mr Shaun Hill	-	Acting Director Corporate and Governance
Ms Rachel Sweeney	-	Acting Director Infrastructure
Mrs Kristy Burden	-	Manager Human Resources
Mrs Donna Bailie	-	Manager Governance
Mr André van der Merwe	-	Manager Operations
Mrs Amy Lawrence	-	Acting Manager Financial Services
Mrs Tahnia Creedon	-	Coordinator Communications & Marketing
Mrs Natalie Reid	-	Procurement Officer
Mr Ricky Depillo	-	Accountant
Mrs Lily Webb	-	Executive Support Officer

2.2 Apologies

Cr Annette Webster	-	Elected Member
Mrs Natalie Hopkins	-	Director Corporate & Governance
Mr Theo Naudé	-	Director Infrastructure

2.3 Leave of Absence

None.

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 LAURENSCH	CR. R J TREVATHAN	CR. A L WEBSTER
JANUARY 2026										
21/01/2026	AF	✓	✓	✓	✓	✓	Ap	✓	✓	Ap
28/01/2026	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
FEBRUARY 2026										
04/02/2026	CF	✓	✓	✓	✓	✓	✓R	Ap	✓	✓
18/02/2026	AF	✓	✓	✓	Ap	✓	✓R	✓	✓	✓
25/02/2026	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓

MARCH 2026										
04/03/2026	CF	Ap	✓	✓	✓	Ap	Ap	✓	✓	✓
18/03/2026	AF	✓	✓	✓	Ap	✓	✓R	✓	✓	Ap
25/03/2026	OCM	✓	✓	✓	LoA	✓	✓	Ap	✓	✓
APRIL 2026										
01/04/2026	CF	✓	✓	✓	Ap	✓	✓R	✓R	✓	Ap
08/04/2026	SCM	Ap	✓	✓	✓	Ap	✓	✓	✓	Ap
15/04/2026	WS	✓	✓	✓	Ap	Ap	✓R	✓	✓	Ap
22/04/2026	AF	✓	Ap	✓	✓	Ap	✓	✓	✓	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

None.

4 PUBLIC QUESTION TIME

None.

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION

75-26 MOVED – Cr T G Gardiner

SECONDED – Cr L W Davies

THAT Cr Anthony C Jenour be granted leave of absence for the Ordinary Council Meeting to be held on the 27th May 2026.

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 Laurensch	
Cr R J Trevathan	

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Deputation received by Amanda Thrasher, on behalf of neighbouring residents of Peppermint Ridge Estate – Item 12.2.1 LPS9 Scheme Amendment 1 – Lot 564 Garvey Road Dardanup West – Consideration of Submissions and Final Approval

Ms Amanda Thrasher presented a deputation on behalf of neighbouring residents regarding the proposed rezoning and subdivision of Lot 564 Garvey Road, Dardanup West.

Residents acknowledged the Shire's consideration of their initial submission but expressed ongoing concerns with the proposal in its current form. Key issues raised included:

- *Road safety:* Garvey Road is described as narrow, high-traffic, and hazardous, with poor visibility and frequent heavy vehicle use, including reports of speeding trucks and near misses. The addition of up to 12 new driveways is considered to significantly increase the risk of accidents.
- *School transport safety:* Concerns were raised that proposed driveways (particularly Lots 1–3) may conflict with the bus stop location, compromising safety. It was also noted that changes to road access may affect eligibility for school bus services under current distance-based policies, potentially impacting existing residents.
- *Traffic data:* Concern that traffic assessments rely on outdated (2023) data and is not inclusive of increased traffic volumes associated with recent roadworks and detours.
- *Environmental impacts:* Concern regarding the potential removal of mature Red Gum trees (some estimated to be over 400 years old) and Native Christmas Trees, including impacts on habitat for endangered species such as the Red-tailed Black Cockatoo and cultural significance to Noongar people.
- *Access and infrastructure:* Limited space for safe driveway construction, restricted visibility, and concerns that access for construction vehicles would be difficult. Existing drainage and flooding issues in the area may be exacerbated by increased density.
- *Residential amenity:* Potential impacts on privacy and quality of life due to increased traffic and vehicle headlights associated with a proposed new road layout.

Residents proposed an alternative subdivision design connecting to Holland Loop Estate, or an internal east–west road, to improve safety, reduce environmental impact, and better integrate with existing infrastructure.

The deputation concluded with a request for Council to reconsider the current layout and to keep residents informed of any further progress.

Discussion:

The Shire President sought clarification on whether the design was finalised.

The Director Development Services confirmed the design is conceptual only at the scheme amendment stage, with detailed subdivision plans to be developed and assessed as part of a future application.

It was noted that the subdivision process would provide an opportunity to address the concerns raised in the deputation, with further engagement to occur with the applicant subject to Council's decision.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Council Meeting Held on the 25th of March 2026

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

76-26 MOVED – Cr L W Davies SECONDED – Cr S L Gillespie

THAT the Minutes of the Ordinary Meeting of Council held on the 25th of March 2026, be confirmed as true and correct.

CARRIED
8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

7.2 Special Council Meeting Held on the 8th of April 2026

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

77-26 MOVED – Cr L W Davies SECONDED – Cr S L Gillespie

THAT the Minutes of the Special Meeting of Council held on the 8th of April 2026, be confirmed as true and correct.

CARRIED
8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

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:	27/03/26 Bunbury Geographe Group of Councils
Report:	Meeting at Council Chambers. Receive Regional Sporting Facilities Strategy and set way forward for the group
Event:	27/03/26 Mayors and Presidents Forum Perth
Report:	Presentations from Minister for Local Government, Inspector General Local Government and new WALGA President. Discuss issues affecting local government.
Event:	28/03/26 Eaton Recreation Centre
Report:	Meet up with Senator for WA Ellie Whittaker, Collie Preston MLA Jodie Hanns and Eaton Basketball Director of Operations Wes Morgan. Look over improvements to Rec Centre from recent Government grants.
Event:	30/03/26 South West Regional Road Group
Report:	Regular meeting of delegates on maintenance programs of major and distributor roads for the South West Region.
Event:	1/04/26 Michelle Boylan MLC
Report:	Along with CEO catch up with locally based MLC Michelle Boylan to discuss issues and priorities for the Dardanup Shire and its residents.
Event:	7/04/26 ARIC Interviews
Report:	Cr's Farrant, Jenour and I interviewed applicants for the Independent Chair and Deputy Chair positions for the Audit Risk and Improvement Committee (ARIC)
Event:	8/04/26 Eaton Senior Citizens Committee
Report:	Catch up with Senior Citizens. Rundown on how they are travelling and future opportunities
Event:	9/04/26 BGEA Board Meeting
Report:	Regular meeting of Bunbury Geographe Economic Alliance. Current economic climate for the region with potential new industry for the region.
Event:	9/04/26 Planet Matters Eaton Library
Report:	MC Planet Matters author talk from Dr Simon Cherriman. Popular event with audience sharing the passion as Simon presented on his book Hollowed Out. Cr Farrant also along.
Event:	16/04/26 Rob Horstmann MLC
Report:	With CEO met with Shadow Minister for Emergency Services, Volunteering Rob Horstmann MLC. Highlight the major priorities for the Shire and our Community.

Discussion:

Shire President noted Cr Gillespie and Cr Trevathan attended the Dardanup ANZAC Day Service which went well, with Cr Trevathan as emcee for the event.

Shire President attended the funeral of Mr David Smith, former Mayor of the City of Bunbury, as a representative of the Shire of Dardanup.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Chief Executive Officer Key Performance Indicator Quarterly Report – January to March 2026

9.2 Enterprise Resource Planning Software Replacement Program - Quarterly Update Report

9.3 Selection and Nominations Committee Meeting held on 7th April 2026

It is recommended that Council go behind closed doors towards the end of the meeting in accordance with Shire of Dardanup Standing Orders Local Law 2014 & the *Local Government Act 1995*, Section 5.23.

The Standing Orders and the *Local Government Act 1995* provide 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).*

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, Chief Executive Officer 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.

- *Cr Anthony C Jenour declared an Impartiality Interest in item 12.4.1 - Ferguson Road Landscaping – Consultation Outcomes, as his children attend school within the area.*
- *Manager Human Resources, Mrs Kristy Burden, declared a Financial Interest in Item 12.6.1 - IPC Minutes - Work Force Plan 2026/27 – 2035/26, due to the item relating to remuneration.*
- *Chief Executive Officer, Mr André Schönfeldt, declared a Financial Interest in Item 16.1 - Chief Executive Officer Key Performance Indicator Quarterly Report – January to March 2026, as the report relates to his employment contract.*
- *Director Corporate & Governance, Mrs Natalie Hopkins, declared an Impartiality Interest in Item 16.2 - Enterprise Resource Planning Software Replacement Program - Quarterly Update Report, as she is on the panel.*

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 EXECUTIVE REPORTS

PROCESS

Note: The Presiding Member, Cr T G Gardiner, advised that Item 12.2.1 LPS9 Scheme Amendment 1 – Lot 564 Garvey Road Dardanup West – Consideration of Submissions and Final Approval would be brought forward in the order of business to accommodate members of the public in the gallery with an interest in the matter.

12.2.1 LPS9 Scheme Amendment 1 – Lot 564 Garvey Road Dardanup West – Consideration of Submissions and Final Approval

Reporting Department	<i>Development Services Directorate</i>
Responsible Officer	<i>Land Insights</i>
Reporting Officer	<i>Mr Ashwin Nair - Director Development Services</i>
Applicant	<i>Harley Dykstra Planning and Survey Solutions</i>
Legislation	<i>Planning and Development Act 2005</i>
Council Role	<i>Legislative.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.2.1A – Scheme Amendment Report (Rev E) 12.2.1B – Public Submissions 12.2.1C – Schedule of Public Submissions 12.2.1D – Agency Submissions 12.2.1E – Schedule of Referral Agency Submissions 12.2.1F – Risk Assessment Tool</i>

FURTHER INFORMATION FOR AGENDA FOR OCM TO BE HELD ON THE 29TH APRIL 2026
Provided to Councillors Electronically on 29th April 2026

Officer Comment

The following information regarding Item 12.2.1 – LPS9 Scheme Amendment 1 – Lot 564 Garvey Road, Dardanup West – Consideration of Submissions and Final Approval was provided to Councillors via email in advance of the Ordinary Council meeting to be held on 29th April 2026 and tabled at the meeting. This ensured that all elected members had the opportunity to review the material prior to the meeting and consider its contents ahead of discussion and decision-making.

Dear Shire President and Elected Members,

Following Agenda briefing last week, the Shire Officers reached out to the Water Corporation in relation to the matter of responsibility of their existing drainage infrastructure (depicted below) which traverses the subject site, once the site has been subdivided in the future.



564 Garvey Road, West Dardanup – Water Corporation Sub Drain B

The Water Corporation has advised that it is their intention for the below drain which traverses the site to be transferred to the Shire as part of the future subdivision process.

Officers advise that although it is their intention, the Shire does not have to accept the transfer of their infrastructure. The subdivision process will allow discussions to be had with Water Corporation about this matter in greater detail.

Please feel free to contact me on the undersigned for further information.

Regards,

Ashwin Nair
Director Development Services

Overview

This report presents the Shire of Dardanup's assessment of Amendment No. 1 (previously identified as Amendment 2) to Local Planning Scheme No. 9 (LPS9). The Amendment proposes to rezone Lot 564 Garvey Road, Dardanup West (the subject site) from the 'Rural' zone to the 'Rural Residential' zone. All procedural steps have been undertaken consistent with OCM resolution 231-25 (27th August 2025). The item is required to be determined by Council as there is no CEO delegation to resolve to support the Amendment (1 or 2) prior to the Western Australian Planning Commission (WAPC) to consider.

It is recommended that Council resolve to support Amendment No. 1 with modifications.

OFFICER RECOMMENDATION

THAT Council:

1. Adopts, pursuant to section 75 of the Planning and Development Act 2005 and regulation 50(3) (b) of the Planning and Development (Local Planning Schemes) Regulations 2015, Amendment No. 1 to Shire of Dardanup Local Planning Scheme No. 9, as contained in (Appendix ORD: 12.2.1A) with the following modification:
 - a. The developer contributes towards the upgrade of Garvey Road to the satisfaction of the Shire of Dardanup.
2. Authorises the Chief Executive Officer to prepare and execute the documentation required under Regulation 53 of the Planning and Development

- (Local Planning Schemes) Regulations 2015 and to refer the adopted amendment to the Western Australian Planning Commission for final approval.
3. Requests the Chief Executive Officer to notify submitters who provided comments during the public advertising period of Council's decision.
 4. Notes that the amendment will take effect upon publication of the approved amendment in the Government Gazette, in accordance with Regulation 55 of the Planning and Development (Local Planning Schemes) Regulations 2015.
 5. Provides the following comments to the applicant with regards to the concept plan and seek their consideration towards this in updating the concept plan prior to subdivision:
 - a. A preference of 1 hectare lot sizes;
 - b. Reduced lots accessing from Garvey Road;
 - c. Retention of vegetation along Garvey Road and within the site, where possible;
 - d. Contribution towards or the upgrade of Garvey Road to accommodate the increased traffic volumes and/or access requirements;
 - e. Consideration given to bridal paths forming part of the subdivision area; and
 - f. Advocate for Water Corporation to maintain ownership and maintenance of existing drainage infrastructure within the area of subdivision.

Discussion

Cr T Gardiner proposed an amendment to the officer resolution to reflect the ownership of the drainage infrastructure. Cr Gillespie supported the amendment and added a further condition that strengthened Councils position on the concept plan. Cr T Gardiner supported the further amendment.

Change to Officer Recommendation

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

- To clearly articulate that the concept plan is not supported in its current form; and
- That the Water Corporation is to maintain ownership of the drainage infrastructure.

ELECTED MEMBER ALTERNATIVE MOTION & COUNCIL RESOLUTION

78-26 MOVED – Cr T G Gardiner SECONDED – Cr S L Gillespie

THAT Council:

1. **Adopts, pursuant to section 75 of the Planning and Development Act 2005 and regulation 50(3) (b) of the Planning and Development (Local Planning Schemes) Regulations 2015, Amendment No. 1 to Shire of Dardanup Local Planning Scheme No. 9, as contained in (Appendix ORD: 12.2.1A) with the following modification:**
 - a. **The developer contributes towards the upgrade of Garvey Road to the satisfaction of the Shire of Dardanup.**

- b. The Water Corporation maintain ownership and maintenance of all Water Corporation drainage infrastructure that traverses the subject site in perpetuity.
2. Authorises the Chief Executive Officer to prepare and execute the documentation required under Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015 and to refer the adopted amendment to the Western Australian Planning Commission for final approval.
3. Requests the Chief Executive Officer to notify submitters who provided comments during the public advertising period of Council's decision.
4. Notes that the amendment will take effect upon publication of the approved amendment in the Government Gazette, in accordance with Regulation 55 of the Planning and Development (Local Planning Schemes) Regulations 2015.
5. Provides the following comments to the applicant with regards to the concept plan and seek their consideration towards this in updating the concept plan prior to subdivision:
 - a. That Council does not support the existing concept plan;
 - b. A preference of 1 hectare lot sizes;
 - c. Reduced lots accessing from Garvey Road;
 - d. Retention of vegetation along Garvey Road and within the site, where possible;
 - e. Contribution towards or the upgrade of Garvey Road to accommodate the increased traffic volumes and/or access requirements;
 - f. Consideration given to bridal paths forming part of the subdivision area; and
 - g. The Local Water Management Strategy to accompany the future subdivision application for the site is to reflect that the Water Corporation is to maintain ownership and maintenance of their drainage infrastructure within the area of subdivision.

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 Laurensch	
Cr R J Trevathan	

Background

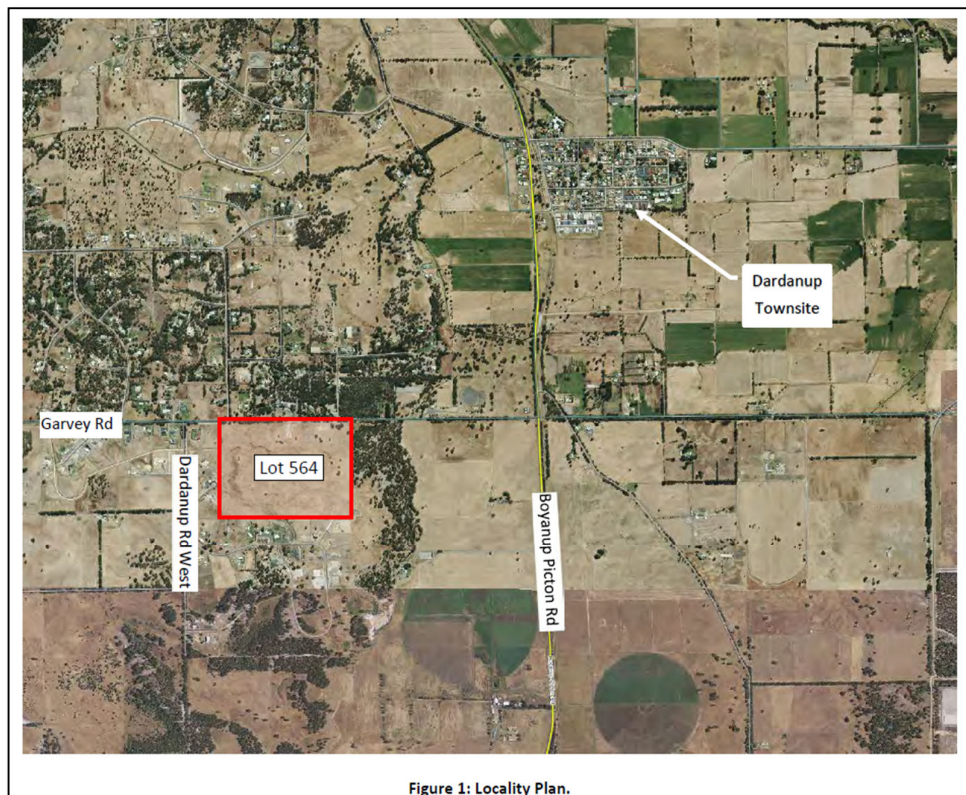
The subject site is Lot 564 Garvey Road, Dardanup West, comprising approximately 40.5ha (Lot 564 on Deposited Plan 250872). The site is owned by Kathleen Margaret Wright and Ross Alexander Wright and is located approximately 2 kilometres from the Dardanup townsite and approximately 13 kilometres southeast of the Bunbury City Centre. The site is currently used for passive grazing. It is predominantly cleared pasture with a small cluster of native trees in the northeastern corner, a central dam, and a farm shed.

Land to the north, south and west of the subject site is zoned and substantially zoned Rural Residential by LPS9. Land to the east is zoned Rural and separated from the subject site by a drain reserve. The subject site represents the last substantial Rural-zoned lot within the southeastern portion of the Dardanup Small Holdings Structure Plan area, which was endorsed by the WAPC in August 2007 to guide the coordinated rural residential development of the broader Dardanup West/Crooked Brook area.

Council resolved to initiate the amendment at its Ordinary Council Meeting of 27th August 2025 (Resolution 231-25) and resolved to seek approval to advertise. The Department of Planning, Lands and Heritage (DPLH) granted approval to advertise on 17th November 2025. The amendment was advertised from 11th December 2025 to 30th January 2026. The Council resolution of 27th August 2025 referred to the Amendment as 'Amendment No. 2 to Local Planning Scheme No. 9.' Following that resolution, the Amendment was formally designated as Amendment No. 1 in the documentation lodged with DPLH. This reflected the sequential amendment numbering employed for LPS9, which was gazetted on 23rd June 2025. Amendment No. 1 is the correct designation and has been used consistently throughout the advertising process.

A condition of the initiation resolution required the developer to contribute toward the upgrade of Garvey Road to the satisfaction of the Shire. This contribution will be secured through the subdivision approval process.

Location Plan



Proposal

The outline of the proposal is as follows:

Region Scheme	Rural (Greater Bunbury Region Scheme)
Local Planning Scheme	Rural (Local Planning Scheme 9)
Structure Plan/Precinct Plan	Dardanup Small Holdings Structure Plan (WAPC 2007)
Use Class and Permissibility	Not applicable
Lot Size	40.5ha
Existing Land Use	Rural - passive grazing
State Heritage Register	No
Local Heritage	No
Bushfire Prone Area	Yes. The north and west perimeters of the site are designated bushfire-prone land. A Bushfire Management Plan has been prepared in accordance with SPP 3.7.
EPA Formal Assessment	Not required. The EPA determined that formal environmental assessment under Part IV of the Environmental Protection Act 1986 was not required for this amendment.

Legal Implications

The adoption of a scheme amendment at final approval stage is governed by Section 75 of the *Planning and Development Act 2005* and Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). Under Regulation 50(3), Council must consider all submissions received during the advertising period and resolve to adopt the amendment (with or without modification) or not adopt the amendment. Following adoption, the amendment is referred to the WAPC for final approval by the Minister for Planning under Regulation 53 of the Regulations. The amendment takes effect upon publication in the Government Gazette under Regulation 55.

Council Plan

8.1 - Support responsible planning and development.

Environment

The Amendment was referred to the Environmental Protection Authority (EPA) as required under Part IV of the *Environmental Protection Act 1986*. The EPA determined that formal environmental assessment of the amendment was not required. This determination does not remove environmental obligations from the development of the site, rather, it reflects the EPA's view that the relevant environmental matters are capable of being addressed through the existing planning and regulatory framework at subsequent stages.

The Department of Biodiversity, Conservation and Attractions (DBCA) and the Department of Water and Environmental Regulation (DWER) were separately consulted as referral agencies and its responses are addressed in the Consultation and Officer Comment sections of this report.

Precedents

The subject land is within the Dardanup West/Crooked Brook Small Holdings Structure Plan area. Since the Structure Plan's endorsement in 2007, a number of areas within the Structure Plan have been

progressively rezoned from rural and general farming designations to rural residential or small holding designations in conjunction with subdivision approvals. This Amendment is consistent with that established pattern of development and does not introduce any new planning principle or zone into the area.

Consultation

Public Consultation

The Amendment was advertised for public comment for approximately 51 days from 11th December 2025 to 30th January 2026. The extended advertising period was deliberately provided to account for the holiday season and to allow sufficient time for submissions outside of the Christmas / New Year break. A total of two public submissions were received. The submissions are included in (Appendix ORD: 12.2.1B). The issues raised in the submissions and the responses from the proponent are summarised in the Schedule of Public Submissions, (Appendix ORD: 12.2.1C).

The issues raised in the submissions are summarised below:

Submitter	Key Issues Raised and Officer Position
<p>Resident / Adjoining Landowner (Garvey Road)</p>	<p>Issues raised:</p> <ul style="list-style-type: none"> • Road safety concerns regarding 12 proposed driveways onto Garvey Road, including heavy-vehicle conflict and sightlines. • The 2023 Traffic Impact Statement (TIS) does not reflect post-BORR conditions. • Removal of mature Marri trees and potential Carnaby's and Forest Red-tailed Black-Cockatoo habitat. • Safety at the existing school bus stop near proposed Lots 1–3 and general school bus service eligibility. • Lot size compatibility with adjacent estates and proposed internal road alignment affecting amenity. • Existing drainage and a general concern that the proposal prioritises developer convenience over orderly planning. <p>Officer position:</p> <p>This is a “high level” scheme amendment, not a detailed subdivision application with the supporting information reflecting the need for further detailed assessment in later stages. The concerns raised relate primarily to subdivision design, such as crossover locations, road alignments, lot boundaries, drainage infrastructure, and building envelopes. These are not finalised at the rezoning stage with the Amendment focusing only on the change in zone.</p> <p>The concept plan is provided to inform decision making but is not brought into the Scheme as a statutory tool. These matters are properly assessed and resolved through the subdivision approval process, supported by agency referrals and Shire engineering assessment. Updated versions of all informing documents will be required at that stage.</p> <p>No modification to the amendment is recommended in response to these matters.</p>
<p>Urban Bushland Council WA Inc.</p>	<p>Issues raised:</p>

Submitter	Key Issues Raised and Officer Position
	<ul style="list-style-type: none"> • Potential loss of mature Marri trees along Garvey Road and implications for Carnaby's Black-Cockatoo (Endangered) and Forest Red-tailed Black-Cockatoo (Vulnerable) habitat. • Support for an alternative development layout proposed by adjacent residents. • Concerns about wetlands and drainage. <p>Officer position:</p> <p>The trees referred to by the Urban Bushland Council are located within the Garvey Road reserve, not on the subject site. No clearing of roadside trees is authorised by this Amendment. Any future works within the road reserve requiring vegetation removal would be subject to Shire approval and fauna habitat assessment at that time.</p> <p>The Amendment does not authorise any native vegetation clearing. Detailed subdivision design will be required that accommodates environmental constraints. Conditions relating to tree retention and habitat protection will be imposed at subdivision stage. The wetland and drainage concerns are addressed through the Local Water Management Strategy (LWMS).</p> <p>No modification to the amendment is recommended in response to these matters.</p>

Consultation with Government/Service Agencies

The following agencies were consulted during the advertising period. Full submissions are included in (Appendix ORD: 12.2.1D) and are summarised in the Schedule of Referral Agency Submissions in (Appendix ORD: 12.2.1E).

Agency	Position and Key Issues
Water Corporation	No objection. The site is outside the Water Corporation's water and sewer service areas, with no long-term plan to extend services. Future lots are to be serviced by rainwater tanks and on-site effluent disposal systems, consistent with existing rural residential development in the area. Stormwater is to be managed on-site. The Local Water Management Strategy (LWMS) was under review by Water Corporation at the time of submission. Water Corporation's review of the LWMS is to be completed before any subdivision application is submitted.
Department of Primary Industries and Regional Development (DPIRD)	Supports. The amendment is consistent with the Shire's Local Planning Strategy.
Main Roads Western Australia	No objection. The Traffic Impact Statement does not address the Garvey Road/Boyanup-Picton Road intersection. Main Roads advises this must be addressed at subdivision stage, as it is the closest intersection to the State road network.
Department of Biodiversity, Conservation and Attractions (DBCA)	No objection. DBCA advises that any potential environmental impacts will be appropriately addressed through the existing planning framework.

Agency	Position and Key Issues
Department of Planning, Lands and Heritage – Heritage Services	No objection. There are no heritage-protected places within or adjacent to the amendment area.
Department of Water and Environmental Regulation (DWER)	<p>Conditional support with modifications requested.</p> <ol style="list-style-type: none"> (1) The Scheme Amendment Report be updated to remove reference to superseded concept plans; (2) The LWMS be finalised to the satisfaction of DWER, Water Corporation and the Shire prior to any subdivision application; and (3) The Site and Soil Evaluation (SSE) be updated prior to endorsement to reflect the current concept plan and confirm SPP 2.9 compliance. <p>Officer position:</p> <p>DWER's concerns are legitimate and are addressed in detail in the Officer Comment. No modification to the scheme amendment instrument (the rezoning of Lot 564) is required. The Scheme Amendment Report will be updated administratively to reflect the current concept plan, as DWER requests.</p> <p>The LWMS finalisation is appropriately secured as a subdivision condition (consistent with DWER's preferred mechanism).</p> <p>The SSE update for SPP 2.9 compliance is a subdivision-stage matter, as SPP 2.9 compliance must be confirmed against the finalised lot configuration and drainage alignment. The amendment is recommended for adoption without modification.</p>
ATCO Gas / Western Power / Telstra / NBN / Water Corporation (drainage)	No substantive objections. Standard servicing advice applicable to subdivision stage noted.

Referral agency responses are attached in (Appendix ORD: 12.2.1D) and are summarised in (Appendix ORD: 12.2.1E), including the applicant's response to submissions.

Other Consultation

Preliminary discussions with Shire planning staff have taken place over an extended period leading to the lodgement and initiation of this Amendment. The preliminary consultation identified the applicable planning framework and indicated preliminary support for the proposal's general intent. That support was contingent on the proposal meeting all applicable legislative and policy requirements as assessed in this report.

Budget Implications

The costs of preparing and progressing the amendment, including all consultant reports, are met by the applicant.

Budget – Whole of Life Cost

Infrastructure required to service the future subdivision including road construction and upgrade, stormwater management, on-site servicing, and contributions to the upgrade of Garvey Road will be met by the developer at the subdivision stage.

Infrastructure assets will be constructed to Shire standards and, where relevant, ceded to the applicable authority free of cost. The subdivision and development of the site will generate a new stream of rate revenue for the Shire that will, over time, offset any increase in service costs.

Council Policy Compliance

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Greater Bunbury Region Scheme*
- *Shire of Dardanup Local Planning Scheme No. 9*
- *Shire of Dardanup Local Planning Strategy (2015)*
- *Shire of Dardanup Local Planning Strategy (2015)*
- *Dardanup Small Holdings Structure Plan (WAPC, August 2007)*
- *State Planning Policy 2.5 – Rural Planning*
- *State Planning Policy 2.9 – Water Resources (WAPC, 2025)*
- *Government Sewerage Policy (2019)*
- *SDev CP094 – Dardanup West–Crooked Brook Area – Foreshore Facilities Developer Contribution*
- *SDev CP067 – New Roads and Upgrades – Developer Contributions*

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation. Please refer to (Appendix ORD: 12.2.1F) for the full Risk Assessment Tool document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Report Title	LPS9 Scheme Amendment 1– Lot 564 Garvey Road Dardanup West – Consideration of Submissions and Final Approval
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	<p>Legal and Compliance Council supports the amendment in circumstances where material planning, environmental or technical objections have not been adequately addressed, resulting in a flawed planning outcome or DPLH/Minister rejection of the amendment</p> <p>Reputational Council declines to adopt the amendment, with subsequent refusal from the Minister for Planning, resulting in loss of rural residential supply in an established planning corridor, delay to the applicant, and inconsistency with the Shire's Local Planning Strategy.</p>

Officer Comment

The Role of a Scheme Amendment and the Appropriate Standard of Assessment

Before addressing the specific issues raised in this process, it is important to establish what a scheme amendment does, and does not, determine. This framing is essential to understanding why Council is recommended to adopt the amendment despite a number of outstanding technical matters.

A scheme amendment of the type presented rezones land within a local planning scheme. It establishes the planning framework within which subsequent development can occur. It does not approve a plan of subdivision, nor the technical documents provided. It does not determine crossover locations, road alignments, lot boundaries, building envelopes, drainage infrastructure, or land application area (eluent disposal) positions. Those matters are assessed and resolved through the subdivision approval process, within the framework set by the rezoning. This allocation of functions between the scheme amendment and subdivision stages reflects the deliberate architecture of the *Planning and Development Act 2005* and the Regulations.

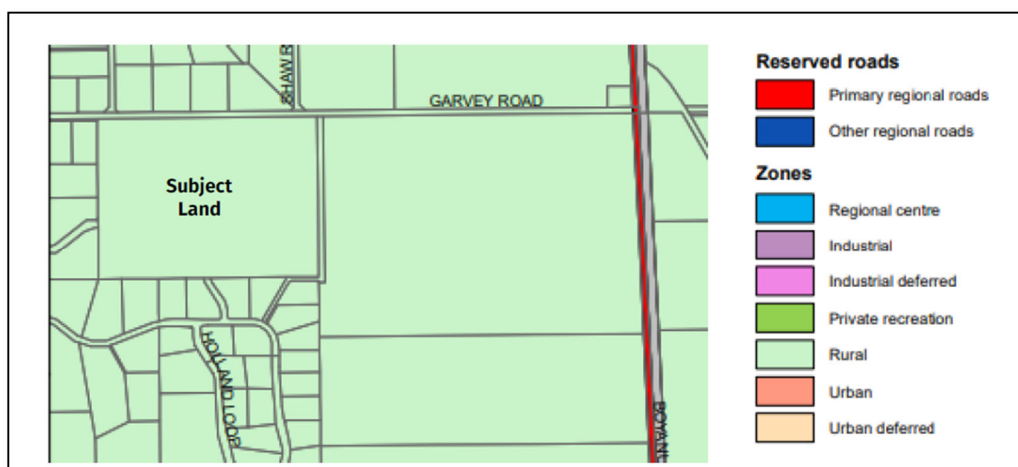
The consequence is that not every concern about future development of a site is a valid ground for withholding support for a rezoning. The question at amendment stage is whether the proposed zone is appropriate for the land, whether the planning and strategic framework supports that zone and whether the technical concerns raised are of the kind that can and should be resolved through subsequent planning stages. If the answer to those questions is yes, the appropriate response is to adopt the amendment and note that outstanding technical matters will be addressed through subdivision detailed design and conditions.

In this case, the proposed Rural Residential zone is consistent with the strategic designation of the subject land in the Local Planning Strategy and the Dardanup Small Holdings Structure Plan. The technical concerns raised in submissions are real and will require thorough resolution at subdivision stage. None of them goes to the fundamental question of whether Rural Residential is the appropriate zone for this land.

Planning Framework Assessment

Greater Bunbury Region Scheme

The subject site is zoned 'Rural' by the Greater Bunbury Region Scheme (GBRS), the statutory regional planning framework for the Greater Bunbury area (map extract below). The GBRS does not need to be amended to allow for this rezoning to take place. Rural Residential zones at the local planning scheme level are consistent with the GBRS Rural Zoning.



State Planning Policy 2.5 – Rural Planning

SPP 2.5 and its associated Rural Planning Guidelines provide the State Government's framework for rural living and rural residential development. The Guidelines identify the types of development standards, structure plans and investigations that should accompany rural living proposals. The subject land is contained within the approved Dardanup Small Holdings Structure Plan, satisfying the structure planning requirement under SPP 2.5. The proposed lot sizes (1 to 4 hectares, average approximately 2 hectares) are consistent with the rural living lot size framework. The supporting technical studies correspond to the investigations the Guidelines identify for rural living proposals. Consequently, the proposal is consistent with SPP 2.5.

State Planning Policy 2.9 – Water Resources (WAPC, 2025)

SPP 2.9 was finalised by the WAPC in 2025, after the Amendment 1 Site and Soil Evaluation (SSE) and Local Water Management Strategy (LWMS) were prepared. DWER has identified that the SSE does not fully address SPP 2.9's requirements, in particular, the setbacks for land application areas from drainage systems under Clause 8.7.8 and the requirement that building envelopes and effluent disposal areas not be shown separately on concept plans.

At scheme amendment stage, the SSE's function is to demonstrate the general suitability of the site for on-site effluent disposal — not to finalise individual lot disposal system designs. The current SSE establishes that the site can support on-site effluent treatment and disposal, provided that appropriate ground improvement measures are implemented (including Secondary Treatment Systems and elevated land application areas). Detailed lot-level compliance with SPP 2.9 including confirmation of land application area locations relative to drainage features, applicable setback distances and building envelope/LAA integration is appropriately resolved through a revised SSE at subdivision stage.

The LWMS must be finalised to the satisfaction of DWER, Water Corporation and the Shire prior to any subdivision application being submitted. This will be imposed as a condition of subdivision approval and is consistent with DWER's own preferred mechanism as expressed in its submission.

Government Sewerage Policy (2019)

The Government Sewerage Policy (GSP) governs on-site effluent disposal for land without reticulated sewer connection. The subject site is outside the Water Corporation's sewer service area, with no long-term plan for network extension to this area. Future lots will be required to install Secondary Treatment Systems (STS) with nutrient removal, using subsurface land application systems — consistent with the GSP and Australian Standard AS/NZS 1547:2012. The SSE confirms that the site can support this approach, with appropriate ground preparation including elevated land application areas. Detailed disposal system design will be confirmed for each lot at subdivision and development stages.

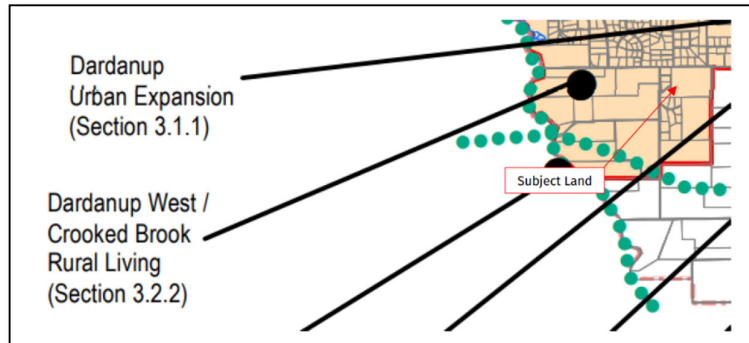
Local Planning Strategy

The Shire and WAPC endorsed Shire of Dardanup Local Planning Strategy identifies the subject land within the Dardanup West/Crooked Brook Rural Living settlement in Land Use Changes Map 2.1. That identification represents a considered strategic decision by the Shire and the WAPC that this area is an appropriate location for rural living development. The amendment gives direct planning effect to the Strategy's identification of Lot 564 as part of that settlement.

The Strategy acknowledges that the Dardanup West/Crooked Brook area presents site-specific constraints that must be addressed before development can proceed, including drainage and waterlogging, bushfire risk, vegetation and environmental considerations and servicing. These constraints do not prevent the area from being developed. Rather, the Strategy anticipates that they will be addressed through the structure planning and subdivision processes. How they have been addressed for this site is considered elsewhere in this Officer Comment.

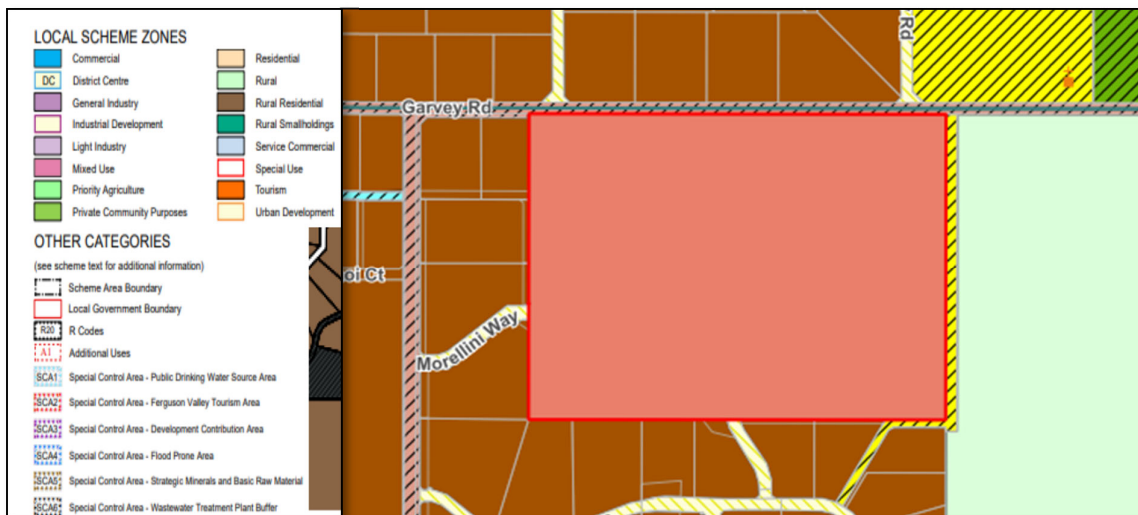
It is noted that the Strategy's Section 3.2 recommends facilitating subdivision of existing rural residential lots in preference to expanding the rural residential footprint into new areas. Lot 564 is not currently zoned Rural Residential. However, it falls within the identified Dardanup West/Crooked Brook Rural Living settlement boundary in Map 2.1, which is the relevant strategic designation. The amendment gives effect to that identification, completing the rural living settlement in this corner of the Structure Plan area.

An extract from the Strategy is shown below.



Local Planning Scheme No. 9

LPS9 was gazetted on 23rd June 2025. The subject site is zoned Rural by LPS9, with surrounding land zoned Rural Residential (see map extract below).



The land to the east is zoned "Rural" on the other side of the drain reserve shown yellow with hatching on the plan above. The surrounding land has been zoned and developed for rural residential usage and this rezoning and subdivision will round out development of this area for rural residential usage.

The Rural Residential zone objectives under LPS9, and how the proposal addresses each, are summarised below:

Rural Residential Zone Objective (LPS9)	Compliance
Provide for lot sizes in the range of 1 to 4 hectares.	The concept plan proposes 20 lots ranging from 1 to 4 hectares, with all lots consistent with this objective.
Provide opportunities for limited rural and related ancillary pursuits consistent with the amenity of the locality and conservation attributes of the land.	Future use of lots will be consistent with the Rural Residential zone provisions of LPS9, including Schedule 7 development standards.
Set aside areas for retention of vegetation and landform or other features that distinguish the land.	The site is predominantly cleared. The cluster of trees in the northeastern corner is likely to be retained within lot boundaries given the proposed lot sizes. Building envelopes in the concept plan have been sited to protect existing vegetation.

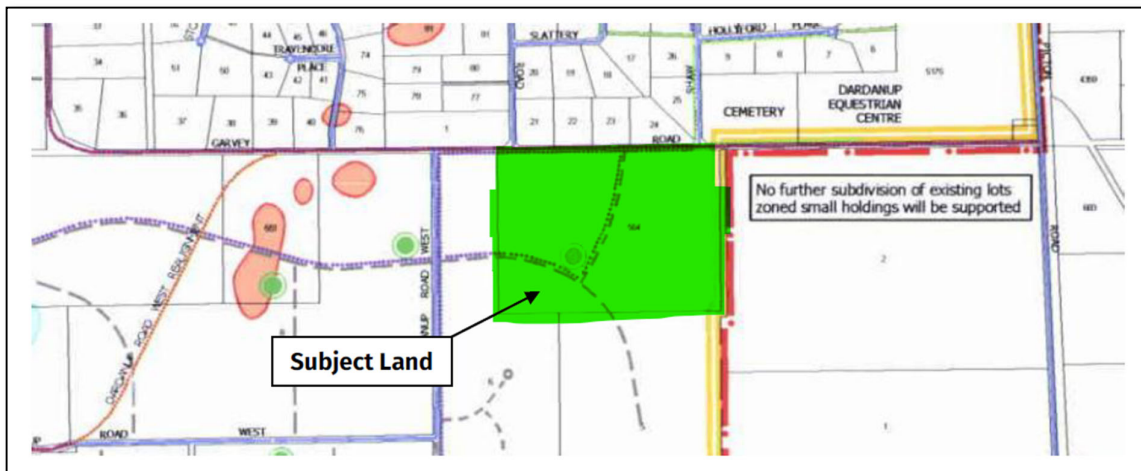
Schedule 7 of LPS9 establishes boundary setbacks and lot design standards for Rural Residential lots. The concept plan demonstrates that lots can be designed to satisfy these requirements. All proposed lots have direct road frontage without reliance on battle-axe or easement access arrangements.

Dardanup West / Crooked Brook Structure Plan

The Dardanup West / Crooked Brook Structure Plan remains operative under LPS9 as a strategic planning instrument for the Dardanup West/Crooked Brook area. Lot 564 is identified within the southeastern portion of the Structure Plan area. The Structure Plan establishes the broad land use intent, road connectivity principles, and servicing framework for the area.

The Structure Plan does not prescribe a specific lot yield or layout for Lot 564, but its indicative road network identifies linkages through and around the subject land that are reflected in the concept plan. This includes the extension of Ayrshire Road to Garvey Road. The amendment is consistent with the Structure Plan. The Structure Plan does not need to be amended or revised to accommodate this proposal.

The subject land is located within the southeastern portion of the Structure Plan and has been shaded green on the plan extract shown below. The site adjoins some recently developed areas, with road linkages proposed as identified in the concept plan.



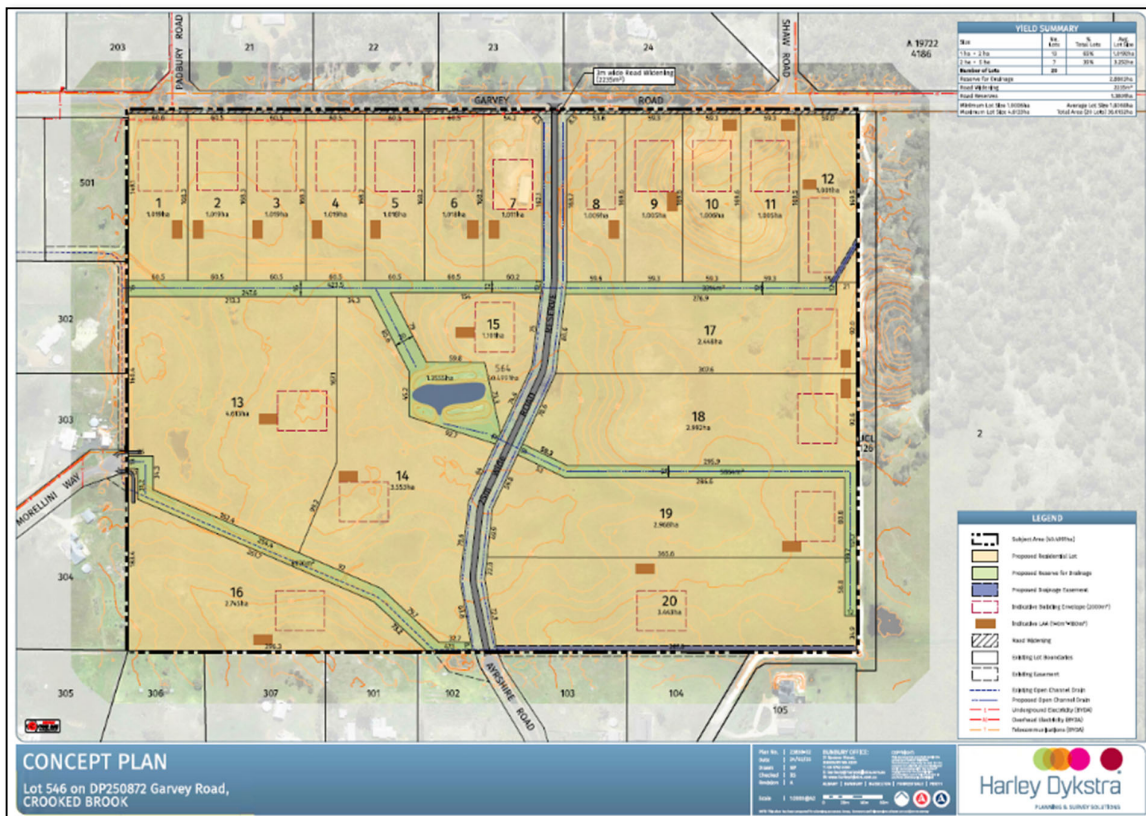
The proposal is consistent with the Structure Plan and rounds out and completes the structure plan in this corner of the plan area.

Concept Plan

The concept plan (below and attached) shows that following the rezoning process the land is capable of being subdivided into 20 lots of not less than 1ha each. Each lot has a designated building envelope shown as a rectangular broken brown line and these meet LPS boundary setback requirements and protect existing vegetation. It is noted that the concept plan is provided to demonstrate the ability for the land to be rezoned. Further refinement of the concept layout and detailed design will be required at subdivision stage. This will ensure all outstanding issues are resolved in the final design.

Existing drains have been placed in easements (shown green). Garvey Road is to be improved and widened at the developers cost. The concept plan proposes connection and access to existing road reserves of Garvey and Ayrshire Roads. Ayrshire Road is to be extended through the centre of the subject site and connect to Garvey Road. A contribution for the improvement and usage of Garvey Road will be made a condition of subdivision.

The lots have been designed to incorporate the required setbacks of Schedule 7 of LPS 9 for “Rural Residential” zoned land. All the lots are uniform in shape. The size of the lots will ensure most of the existing vegetation on site is able to be retained.



Large lots have been shown through the central portion of the land. Drainage investigations indicated that larger lots would be more suitable for management of this low-lying portion of the site and to reduce the amount of infill earthworks required. All lots enjoy a direct road frontage with no lot requiring a battle axe or easement arrangement for access.

Site Suitability and Planning Framework Constraints

Drainage and Waterlogging

The site presents genuine drainage constraints. Groundwater monitoring in June–October 2023 found shallow water tables (generally within 0.6 metres of the surface) and localised winter inundation in the southwestern portion of the site. Soils are generally silty sand to sandy clay with low permeability. These are characteristics common to rural land in the Dardanup West/Crooked Brook area and have been successfully managed in the rural residential developments to the north, south and west through on-site drainage management.

The LWMS demonstrates that post-development peak flows can be maintained at or below pre-development levels for the 1% AEP storm event through roadside vegetated swales (combined storage approximately 1,570 m²), on-lot soak wells for roof runoff and attenuation/treatment basins at two low points in the site. The proposed larger lots through the central (lowest lying) portion of the site are a direct design response to the drainage constraints, reducing impervious coverage and earthworks requirements in the most constrained area.

The existing Water Corporation drainage channel traversing the site has been placed within an easement in the concept plan. The LWMS has been reviewed by DWER. Water Corporation's review was in progress at the time of this report. Both reviews are to be finalised before any subdivision application is submitted.

Bushfire Risk

The north and west perimeters of the site are designated bushfire-prone land. A Bushfire Management Plan (BMP) has been prepared in accordance with SPP 3.7 Planning in Bushfire Prone Areas. The BMP demonstrates that, once subdivisional works are complete and grassland is maintained as low-threat vegetation, all building envelopes will achieve a Bushfire Attack Level (BAL) of BAL-29 or lower, which is an acceptable outcome for rural residential development. An existing Emergency Access Way between Garvey Road and Holland Loop (ceded as Crown Land through a previous development) provides emergency egress for lots on the eastern portion of the site.

Vegetation and Environmental Considerations

The site is predominantly cleared pasture. The Scheme Amendment Report describes a small cluster of native trees in the northeastern corner of the site and notes that no native vegetation removal is required to create the proposed lots, given the lot sizes and the central location of the proposed internal road.

Submissions from the Urban Bushland Council and a public submitter raised concerns about mature Marri trees along the Garvey Road reserve and their significance as habitat for Carnaby's Black-Cockatoo (Endangered under the Biodiversity Conservation Act 2016) and Forest Red-tailed Black-Cockatoo (Vulnerable). It is important to note the distinction between vegetation on the subject site and vegetation within the road reserve. Trees within the Garvey Road reserve are not on the subject site and are not affected by this amendment. Any future works within the road reserve, such as crossover construction or road widening would require Shire approval and would be subject to assessment of vegetation and fauna habitat impacts at that time. The Shire will ensure that road widening and crossover design minimises disturbance to roadside trees, including engagement with DBCA as appropriate at subdivision stage.

DBCA has no objection to the amendment, advising that potential environmental impacts will be appropriately addressed through the existing planning framework. No clearing of native vegetation is authorised by this rezoning.

Servicing

Reticulated water and sewer are not available to the site, and Water Corporation has confirmed there is no long-term plan to extend services to this area. Future lots will rely on rainwater tanks for potable water and on-site Secondary Treatment Systems for effluent disposal, consistent with the established rural residential development in the broader Dardanup West area. Power and telecommunications services are available in adjoining road reserves. The Servicing Report confirms that these services can be extended to the development at subdivision stage.

Traffic and Access

A Traffic Impact Statement (TIS) was prepared in 2023 in accordance with the WAPC's Transport Impact Assessment Guidelines Volume 3 (2016). The TIS concludes that the proposed 20-lot subdivision will not have a significant impact on the surrounding road network, given the relatively low traffic volumes generated (estimated 160–200 vehicle movements per day). Main Roads WA has no objection to the rezoning, noting that the TIS should address the Garvey Road/Boyanup-Picton Road intersection at subdivision stage. A public submitter raised concern that the 2023 TIS does not reflect post-BORR traffic patterns. The matters relating to intersection analysis and updated traffic counts will be appropriately addressed through an updated TIS at the subdivision stage. This will ensure the TIS reflects the finalised lot yield / layout and road network design.

The concept plan proposes access from three directions: approximately 10 lots from Garvey Road, 2 lots from Morellini Way (existing cul-de-sac), and 8 lots via the extension of Ayrshire Road. The Garvey Road developer contribution required by the initiation resolution will be secured through subdivision conditions.

Environmental Considerations

The EPA determined that formal environmental assessment of the amendment was not required under Part IV of the *Environmental Protection Act 1986*. This is recorded in the Proposal table and Environment section of this report.

This determination does not remove environmental obligations from the project. The following matters are identified for resolution at the subdivision stage:

- Finalisation of the LWMS to the satisfaction of DWER, Water Corporation and the Shire, prior to submission of any subdivision application.
- Preparation of a revised SSE confirming lot-by-lot SPP 2.9 compliance, in particular clause 8.7.8 setbacks for land application areas from drainage systems.
- Assessment of any vegetation removal required for road and crossover infrastructure, including impacts on native vegetation and fauna habitat within and adjacent to the road reserves.
- Confirmation that building envelopes and land application areas are integrated (not shown separately) in accordance with the building envelope definition under the Regulations.
- Acid sulphate soil management provisions, noting the site has been assessed as 'Low to None' risk. However, standard management protocols should be incorporated into subdivision conditions as a precautionary measure.

DBCA and DWER are both standard referral agencies for the subdivision process and will have the opportunity to require information or impose conditions addressing these matters at that stage.

Assessment of Submissions

The nine specific issues raised in the public submissions and agency submissions have been assessed in the Schedule of Referral Agency Submissions (Appendix ORD: 12.2.1E) and the Schedule of Public

Submissions (Appendix ORD: 12.2.1C). The following summarises the officer's position on the principal themes:

Submission Theme	Officer Assessment
Road safety on Garvey Road; outdated TIS; Garvey Road/Boyanup-Picton Road intersection	These are subdivision-design matters. Crossover locations are not determined at rezoning stage and are subject to detailed design approval by the Shire. An updated TIS addressing post-BORR conditions and the Garvey Road/Boyanup-Picton Road intersection will be a condition of subdivision approval, consistent with Main Roads WA's advice. No amendment modification is required.
Threatened species (Carnaby's and FRTBC) and Marri trees in Garvey Road reserve	The trees are within the road reserve, not on the subject site, and are not cleared by this amendment. DBCA has no objection. Habitat assessment and vegetation management for road and crossover works will be addressed at subdivision stage under DBCA referral.
School bus stop safety near proposed Lots 1–3	A legitimate concern that will be addressed through PTA referral at subdivision stage. Crossover locations near the bus stop will be the subject of detailed design assessment. No modification to the Amendment is required.
Drainage and waterlogging concerns	Addressed through the LWMS, which demonstrates the site can manage post-development flows. The LWMS will be finalised (DWER/Water Corp/Shire sign-off) before subdivision proceeds.
Lot size compatibility with adjacent estates	The proposed lot range (1–4 ha, average ~2 ha) is consistent with the Rural Residential zone objectives under LPS9 and with the established pattern in the area. Lots of 1 ha on Garvey Road are consistent with existing development to the west and do not set a new precedent.
Internal road alignment and amenity	Road layout is a subdivision-design matter. The alignment can be refined at subdivision stage to minimise amenity impacts on existing dwellings. The concept plan is indicative only.
Orderly and proper planning	The amendment is not premature. The land is identified in the Strategy for rural living development and is within the Structure Plan area. Technical matters are appropriately resolved at subdivision. The planning basis for the rezoning is clear and well-supported.
DWER — SSE and LWMS updates; concept plan update	The Scheme Amendment Report will be updated administratively to reference the current concept plan, as DWER requests. The LWMS finalisation is a subdivision condition. The SSE update for SPP 2.9 compliance is a subdivision condition. No modification to the amendment instrument is required.
SDev CP094 – Foreshore Facilities Developer Contribution	Policy CP094 applies to the subject land. The developer contribution obligation will be assessed and secured as a condition of subdivision approval in accordance with the policy.

Conclusion

Having regard to all of the above, the following matters weigh in favour of adopting the amendment:

- Lot 564 is identified within the Dardanup West/Crooked Brook Rural Living settlement in the Local Planning Strategy (Land Use Changes Map 2.1). The amendment gives direct planning effect to that strategic identification.
- The subject land falls within the boundary of the WAPC-endorsed Dardanup West/Crooked Brook Structure Plan, which has guided the progressive rural residential development of this area. The amendment completes the rural residential pattern in the southeastern corner of the Structure Plan area.
- The proposed lot sizes (1–4 hectares, average approximately 2 hectares) are consistent with the Rural Residential zone objectives under LPS9 and with SPP 2.5.

- The supporting technical studies (LWMS, SSE, TIS, BMP) demonstrate the general viability of rural residential development on this site, notwithstanding the drainage constraints and bushfire exposure.
- The EPA has determined that formal environmental assessment is not required. DBCA has no objection. DPIRD actively supports the amendment as consistent with the Local Planning Strategy.
- No agency with the capacity to object to the rezoning has done so. DWER's concerns relate to technical documentation and are addressed administratively and through the subdivision process.

On balance, the amendment is sound and should be adopted. The planning basis for rezoning Lot 564 to Rural Residential is well-established, consistent with all levels of the planning hierarchy, and supported by the relevant agencies. The outstanding technical matters are properly managed through the subdivision approval process, as intended by the multi-stage planning process. No submission raises a matter that questions the appropriateness of Rural Residential zoning for this land. Rather the issues identified are more appropriately addressed at the subdivision stage on a case-by-case and lot-by-lot basis.

END REPORT

PROCESS

Note: The Presiding Member, Cr T G Gardiner, returned to the order of business at 5:27pm and advised Council that the next item for consideration would be Item 12.1.1.

12.1.1 Bunbury Geographe Group of Councils' Meeting held 27th March 2026

Reporting Department	<i>Executive</i>
Responsible Officer	<i>Mr André Schöfeldt - Chief Executive Officer</i>
Reporting Officers	<i>Ms Marie Vitanza – Executive Assistant</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.1.1A – BGGC Minutes 27th March 2026</i> <i>12.1.1B – BGGC Corporate Governance Charter, Memorandum of Understanding and Code of Conduct</i> <i>12.1.1C – Regional Sport and Recreation Strategy Report</i> <i>12.1.1D – Australia South West Report</i> <i>12.1.1E – Regional Development Australia Report</i> <i>12.1.1F – Risk Assessment</i>

Note: Three (3) members of the public exited the Council Chambers at 5:27pm and did not return.

Overview

This report notes the minutes from the Bunbury Geographe Group of Councils' (BGGC) meeting held on 27th March 2026 and to make determinations based on the BGGC in the spirit of regional Local Government collaboration.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

79-26 MOVED – Cr T G Gardiner SECONDED – Cr A C Jenour

THAT Council:

1. **Notes the minutes from the Bunbury Geographe Group of Councils' meeting held on 27th March 2026 (Appendix ORD: 12.1.1A);**
2. **Notes the withdrawal from the group by the Shire of Donnybrook Balingup and the acknowledgement letter issued by the Secretariate on behalf of the Group;**
3. **Notes the withdrawal from the group by the Shire of Collie and the acknowledgement letter issued by the Secretariate on behalf of the Group;**
4. **Endorses the Bunbury Geographe Group of Councils' Corporate Governance Charter, Memorandum of Understanding and Code of Conduct (Appendix ORD: 12.1.1B) and for the Shire of Dardanup to be the Host Council in 2026 to undertake the duties as set out in the Charter;**

5. Supports the inclusion of \$29,418 (ex GST) in the 2026/27 Annual Budget, as a contribution to the Bunbury Geographe Group of Councils from the Shire of Dardanup for the 2026/27 financial year;
6. Confirms its commitment for the continuation of the Bunbury Geographe Tourism Partnership for three years;
7. Supports the inclusion of \$22,000 (ex GST) in the 2026/27 Annual Budget, as a contribution to the Bunbury Geographe Tourism Partnership from the Shire of Dardanup for the 2026/27 financial year;
8. Receives the Regional Sport and Recreation Strategy report developed by Otium Planning Group and notes the detailed list of recommendations that have been highlighted within the Regional Sport and Recreation Strategy (Appendix ORD: 12.1.1C);
9. Endorses the list of regional level facilities that have been identified in the Regional Sport and Recreation Strategy, and the sports that they service, as detailed below:

Regional Sport & Recreation Facilities

Name of Facility	Local Government Area	Regional Sports
Hay Park	City of Bunbury	Aquatics, Soccer, BMX, Hockey, Athletics, Tennis, and Croquet.
Hands Oval	City of Bunbury	Australian Football League.
Eaton Recreation Centre	Shire of Dardanup	Basketball and Netball.
Glen Huon Oval	Shire of Dardanup	Softball.
Capel Regional Equine Centre	Shire of Capel	Various Equine disciplines.
Dardanup Equestrian Centre	Shire of Dardanup	Various Equine disciplines.
Bunbury Motorsport Precinct	City of Bunbury	Speedway, Motocross and Karting.
Bunbury Turf Club	City of Bunbury	Horse Racing.

10. Supports the priority list of major investment projects as detailed below to ensure regional advocacy efforts for the future provision of sport and recreation facilities are aligned:

Indoor Sports Facilities

- City of Bunbury
 - Bunbury Indoor Community Courts (funding secured).
 - South West Sports Centre - Redevelopment / Upgrade.
- Shire of Harvey
 - Leschenault Leisure Centre (funding secured).
- Shire of Dardanup

- **Eaton Recreation Centre – Facility Expansion.**

Outdoor Aquatic Facilities

- **City of Bunbury**
 - **Bunbury Ocean Pool (currently unfunded).**
- **Shire of Harvey**
 - **Dr Peter Topham Memorial Swimming Pool – Redevelopment / Upgrade.**

Strategic Planning

- **City of Bunbury**
 - **Bunbury Motorsport Precinct Master Plan.**
- **Shire of Harvey**
 - **Harvey Recreation Ground Master Plan.**
 - **Leschenault Recreation Park Master Plan.**
- **Shire of Dardanup**
 - **Community Infrastructure Plan (Regional / District / Local facility requirements) for the new City of Wanju.**
- **Shire of Capel**
 - **Precinct Master Plans for Dalyellup South Sporting Precinct, Boyanup Sporting Precinct and Capel Sporting Precinct.**

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 R J Trevathan	

Background

At the Ordinary Council Meeting on the 17th December 2025, Council was presented with the draft Memorandum of Understanding, Charter and Code of Conduct and Funding Models to continue to actively contribute to the BGGC.

The following resolution (322-25) was supported unanimously by Council:

THAT Council:

1. *Provides in-principal support for the:*
 - a) *Draft Memorandum of Understanding, Governance Charter and Code of Conduct for the Bunbury Geographe group of Councils as per (Appendix ORD: 12.1.2A),*
 - b) *Funding model supporting the appointment of an Executive Officer at \$120,000 per annum as outlined in the proposed funding model (Appendix ORD: 12.1.2B), with the Shire of Dardanup's maximum contribution being up to \$30,000 per annum.*
2. *Requests the Chief Executive Officer to provide feedback to the Secretariat of the Bunbury Geographe Group of Councils of the decision of Council.*

The Group met in March 2026 and formally endorsed the Memorandum of Understanding, Governance Charter and Code of Conduct. As a result, this report presents these documents back to Council for formal endorsement.

In November 2024 Council resolved as follows:

THAT Council

1. *Approves the unbudgeted expenditure of \$34,529 for the preparation of a South-West Regional Sport and Recreation Strategy 2025-2050 on behalf of the Bunbury Geographe Regional Council.*
2. *Approves the expenditure to be funded from the Bunbury Geographe Group of Councils Municipal Liability Account (TST04).*
3. *Endorses Otium-Sport-Leisure-Communities (Confidential Attachment A – Under Separate Cover) as the successful consultant to undertake the preparation of the South-West Regional Sport and Recreation Strategy 2025-2050.*

CARRIED 6/0

The BGGC Sport and Recreation Strategy was developed during 2025 with input sought from all participating local governments. The final Consultants report was presented to the BGGC Meeting in March 2026, with the group resolving to seek formal feedback from each local government. As a result, this is also presented to Council for consideration.

Legal Implications

Section 3.1 of the *Local Government Act 1995* outlines the following functions of local government:

3.1. *General function*

- (1) *The general function of a local government is to provide for the good government of persons in its district.*
- (1A) *Without limiting subsection (1), the general function of a local government must be performed having regard to the following —*
 - (a) *the need —*
 - (i) *to promote the economic, social and environmental sustainability of the district; and*
 - (ii) *to plan for, and to plan for mitigating, risks associated with climate change; and*
 - (iii) *in making decisions, to consider potential long-term consequences and impacts on future generations;*
 - (b) *the need —*
 - (i) *to recognise the particular interests of Aboriginal people; and*
 - (ii) *to involve Aboriginal people in decision-making processes;*
 - (c) *the need to consider collaboration with other local governments.*
- (2) *The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.*
- (3) *A liberal approach is to be taken to the construction of the scope of the general function of a local government.*

Council Plan

- 13.1 - Adopt best practice governance.
- 13.2 - Manage the Shire's resources responsibly.
- 11.1 - Support industry and business growth.

Environment	-	None.
Precedents	-	None.

Budget Implications

The amount of \$29,418 (ex GST) in the 2026/27 Annual Budget, as a contribution to the Bunbury Geographe Group of Councils from the Shire of Dardanup for 2026/27 financial year.

The amount of \$22,000 (ex GST) in the 2026/27 Annual Budget, as a contribution to the Bunbury Geographe Tourism Partnership from the Shire of Dardanup for 2026/27 financial year.

Budget – Whole of Life Cost

The MOU commits Council to 6 years participation in the BGGC. In previous years Council contributed only \$500 to the group however additional funds were budgeted in Regional Collaboration and for the Bunbury Geographe Tourism Partnership. In the 2025/26 Annual Budget a provision of \$45,000 was made for Regional Collaboration and \$20,000 for the Bunbury Geographe Tourism Partnership.

The total commitment is based on the population and annual revenue of each local government and will go up as the population grows and the local government earns more interest. It is expected that the contributions from the Shire of Dardanup will not reach \$45,000 in the 6 years and therefore the total commitment for the 6-year MOU timeframe is expected to be in the order of \$180,000.

The report recommendation will result in a slight increase to the Tourism Partnership of \$2,000 per annum which has a \$6,000 impact on the 3-year commitment being sought.

All staff to be employed by the host Council, will be fully recouped from the Group in accordance with the MOU and therefore there should be no financial implications as a result of such appointments.

Council Policy Compliance

Exec CP202 - *Complaints Management Process - Code of Conduct for Council Members, Committee Members and Candidates*

Risk Assessment

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

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Report Title	Bunbury Geographe Group of Councils' Meeting held 27th March 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	The financial implication of the proposed MOU and BGTP is expected to be less than \$300,000 and therefore is considered to be moderate.
	Legal and Compliance	Supporting this Group is aligned with the Local Government Actions of collaboration with other local governments.
	Reputational	By supporting and participating in this group the Shire of Dardanup's reputation will continue to be upheld as a local government that focused on regional collaboration.

Officer Comment

The draft Charter, MOU and Code of Conduct for the Bunbury Geographe Group of Councils (The Group/BGGC) will effectively reform the group as a group of four Local Governments jointly engaged in advocacy to State and Federal Governments for facilities and funding that align with agreed regional priorities. The group and its sub-committees will also focus on a coordinated approach that enables a stronger and more consistent advocacy position, ensuring investment decisions support region-wide needs rather than isolated outcomes, and drive collaboration opportunities in Waste, Tourism and other local government related activities.

A practical example of this collaboration is the Sport and Recreation Strategy, where member councils have agreed to jointly advocate for funding for the expansion and redevelopment of facilities. This regional approach aims to improve service provision across the region while avoiding unnecessary duplication of facilities within individual local governments where such duplication cannot be justified on demand or financial grounds. The draft report attached is being recommended to Council for endorsement and highlights the importance of the Shire of Dardanup's sporting facilities as the regional home for the including sports:

- Eaton Recreation Centre (Basketball and Netball)
- Eaton Softball (Softball)
- Dardanup Equestrian (Various Equestrian sports)

Endorsing these priorities along the priorities of surrounding local governments gives clear direction on where the regional facilities will be located and allows Council to work with those local governments on seeking state and federal government funding to progress with the planning and development of these facilities.

A further example is the success of the Bunbury Geographe Tourism Partnership. The Councils have through this partnership, worked collaboratively on regional tourism marketing for over ten years. As a result, the Bunbury Geographe (BunGeo) region has outperformed all other South West regions in terms of growth over the past five years. The regional BunGeo brand has been significantly strengthened, and continued collaboration provides access to major tourism partners such as Australia's South West, Tourism Western Australia, and Tourism Australia opportunities that individual local governments may not be able to secure independently. A collective branding and marketing approach delivers greater value for money, maximising the impact of limited marketing budgets and strengthening the regional tourism profile.

A Regional Waste Committee will be established through the Bunbury Geographe Group of Councils (BGGC). This committee will provide a formal forum and mechanism to drive innovation in waste management across the sub-region. Areas of focus may include organics processing (such as Food Organics and Garden Organics processing) and broader, integrated waste solutions that benefit multiple councils and, where appropriate, align with wider regional initiatives.

From a local perspective, this approach delivers direct benefits to ratepayers. Currently, the Shire expends significant officer time investigating and responding to regional matters and supporting the Group as the current secretariat of the Group. By establishing the new Charter, MOU and Code of conduct the joint contributions from the four local governments will employ an executive officer to drive the regional priorities, which will reduce the reliance on the Shire of Dardanup's internal resources. The establishment of a regional waste committee that seeks cooperation from many local governments, would allow the Executive Officer to lead this, which will enable Shire resources to support rather than drive these matters.

Looking forward, BGGC may explore additional opportunities for collaboration, including the harmonisation of local laws and policies. Greater consistency across local governments would support ease of doing business, streamline development processes, and promote a more cohesive regional approach while still respecting individual council autonomy.

It is recommended that Council support the recommendations contained in the BGGC Minutes as outlined above.

END REPORT

12.2 DEVELOPMENT SERVICES DIRECTORATE REPORTS

12.2.1 LPS9 Scheme Amendment 1 – Lot 564 Garvey Road Dardanup West – Consideration of Submissions and Final Approval

Reporting Department	<i>Development Services Directorate</i>
Responsible Officer	<i>Land Insights</i>
Reporting Officer	<i>Mr Ashwin Nair - Director Development Services</i>
Applicant	<i>Harley Dykstra Planning and Survey Solutions</i>
Legislation	<i>Planning and Development Act 2005</i>
Council Role	<i>Legislative.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.2.1A – Scheme Amendment Report (Rev E)</i> <i>12.2.1B – Public Submissions</i> <i>12.2.1C – Schedule of Public Submissions</i> <i>12.2.1D – Agency Submissions</i> <i>12.2.1E – Schedule of Referral Agency Submissions</i> <i>12.2.1F – Risk Assessment Tool</i>

PROCESS

Note: This item was dealt with earlier in the meeting [refer page 9 of these Minutes] due to the public being in attendance.

12.2.2 Local Planning Policy SDev CP505 – Public Consultation – Planning Matters Review

Reporting Department	Development Services Directorate
Responsible Officer	Mr Ashwin Nair - Director Development Services
Reporting Officer	Mr Ashwin Nair - Director Development Services
Legislation	Local Government Act 1995
Council Role	Quasi-Judicial.
Voting Requirement	Simple Majority.
Attachments	12.2.2A – Draft Local Planning Policy SDEV CP505-Public Consultation-Planning Matters - Tracked Changes 12.2.2B – Proposed New Local Planning Policy SDEV CP505-Public Consultation- Planning Matters 12.2.2C – Risk Assessment Tool

Overview

The purpose of this report is for Council to adopt Local Planning Policy SDEV CP505-Public Consultation-Planning Matters (the Policy) under Local Planning Scheme No. 9 (LPS9) and proposed modifications, following the completion of community consultation.

At the end of the period of community consultation no submissions were received.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

80-26 MOVED – Cr T G Gardiner SECONDED – Cr S L Gillespie

THAT Council:

- Adopts the following Local Planning Policy SDEV CP505 – Public Consultation - Planning Matters, pursuant to Schedule 2, Part 2, Clause 4(3) (b)(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015*:



POLICY NO:
SDev CP505 – PUBLIC CONSULTATION – PLANNING MATTERS

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION							
Version:	1	New	OCM	30/09/20	Res: 269-20	Synopsis:	Policy created and endorsed by Council
Version:	2	SDev CP505	OCM	31/03/21	Res: 61-21	Synopsis:	Amended and adopted by Council
Version:	3	SDev CP505	OCM	28/09/22	Res: 243-22	Synopsis:	Reviewed and adopted by Council.
Version:	4	SDev CP505	OCM	25/09/24	Res: XXX-24	Synopsis:	Reviewed and Adopted by Council
Version:	5	SDev CP505	OCM	Xxxxxxxx	Res: XXX-24	Synopsis:	

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

This Policy is designed to clearly define consultation required to meet the statutory and ‘standard’ consultation requirements for planning matters. R.76A and Schedule 2, cl. 64 and cl. 87 of the Planning and Development (Local Planning Schemes) Regulations 2015 establishes when consultation is required and gives discretion on how an application is to be advertised.

This Policy establishes the circumstances where consultation will be exercised, in order to:

- (a) provide a consistent approach to the types of applications where public notice is given, based on the level of a proposal’s potential ‘impacts;’
- (b) consistently apply standard means and duration (statutory timeframes) of public notices; and
- (c) recognise the balance between the community being informed of, and having reasonable opportunity for input into, planning proposals (transparency and engagement), and the need to process planning proposals within prescribed statutory timeframes (efficiency).

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

3. DEFINITIONS

The following are definitions for the purposes of this policy only:

‘Adjoining’ refers to any land or owner of land which abuts an application site or is separated from it only by a road, pathway, driveway or similar thoroughfare.

‘Affected Person’ means a person who owns or occupies land that adjoins an application site.

‘Application Site’ means the land upon which a land use, development or public work is proposed to be undertaken.

‘Advise’ means action in writing taken by the Shire or another to acquaint the recipient with details of an intended land use or development on an information-only basis.

‘Complex application’ means —

- a) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or
- b) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.

‘Consult’ means either:

- (a) Personal (evidence by signed documentation) or written contact with an affected property owner(s) by the party proposing to undertake a land use or development; or
- (b) Written notification by the Shire to affected persons inviting comment on the proposal.

‘Development’ as defined under the Planning and Development Act 2005.

‘Development Control Unit’ means a technical advisory group to consider and recommend determination of development applications as established under Local Planning Policy or Shire Operating Procedure and includes the Shire’s Development Assessment Unit.

‘Excluded Holiday Period’ means a day that is in:

- (a) a period beginning on 25 December in any year and ending on the next 1 January; or
- (b) a period of 7 days beginning on Good Friday in a year;

Unless otherwise defined in the *Planning and Development (Local Planning Schemes) Regulations, 2015*.

‘Land’ includes any building or part of a building created on the land.

‘Land owner’ means the person(s) listed as the registered owners on the Certificate of Title or in the case of Reserve land is the authority listed on the Management Order.

‘Nearby Land’ means any land, other than neighbouring or adjoining land, which may be adversely affected by a development proposal and, where appropriate, may include owners of land within a neighbouring Shire.

'Notify' means written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

'Public Advertisement' means notification by way of an advertisement in a local newspaper, signs erected on the application site or signs on public notice boards.

'Relevant Information' means the principal details of a development proposal as determined by the Shire to be sufficient to describe the proposal and its potential impacts. Each such notification is to provide further information as to where and when full particulars of the development proposal can be inspected during the period which comments are sought.

'Submitters' means people who have provided written comment on a proposal within the formal comment period.

4. POLICY

This Policy is to be read in conjunction with Community Development Policy Exec CP090– Community Engagement.

Consultation Categories Levels and Methods

- 4.1 In those instances where consultation is to be conducted, the consultation will be undertaken in accordance with the Consultation Matrix table in this Policy and all other provisions of this policy, unless varied by the legislation referenced in this policy.
- 4.2 Prior to commencing consultation of a development application, the application may be listed for discussion at the Development Control Unit meeting, where the Officer may present the level of consultation to be undertaken, consistent with this Policy.
- 4.3 All public notices for comment will articulate the following:
- The reasons for undertaking the consultation;
 - Set out details of the proposal or a part thereof for which comment is being sought;
 - Explain any policy variations being sought;
 - Set out how a member of the public could provide comment; and
 - Specify the timeframe within, where any comments or submissions should be made.
- 4.4 Where deemed appropriate by officers, consultation may occur with government departments/referral agencies at any consultation level.

Schedule 1 – Consultation Matrix

DEVELOPMENT PROPOSAL	CONSULTATION LEVEL	CONSULTATION PERIOD
Local Planning Scheme Review	4*	90 days
Development Strategies/Local Planning Strategies for Selected Areas	4	21 days
Scheme Amendments	3	Complex SA: 60 days Standard SA: 42 days
Structure Plans	3	42 days
Subdivision Referrals from WAPC	1	-
Development proposing a variation to the Deemed to Comply criteria of the R-Codes	2	14 days
Development proposing a variation to a scheme standard	2	14 days
Building Envelope Amendment/Relocation	2	14 days
Development – 'P' Uses on zoning table in LPS9	1	-
Development – 'D' Uses on zoning table in LPS9	1	-
Development 'A' Uses on zoning table in LPS9	2	14 days
Complex application	3	28 days
Any proposal requiring a Heritage assessment to be carried out	2	14 days
Extension to Non-Conforming Uses	2	14 days
Cancel, amend, or extend Development Approval (s.77 applications)	1	-

DEVELOPMENT PROPOSAL	CONSULTATION LEVEL	CONSULTATION PERIOD
Local Development Plan as a condition of subdivision	1	
Local Development Plan	3	14 days
Development Assessment Panel (DAP) assessments	2	42 days

Consultation periods in Schedule 1 do not include any "Excluded Holiday Period"

*Additional consultation requirements may be described in the Planning and Development (Local Planning Schemes) Regulations 2015.

#The minimum public consultation is 21 days, however additional workshops with key stakeholders may be required where deemed appropriate.

Table 1 – Consultation Level Legend

Consultation Level Description	Consultation Level
No Consultation	1
Consultation with owners and occupiers of adjoining Land	2
Consultation with owners and occupiers of the land in the locality	3
Community Engagement Plan	4

Level '1' – No consultation

- 4.5 No consultation will occur where the proposal meets any of the following points:
- (a) is determined as having no predictable detrimental impact on the character or amenity of the immediate or general locality likely, and is not required under Clause 64 of the Deemed Provisions;
 - (b) has previously occurred and only minor modifications, or modifications that address previous concerns raised, are proposed; and
 - (c) for those proposals identified with 'Consultation Level 1' in the Matrix table in Schedule 1 of this policy.

Level '2' – Consultation with owners and occupiers of adjoining land

- 4.6 On R-Coded lots where the Deemed to Comply provisions of the Residential Design Codes are not complied with, the owner(s) of land adjoining the application site affected by the non-compliance will be consulted unless the proponent has already undertaken the necessary consultation and secured agreement or obtained comment.
- 4.7 Where a proposed land use or development is identified with 'Consultation Level 2' in the Matrix table in Schedule 1 of this policy, or where a proposed development:
- (a) will be visible from any road or other public place; and
 - (b) will be likely to have an impact on the streetscape or amenity of properties in immediate proximity to the site;
- the owners of properties adjoining, and those on the other side of any street immediately opposite the application site, will be consulted.
- 4.8 The owners and occupiers of the properties determined as being potentially affected by a development proposal will be consulted in writing, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).
- 4.9 Where an affected land owner is consulted by the proponent of a development proposal, the applicant must submit to the Shire evidence that the consultation satisfies the Shire's notification requirements, by submitted all of the following for each affected property:
- (a) a completed, signed and dated [Form 87 - Consent Objection Form - Adjoining Owners](#) (completed by the applicant and all affected persons); and
 - (b) a full copy of all of the plans submitted with the application, each of the plans having been signed and dated, and which include the printed name of each of the affected persons.

Level '3' – Consultation with owners and occupiers of the land in the locality

- 4.10 Where a proposal is identified with 'Consultation Level 3' in the Matrix table in Schedule 1 of this policy, or is determined by the Shire as having the potential to impact upon:
- (a) the use and enjoyment of land within an area but not extending to the whole of the Shire district; or

- (b) specific interest groups within that area; the community within that area will be consulted.
- 4.11 The Shire will:
- (a) publish a notice of the development proposal in a newspaper circulating in the area containing details of the proposal;
 - (b) publish a notice, plan, application of the proposal on the Shire's website and also place a copy on the notice board at the front of the Administration Building and make a copy of the document available for public inspection;
 - (c) require the applicant to place a notice of the development proposal on a sign in a prominent position on the property that is subject of the development proposal, in the manner and form approved by the Commission;
 - (d) provide written notice in the form of a letter to all land owners and occupiers within a radius of at least 200m of the application site for land within the townsite boundaries or at least 500m radius for land outside of a townsite;
 - (e) consult with the owners and occupiers of land beyond the forgoing areas where, in the opinion of the Shire, there will be an impact along key transportation facilities, tourist routes or view-sheds;
 - (f) consult as necessary with other affected government agencies or statutory authorities as the case requires; and
 - (g) consider utilising social media platforms to direct community members to the Shire's website to view applications available for consultation.
- 4.12 The notice and letters referred to in Clause 4.12 must detail the relevant information of the application, enabling the lodgement of any submission within the relevant period identified in the Matrix table in Schedule 1 of this policy (or such other period as prescribed by the relevant legislation).

Level '4' – Community Engagement Plan

- 4.13 Where a proposal is identified with 'Consultation Level 4' in the Matrix table in Schedule 1 of this policy, and for planning matters that are deemed by officers to be of State, regional or shire-wide significance, officers will be required to prepare and implement a 'Community Engagement Plan' consistent with Policy SDev CP090 – Community Engagement.
- 4.14 Specific objectives for Level 4 consultation which must be taken into consideration when preparing the Community Engagement Plan, include (but may not be limited to) the following:
- (a) Raise awareness about a particular issue/matter;
 - (b) Establish communication links with the community and identify which sections of the community are to be targeted in the engagement plan;
 - (c) Encourage active participation in programs;
 - (d) Collect views, opinions and ideas;
 - (e) Foster community pride, support and 'ownership'; and
 - (f) Build trust and confidence between Council and the community.
- 4.15 Consultation mechanisms for Level 4 consultation will include the items listed at (a) – (d) below as a minimum, and may also include items (e)-(j), as determined by the Development Control Unit and/or the Manager Development Services:
- (a) Newspaper advertising*;
 - (b) Letter/mail box drops or Council notices;
 - (c) Signage and displays in relevant locations;
 - (d) Notice to be displayed on Council's website;
 - (e) Media releases – press, radio, television (subject to availability and budget);
 - (f) Formation of community or advisory committees under *Local Government Act 1995*;
 - (g) Formation of working groups;
 - (h) Workshops, forums or briefing/information sessions;
 - (i) Public meetings; or
 - (j) Other procedures as required including utilising social media platforms to direct the community to the Shires website.
- 4.16 *Notwithstanding the consultation methods adopted, consultation for 'Level 4' proposals will include a comprehensive local newspaper notice repeated over the duration of the process (minimum of 2 notices)

associated with a formal comment period of 28 days, or such longer period that may be necessary to comply with relevant legislation.

Form of submission

- 4.17 Submissions can be made via email to submissions@dardanup.wa.gov.au, or in writing to the Shire's postal address.
- 4.18 To be considered valid, any submission will be required to:
- (a) be signed by the submitter;
 - (b) provide contact details for the submitter including an address for correspondence (including email address); and
 - (c) detail the reasons for any objection to the proposal.
- 4.19 Where a written submission is received prior to the determination of an application and the Shire did not call for formal submissions; the submission must be considered as set out below 'consideration of submissions.'

Consideration of submissions

- 4.20 All submissions received will be acknowledged in writing within 7 days of receipt, either by email as a first preference, or by postal mail (letter) if no email address is provided.
- 4.21 All submissions will be summarised into 'issues' in a Schedule of Submissions document by the assessing officer, prior to a determination being made. The assessing officer will provide comment and/or a recommendation with regard to the matters raised in the submission.
- 4.22 Matters to be taken into account in the consideration of the submission are outlined as set out in clause 67 of the Deemed Provisions. This policy does not increase the scope of the matters that may be considered in clause 67.
- 4.23 If the matter is to be determined by the Council rather than by a delegated officer, any person or organisation (other than a government agency or service provider) that has made a submission will be notified in writing (either by email or postal mail) of the details of the Council meeting, on the Friday prior to the Council meeting once the Agenda is made available to the public.
- 4.24 In making the determination on the application/planning matter, Council or the delegated decision-maker will consider the Schedule of Submissions.
- 4.25 Once a determination of the matter has been made, a letter or email will be sent to each submitter detailing the determination of the development proposal.

Cost of Consultation

- 4.26 The full cost of the consultation requirements for Level 3 and 4 specified within this policy are to be met by the applicant.
- 4.27 Council's schedule of fees and charges sets the cost for consultation.

Access to Planning Applications where no consultation required

- 4.28 In situations where a member of the public requests access to view a development proposal which does not require public consultation, the written consent of the applicant/owner must be obtained to view the documents submitted. In the event written consent is not obtained, the Shire will not provide access to the documents unless a formal application under the Freedom of Information Act is made to the Shire and has been approved by the Shire's Freedom of Information Officer following due process.

5. APPLICATION

- 5.1 This policy is applicable to the entire local government area of the Shire of Dardanup and will be applied by the Shire when making discretionary decisions relating to public notice of planning proposals.

- 5.2 Planning proposals in the context of this policy include development applications; Structure Plans; Scheme Amendments and Local Development Plan.
- 5.3 For the purposes of this policy, in circumstances where consultation is undertaken it will be to the land owners only that, in the opinion of the Shire, may be affected by the proposal and/or other stakeholders where these are identified.
- 5.4 The Policy also applies to Planning Applications for which the Council is not the final decision-making authority.

6. REFERENCE DOCUMENTS

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

- 2. **Authorises the Chief Executive Officer to publish notice of the adopted policies, pursuant to Schedule 2, Part 2, Clause 4(4) and Part 12, Clause 87 of the Planning and Development (Local Planning Schemes) Regulations 2015.**

CARRIED
 8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

Background

On 23rd June 2025, the Local Planning Scheme No. 9 (LPS9) was gazetted which replaced TPS3. As there was no longer a head of power for the Local Planning Policies (LPPs) adopted under TPS3, the LPPs were each adopted as new policies under LPS9 in accordance with the Regulations on 27 August 2025.

Following a review of the policy framework, officers identified that the Policy required an update to include Development Assessment Panel (DAP) matters. To address this Council at its 28 January 2026 Ordinary Council Meeting endorsed proposed modifications to the Policy and for the changes to be advertised to the community for consultation purposes.

The report is now presented to Council to advise of the community consultation process and to seek for Council to adopt the revised Policy.

Legal Implications

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 – Deemed provisions for local planning schemes, Part 2, clauses 4-6 are relevant.

- 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 a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of –*
 - (i) *the subject and nature of the proposed policy; and*

- (ii) *the objectives of the proposed policy; and*
 - (iii) *where the proposed policy may be inspected; and*
 - (iv) *to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
 - (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 in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is 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.*
- (4) *If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.*
- (5) *A policy has effect on publication of a notice under subclause (4).*
- (6) *The local government —*
- (a) *must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and*
 - (b) *may publish a copy of each of those local planning policies on the website of the local government.*

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.*

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 in a newspaper circulating in the Scheme area.*

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 and the last full review of the Shire’s Council Policy Manual was adopted at the Ordinary Council Meeting held 23rd September 2024. The TPS3 LPPs adopted at that meeting reflect Council’s current position on various Planning matters where discretion can be applied.

The policies were reviewed and adopted again on 27th August 2025 shortly after the introduction of the new LPS9 and reflect the changes to the new Local Planning Scheme name (now LPS9), zone names, and provisions.

Consultation

Public Consultation

Notification of the review of the Policy and proposed minor changes were placed in the Local Newspaper and on the Shire’s website, seeking public comments. Advertising occurred between 12th February 2026 and 13th March 2026. At the end of the advertising period, no submissions were received.

Budget Implications

The update to the Local Planning Policy required public advertising in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. The costs associated with advertising, including newspaper and online notifications, were considered minor and were accommodated within existing operational budgets.

Budget – Whole of Life Cost - None.

Council Policy Compliance

SDev CP505 – *Public Consultation – Planning Matters*

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Report Title	Review and adopt LPP SDev CP505 – Public Consultation – Planning Matters.
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	<p>Legal and Compliance Failure to regularly review and update policies could result in the Shire not meeting its obligations at law.</p> <p>Reputational The Shire’s reputation could be viewed negatively for not undertaking regular reviews of policies of Council.</p>

Officer Comment

Upon gazettal of LPS9 on 23rd June 2025, all TPS3 LPPs became obsolete and therefore the Shire had no LPPs to provide guidance on discretionary planning matters. A new suite of LPPs was adopted under LPS9 on 27th August 2025 to bring this into compliance.

LPP CP505 has been updated to cover Development Assessment Panel matters and is submitted now for adoption. Officers have been using the consultation framework in the *Planning and Development (Local Planning Scheme) Regulations 2015* to guide community consultation as a default which is generally consistent with the policy.

The policy review comprises of minor updates and edits for improved grammar and presentation. It has also been amended to include reference to Development Assessment Panel (DAP) assessment requirements in Schedule 1 – Consultation Matrix as application types which now require mandatory consultation due to the complexities often involved with such developments.

Changes to the Policy are tracked and referenced within (Appendix ORD: 12.2.2A).

END REPORT

12.2.3 Community Emergency Services Manager Role/ MOU

Reporting Department	Development Services Directorate
Responsible Officer	Mr Ashwin Nair - Director Development Services
Reporting Officer	Ms Kristy Burden - Manager Human Resources
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.2.3A – Risk Assessment Confidential Attachment A - Draft Memorandum of Understanding: Local Government Employed CESM

Overview

The purpose of this report is to present the proposed introduction of a Community Emergency Services Manager (CESM) role within the Shire, and to seek Council endorsement for the Chief Executive Officer to enter into a Memorandum of Understanding (MOU) with the Department of Fire and Emergency Services (DFES) for the establishment and operation of the CESM role.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

81-26 MOVED – Cr A C Jenour SECONDED – Cr B S Farrant

THAT Council:

1. **Notes the establishment of a Community Emergency Services Manager (CESM) role as an operational position with the Shire; and**

2. **Authorises the Chief Executive Officer to enter into and execute a Memorandum of Understanding with the Department of Fire and Emergency Services for the provision of the CESM role.**

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 Laurensch	
Cr R J Trevathan	

Background

The Shire currently delivers emergency management functions across prevention, preparedness, response and recovery through a combination of volunteer brigades, internal resources, and collaboration with DFES.

Historically, the Shire has maintained an Emergency Management Officer position (0.6 FTE), focused on administrative support and coordination of emergency management activities. However, the role has had limited access to DFES systems, operational frameworks and training pathways, which has

constrained the Shire's ability to fully support brigade development, training delivery and broader operational preparedness in line with contemporary requirements.

DFES supports local governments through a co-funded Community Emergency Services Manager (CESM) model, which embeds a dedicated professional resource within the organisation to enhance emergency service delivery, strengthen brigade capability and improve coordination across emergency management functions.

Legal Implications - None

Council Plan

7.1 - Minimise risks and impacts from fires, floods, heat waves, and other natural disasters.

13.4 - Foster strategic alliances and resource sharing opportunities.

Environment - None.

Precedents - None.

Budget Implications

The CESM role is funded on a 50/50 cost-sharing arrangement between DFES and the Shire.

The Shire's contribution has been accommodated within existing budget allocations through the reallocation of resources, including the offset of the existing Emergency Management Officer role within the Emergency Management and Ranger Services team.

Budget – Whole of Life Cost

The CESM role has been incorporated into the Workforce Plan and Long Term Financial Plan, with ongoing costs managed within existing budget parameters.

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: 12.2.3A) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Report Title	Inadequate emergency services capability and coordination
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implementation of the CESM role to strengthen prevention programs, improve preparedness, and enhance coordinated response capability across brigades and DFES.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Inefficient emergency management arrangements may result in increased response and recovery costs; withdrawal of DFES funding may result in higher-than-expected employee costs.

	Service Interruption	Limited coordination and support may impact brigade capability and emergency response effectiveness.
	Legal and Compliance	Inadequate oversight of emergency management functions may result in non-compliance with legislative obligations.
	Reputational	Failure to adequately support volunteer brigades and emergency services may impact community confidence.
	Environment	Inadequate emergency preparedness and response capability may increase the impact of bushfire and other hazards on the natural environment.
	Property	Inadequate emergency response capability may result in damage to community infrastructure and assets.

Officer Comment

The introduction of a Community Emergency Services Manager (CESM) represents a strategic enhancement to the Shire's emergency management capability. The CESM role is operational in nature and established under the Chief Executive Officer's delegated authority.

Accordingly, Council approval is not required for the creation of the position itself. However, Council endorsement is sought in relation to the broader strategic partnership with DFES and the formalisation of this arrangement through the Memorandum of Understanding (Confidential Attachment A – Under Separate Cover).

The CESM will provide dedicated leadership and coordination across emergency services, supporting volunteer brigades, improving training and capability development, and strengthening alignment with DFES systems, standards and operational frameworks.

The role operates under a collaborative model between the Shire and DFES, with shared responsibilities across prevention, preparedness, response and recovery functions. This includes coordinated training, community safety programs, operational support and improved governance and reporting arrangements.

Importantly, the CESM model provides access to DFES systems, training pathways and operational structures that are not available under the current resourcing model. This enables a more integrated and effective approach to emergency management and brigade support.

The role is funded through a 50/50 cost-sharing arrangement with DFES and has been incorporated into the Shire's Workforce Plan. The Shire's contribution is achieved through the reallocation of existing resources, ensuring the model is financially sustainable.

Overall, the CESM role will strengthen emergency services capability, enhance volunteer support, and improve the Shire's ability to respond to current and emerging risks, delivering improved outcomes for community safety and resilience.

END REPORT

12.3 COMMUNITY & ECONOMIC DEVELOPMENT DIRECTORATE REPORTS

None.

12.4 INFRASTRUCTURE DIRECTORATE REPORTS

12.4.1 Ferguson Road Landscaping – Consultation Outcomes

Reporting Department	<i>Infrastructure Directorate</i>
Responsible Officer	<i>Mr Theo Naudé - Director Infrastructure</i>
Reporting Officer	<i>Ms Vicki Pretorius - Landscape Designer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.4.1A – Ferguson Road Landscaping Plan Councillor Workshop Minutes 12.4.1B – Risk Assessment</i>

DECLARATION OF INTEREST

Cr Anthony C Jenour 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 provide the outcomes of the Councillor workshop which was held on 15th April 2026 in accordance with Council's decision at the Ordinary Council Meeting of 25th February 2026, recorded below under 'Background.'

As a result of Councillor concerns over traffic and road safety discussed during the site visit on 20th February 2026 and in the workshop on 15th April 2026, following community feedback received, Council is now requested to defer implementation of this project until 2026-2027. This will allow for a project scope to address the outcomes of a proposed Local Area Traffic Management Plan, which Council is being asked to authorise. The Councillor workshop discussion points and outcome are included under 'Officer Comments.'

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

82-26 MOVED – Cr S L Gillespie SECONDED – Cr R J Trevathan

THAT Council:

1. **Defers the Ferguson Road Landscaping project to 2026/27, subject to the preparation of a Local Area Traffic Management Plan for an expanded section of Ferguson Road between Boyanup-Picton Road and Recreation Road;**
2. **Requests that the Chief Executive Officer prepare a proposal for inclusion in the mid-year budget review, to seek Council allocation of adequate funding to allow for preparation of a Local Area Traffic Management Plan;**
3. **Requests that the Chief Executive Officer undertake preparation of a Local Area Traffic Management Plan for an expanded section of Ferguson Road between Boyanup-Picton Road and Recreation Road, with outcomes to be**

brought back to Council with an endorsed plan by December 2026 to allow for design revision and implementation in 2026/27;

4. Requests that the Chief Executive Officer carry forward the funds allocated to this project to allow for implementation in 2026/27;
5. Requests that the Chief Executive Officer communicates the Council decision to the community as well as directly to respondents of the community consultation; and
6. Reaffirms its request that the Chief Executive Officer commence investigation of:
 - 40km/h speed on Ferguson Road (Boyanup-Picton Road to Little Street); and
 - Installation of zebra crossing(s) to facilitate pedestrian crossings from the school to the south side of Ferguson Road.

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 Lauretsch	
Cr R J Trevathan	

Background

Original report to Council

Following the Annual Electors Meeting on the 29th January 2025, the following resolution was made at the Ordinary Council Meeting held on the 26th February 2025 (CR-34-25):

THAT Council

1. Requests that the Chief Executive Officer investigate the landscaping options presented in the original road plans drafted in 2018-19 for Ferguson Road.
2. Requests that the Chief Executive Officer presents landscaping options for Ferguson Road for Council's consideration in the 2025/2026 budget deliberations.

In accordance with the above Resolution, Shire staff investigated the landscaping proposed in the 2018/19 road plan and developed five concept design options for consideration by Shire Executive and Councillors, following a review of the site and design investigations. Details of each option were provided, including the advantages and disadvantages of each option as well as a recommended option. Review comments on the landscaping in the 2018/19 road plan were also included.

The options were included as part of the Draft Annual Budget 2025/26, in Appendix SCM:12.4.1C, which was presented to Council in the Special Council Meeting held on the 28th May 2025. In accordance with Council Resolution 130-25 from that meeting, Council endorsed the inclusion of \$55,000 in the 2025/26 Annual Budget to undertake landscaping along Ferguson Road between Charlotte Street and Little Street.

The recommended plan was publicly advertised, and feedback was requested from the community.

Councillors site visit

Following the February Council Agenda Briefing, Councillors and staff undertook a site visit to Ferguson Road on the afternoon of 20th February 2026 to help Councillors visualise the proposal and to consider any potential implications.

The notes from the site meetings were provided to Councillors and employees immediately prior to the commencement of the February 2026 Council meeting as Further Information, at the direction of the CEO. These notes were subsequently included in the 'Further Information – Officer Comment' section of the Council Meeting minutes for 25th February 2026.

Recent Council decisions

A further report for this project was presented to Council at the Ordinary Council Meeting of 25th February 2026, with the purpose of providing the community feedback received on the Ferguson Road Landscaping Draft Concept Plan which had been advertised for comment in 2025, and providing the outcomes of the community consultation and design review process following the assessment of the feedback received in the form of two revised options for Council endorsement.

The Officer Recommendation proposed for that meeting was recorded as follows.

THAT Council:

1. *Receives the Community Feedback on the Ferguson Road Draft Landscape Concept Plan as included in (Appendix ORD: 12.4.2C).*
2. *Endorses the Ferguson Road Draft Landscaping Plan Option 1 (Drawing 2025-LSC-137-03 included in (Appendix ORD: 12.4.2D) as the Final Landscaping Plan for implementation.*

Following the Councillor site meetings of 20th February 2026 and consideration of the site conditions observed, together with community feedback received on the advertised original draft concept plan, Council recorded the following reasons for amending the Officer Recommended Resolution in its Ordinary Council meeting of 25th February 2026:

'Matters identified during the site walk-through included parking and traffic speed concerns within the town centre, as well as pedestrian crossing safety in the vicinity of the school. Council therefore resolved to request further investigation of these matters.'

In the minutes of the Council meeting held on 25th February 2026, the following was noted:

'Discussion focused on concerns raised during the town site walk-through, including traffic speeds, pedestrian safety, and the need for zebra crossings near the school. Councillors supported holding a workshop to refine the planting layout and address school crossing issues, while the CEO, Mr André Schönfeldt, noted available funding and requested an April workshop so feedback can inform the Landscaping Plan and works can then be undertaken prior to winter.'

As a result of concerns over traffic and road safety, the following Elected Member Motion and Council Resolution was made at the Ordinary Council Meeting held on the 25th February 2026 (CR-21-26):

THAT Council:

1. *Receives the Community Feedback on the Ferguson Road Draft Landscape Concept Plan as included in (Appendix ORD: 12.4.2C).*

2. *Refer item 12.4.2 Ferguson Road Landscaping – Consultation Outcomes to a future workshop held in April 2026 and the Ferguson Road Draft Landscape Concept Plan to be brought back to Council for review at the April 2026 Ordinary Council Meeting.*
3. *Requests the Chief Executive Officer to commence investigation of:*
 - *40km/h speed on Ferguson Road (Boyanup-Picton Road to Little Street),*
 - *Installation of zebra crossing(s) to facilitate pedestrian crossings from the school to the south side of Ferguson Road.*

Councillors Workshop

In accordance with Council Resolution 21-26 above, a workshop was held with Councillors on the afternoon of 15th April 2026 to address point no. 2 of the resolution. The workshop purpose was to provide an opportunity for Councillors and Shire staff to discuss the draft proposed landscaping plans with consideration to issues which had been raised, together with road and traffic safety concerns. Discussion points and outcomes from this workshop are included in 'Officer Comments' below and form the basis for the Recommended Resolution.

Point no. 3 of the resolution was intended to be addressed separately to this workshop, as it did not form part of the scope of the Ferguson Road Landscaping Project. It also relates to detailed traffic studies and proposed changes in road traffic management systems, which will involve investigations and liaison with external stakeholders that will take some time. A Councillor query was received on whether any progress had been made on item no. 3 of the resolution. Advice from staff was provided that as this was outside the scope of the original project of Landscaping a section of Ferguson Road, to include planting trees, it would need to be addressed separately.

Outcomes of the Councillors Workshop of 15th April 2026 are included in the Officers Comment section.

Legal Implications - None.

Council Plan

- 1.1 - Support the community to feel safe while using Shire facilities and public spaces.
- 6.1 - Increase awareness and adoption of sustainable practices.
- 9.1 - Strengthen the vibrancy of our town centres.
- 9.2 - Provide an urban tree canopy and attractive streetscapes.
- 10.1 - Provide a safe active transport network to encourage more walking and cycling.
- 10.3 - Improve road safety, connectivity and traffic flow.

Environment

Street trees are acknowledged as providing considerable environmental benefits. Their importance in supporting local native fauna and in strengthening resilience against climate change impacts cannot be understated. They fulfil a critical function in reducing the heat island effect in built up environments such as townsites, and in particular roadways where the black surfacing absorbs more heat than in lighter coloured paved areas and landscaped areas such as parks and reserves. Building the Shire's green canopy through continued tree planting is highly desirable.

Precedents

The Council has recently undertaken street tree planting projects, for example, along Glenhuon Boulevard in Eaton and also adjacent to Hands Creek in the old Hands Avenue road reserve.

Budget Implications

The allocated project budget in the 2025/26 Annual Budget is \$55,000. It is proposed to carry this forward in full to allow for implementation of this project in 2026/27 in accordance with the outcomes of the Councillor workshop on 15th April 2026.

This amount will be sufficient to implement all or most of the landscaping portion of the project once the plan is endorsed, including allowance for landscape establishment, to a similar level of provision to the draft concept plans (original draft, and amended drafts Options 1 and 2) which were included as appendices in the February Council meeting for this project (Item 12.4.2). This will be subject to inclusions in the amended design and subject to prices having not increased substantially in 2026/27. Noting that some suppliers including plant nurseries have now added an additional delivery fee to cover increased fuel costs which are the result of geopolitical instability and oil industry resource concerns since 28th February 2026, actual landscaping implementation costs may increase in 2026/27.

The indicative figures below were based on the Draft Plan Options 1 and 2 presented to Council at its meeting on 25th February 2026. It should be noted that those plans were not endorsed and as such the cost estimates below may be subject to change.

Data released by the Australian Bureau of Statistics in March 2026 reveal that the Consumer Price Index rose 3.7% in the 12 months to February 2026, however this does not factor in the flow-on effects of the recent 'fuel crisis.' The below cost estimates both allow for a contingency sum of between 10-13% which it is envisaged will cover any rising capital project costs. If not, then minor design adjustments might be required, unless additional funds can be secured.

The proposed works and cost estimate summary for each option is as follows:

	Option 1 – featuring 'Luscious' Water Gum (Australian native) and Crepe Myrtles (2025/26 cost estimate)	Option 2 – featuring WA Peppermint Trees (local native species) and Crepe Myrtles (2025/26 cost estimate)
Preliminary site works	\$2,000	\$2,000
Tree supply, delivery and planting to Shire requirements	\$11,000 * (see note below)	\$10,000 * (see note below)
Traffic management	\$4,000	\$4,000
Tree protection bollards in island of main school car park	\$500	\$500
Top up to existing mulched areas	\$7,000	\$7,000
Landscaping establishment – deep watering of all trees twice per week, for 24 weeks *	\$24,500	\$24,500
Project end works	\$1,000	\$1,000
TOTAL ESTIMATED COST	\$50,000	\$49,000
Contingency	\$5,000	\$6,000

**Note: Tree cost estimates shown are slightly higher for Option 1 as this include more mature (taller) *Tristaniopsis laurina* 'Luscious' trees, of up to 200L pot size to ensure for a more lifted canopy sooner; however Option 2 only uses semi-mature feature *Agonis flexuosa* trees of up to 90L pot size, as that is a different tree species which grows much faster than *T. laurina* 'Luscious' so will be able to be pruned up sooner.*

It is important to note that new advanced trees require greater care and more watering than those purchased in smaller pot sizes. It is therefore recommended to provide double the standard level of watering for both options, in order to ensure their health and survival. This can be achieved through twice weekly waterings in accordance with the Shire's standard requirements for new tree plantings.

Watering can be paused during periods of sufficient rain, which may extend the actual establishment period beyond the 24 weeks indicated above, this would be beneficial as it may cover some of the tree

establishment in the hotter months in late spring / summer that would occur in the 2026/27 financial year. It also avoids watering through winter rainy periods, thus demonstrating responsible use of both natural and Shire resources

It is important to note that good quality tree specimens of the size and form desired may be difficult to procure in the second half of the financial year. It is therefore proposed to place an order for the trees required to implement the landscaping as early as the design looks to be resolved, which is dependent on the findings of road and traffic safety investigations.

Council has expressed their preference for the landscaping plans to be revised in conjunction with investigations into road and traffic safety. Preparation of a Local Area Traffic Management Plan was proposed in the Councillor workshop of 15th April 2026, which will incur costs including staff time and potentially the engagement of consultants to complete the plan in a timely manner, to enable the landscaping to be implemented in 2026/27. It is recommended that a proposal for this item be submitted for consideration in the midyear budget review process.

It should be noted that with preparation of a LATM now being considered together with the project, should any delays with the finalisation of the LATM plan be encountered – or delays in endorsing the amended plan – that it is most likely the establishment period will carry forward into the following financial year and that remaining funds will need to be carried forward to enable this to occur.

Budget – Whole of Life Cost

The new trees will add to the Shire’s existing street trees inventory and will be maintained under the Shire’s Parks and Reserves Annual Maintenance Budget.

Any new road traffic safety or other relevant improvements may be at least in part capital in nature. These improvements will also add to the Shire’s existing assets inventory and will require maintenance under the Shire’s Civil Works Maintenance Budget.

Council Policy Compliance

Council Policy Exec CP090 *Community Engagement* applies to the delivery of this project.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Report Title	Ferguson Road Landscaping – Consultation Outcomes
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 Risk of actual costs exceeding available budget. Monitor costs closely against budget.
	Reputational Potential for some negative feedback from community therefore need to maintain effective communication.

Officer Comment

Community Consultation

As mentioned previously, the recommended plan that was included in the Draft Annual Budget 2025/26 and presented to Council at the Special Council Meeting held on the 28th of May 2025, was publicly advertised and feedback was requested from the community for a four-week period. This plan was included in the report to Council on 25th February 2026.

The detailed outcomes and Officer Comment on the feedback received are included in the report to Council on 25th February 2026.

Design Development

The community consultation outcomes and the input of Shire Operations staff informed an internal review of the draft concept design, with the plan amended accordingly. The Water Corporation also provided feedback on the proposed placement of trees, due to the proximity of their assets to proposed new trees. Details of the design development were included in the 'Officer Comment – Design Development' section of the report to Council on the 25th February 2026.

Minor changes were subsequently made to the advertised draft concept plan with a focus on locating the trees to strike the best balance between community wishes and service locations, and considering the location of existing assets (including path, roadway, lights and signs), safety and amenity – with key design parameters being service offsets (to reduce the risk of damage to services infrastructure) and sight lines.

Two amended draft plans were presented to Council for review and endorsement on the 25th February 2026 together with the original draft concept, which was advertised for community comment, with Council deciding to defer the project until after a workshop had been held in April to allow them to consider some of the concerns in greater detail.

Councillor Workshop held on 15th April 2026

In accordance with resolution 21-26 from 25th February 2026, a workshop was held with Councillors to provide them an opportunity to review the design proposal in detail with respect to issues raised by the community, which Councillors had attended the site to observe in person on the afternoon of 20th February 2026.

The workshop was attended by Councillors Gardiner, Laurentsch, Gillespie, Trevathan, Farrant, Jenour and Davies, with Cr. Jenour participating by remote video link. Staff participating in the item discussion were the Chief Executive Officer (CEO), Director Infrastructure (DI), Landscape Design Officer (LDO), with the Manager of Assets providing GIS heat mapping imagery.

Additional Officer Comments Following Councillor Workshop

While not discussed in the Councillor workshop, it is worth considering the potential for public artwork to enhance the overall streetscape, thereby fulfilling some of the function of new or improved landscaping. As an example, the Burekup Telstra Exchange facility and Gardiner Reserve was significantly visually enhanced and the experience of the surrounding area by the community improved by the painting of an attractive bird-themed art mural on the facility's walls, visible from all sides. This was undertaken by the Shire of Dardanup as a commissioned work by a professional artist and supported by grant funding.

Opportunities to incorporate artwork and place activation initiatives into the townscape fabric can greatly enhance the character and contribute positively to the sense of place of an area. Such initiatives are

supported by the endorsed Dardanup Place Plan, and the endorsed Dardanup Community Facilities Plan and various Shire policies and strategies relating to public art and place activations.

The Shire's Place and Community Plan (2020-2030) includes specific proposals and strategies for improving road and traffic safety, focusing on community safety, connectivity, and infrastructure upgrades. As these plans are endorsed, they could provide solid guiding information on improvements to the streetscape which address improvements to local road and traffic safety.

It is also suggested that some road traffic safety issues might be related to the behaviour of drivers, including those using the road network at peak times such as school pickup times. There are studies which note the tendency for trees which are planted close to a roadway to result in drivers slowing down along that stretch of roadway, only speeding up again when there are no trees along the road.

Noting that the Shire is a member of the WALGA RoadWise initiative, working to implement safety projects, auditing high-risk areas, and upgrading roads, relevant recommendations from this initiative will be reviewed and incorporated where possible.

Informing the Community

There were some community respondents who had concerns and/or objections of the proposed landscaping as shown in the advertised draft plan, as well as some respondents who were very much in favour of planting trees in the project area. It is recommended that a letter be sent to all respondents following Council's decision to thank them for their submissions and inform them of Council's decision. It is also proposed to provide them with a copy of the endorsed final plan prior to implementation, and to advise the broader community of the planting dates and other key details including traffic management at that time.

Continued key stakeholder engagement

It is recommended that liaison continue with the primary representative from the Executive Board of both the local Catholic Primary School and the local Catholic Church and Parish, in order to effectively investigate potential road traffic safety issues and improvements to reduce any real or perceived risk. The school and church / parish are considered key stakeholders, whose families and other patrons form both part of the traffic issue and a part of the solution, particularly during peak school traffic times. By working with the school and church it is more likely that an outcome that addresses their main concerns will be achieved, while still providing important shade and other landscaping to improve the aesthetics and general appeal of Ferguson Road in the Dardanup townsite. As 'Gateway to the Ferguson Valley' and with Dardanup townsite as a developing unique rural destination of its own, it is suggested that improving Ferguson Road with new landscaping should remain a priority.

Implementation of Landscaping

Following outcomes of the Councillor workshop, the implementation of the landscaping will now be subject to the preparation of a Local Area Traffic Management Plan, which is likely to involve ongoing discussions with key stakeholders including Main Roads WA. As Council's decision to pursue road safety improvement measures will involve the allocation of funding and other resources, the timing and nature of the overall road traffic safety improvements are yet to be ascertained, subject to a confirmation of project scope.

Protection of New Tree Planting

As the Shire will be investing significant resources into this project, it is recommended to communicate to the broader community of the that the importance of not only planting trees, but of protecting the new tree planting for the long-term benefits it will provide to the community and environment. This can be done at the time of notifying them of the Council decision and again prior to the implementation of landscaping works.

It is intended that this will encourage the community to be observant and to promptly report any damage which might occur to the trees, resulting in potential negative impacts to the health or survival of the trees. This message is particularly important where planting on the road side of the path might not be feasible due to service locations or sight line impacts and the trees have instead been proposed within the Shire verge area but on the other side of the pathway, adjacent to a private property boundary.

Key Landscaping Implementation Considerations

Should Council decide to pursue tree ordering and planting later within the proposed 2026/27 financial year, then the exact proposed tree species shown on the final endorsed plan might no longer be available at the time of ordering, or specimens available might not have the ideal upright lifted form with the straight trunks that are particularly desired for any trees planted the closest to driveways. The tree pot size and tree height might vary depending on availability at the time of ordering. Tree species substitution recommendations will to be noted on the landscape plans for species which are not as readily available, to ensure that tree planting to improve the streetscape can still proceed.

The ideal time for street tree planting in Shire areas is generally during the cooler, wetter months, specifically from late autumn to early winter (May to July/August). Planting during this time takes advantage of more regular rains for tree root establishment before the hot, dry summer months, significantly increasing survival rates and supporting good tree health. Sometimes planting starts as early as April, however with drought periods extending later in some years that is not recommended along roads where the planting environment can be more hostile to new plantings. Wetter or waterlogged sites are sometimes only planted from late August onwards.

Planting during the cooler, wetter months minimises water stress on young trees, allowing them to establish a strong root system before facing the dry summer heat. Planting should be completed by October and never occur in summer due to the high likelihood of tree death without sufficient watering.

Heat stress from periods of intense summer heat including drought can severely hamper the ability of newly planted trees to thrive, and in some cases to just survive. Regular watering during establishment and then supplementary watering following establishment when needed will be required to maintain the plantings, particularly in periods of drought and lowered groundwater table.

The Dardanup townsite currently experiences water pressure issues from the domestic mains supply, with reports of very low pressure resulting in taps and sprinklers not providing an adequate flow of water to fulfil the needs of residents and others, for example the taps in local schools sometimes only providing a trickle of water when students wash their hands. So, watering from mains may not be considered feasible nor desirable.

Summary Officer Recommendations

Following consideration of outcomes of the Councillor workshop held on 15th April 2026, the Officer Recommendations are as follows:

- To defer the Ferguson Road Landscaping project to 2026/27, to allow concerns relating to road traffic safety and pedestrian safety to be addressed through preparation of a Local Area Traffic Management Plan;
- To undertake preparation of a Local Area Traffic Management Plan;
- For the traffic plan area to be expanded beyond the landscaping project area (defined as being from Charlotte Street to Little Street), in order to consider the whole main stretch of Ferguson Road through the townsite particularly now that the Wilman-Wadandi Highway is accessed from Dardanup townsite via Recreation Road. Also, now that the railway won't be operational

again any time soon it would be advantageous to consider Ferguson Road from its start to the Wells Recreation grounds;

- For the amended landscaping plan/s to incorporate outcomes from the Local Area Traffic Management Plan;
- To carry forward project funds into 2026/27 in order to allow for implementation of the landscaping including the recommended establishment regime, to increase the likelihood of desired trees being available and of an increased chance of tree survival and optimum tree health following planting;
- To bring an amended landscape plan back to Council for endorsement, subject to the finalisation and timing of the Local Area Traffic Management Plan;
- To only undertake planting when climatic conditions are favourable;
- Issue a letter to the respondents of the community consultation prior to implementation; and
- Communicate to the broader community to update them on Council's decision and to educate them about the importance of protecting the new tree planting and the long-term benefits it will provide to both the community and the environment.

These have been summarised to provide the Officer and Chief Executive Officer Recommended Resolution.

END REPORT

12.4.2 Waste Transfer Station Lease Extension

Reporting Department	<i>Infrastructure Directorate</i>
Responsible Officer	<i>Mr Theo Naudé - Director Infrastructure</i>
Reporting Officer	<i>Ms Eliza-Jane Jacques - Coordinator of Environment and Waste</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.4.2A – Risk Assessment Tool</i> <i>Confidential Attachment A – Deed of Lease Extension April 2026 – December 2026 – Waste Transfer Station</i> <i>Confidential Attachment B – Budget Implications</i> <i>Confidential Attachment C – Deed of Lease Extension January 2027 – December 2029 – Waste Transfer Station</i>

Overview

The Shire of Dardanup's Waste Transfer Station, at Lot 81 Marginata Close, Crooked Brook (Certificate of Title Volume 2887 Folio 899) requires a Deed of Lease Extension to be signed, as the current 10-year lease expired on the 13th April 2026.

This proposed lease extension is between CPSS PTY LTD ACN 603 937 079 (Lessor) and Shire of Dardanup (Lessee).

The parties wish to extend the Term of the Original Lease until 31st December 2026 on the terms and conditions set out in the Deed of Lease Extension (Confidential Attachment A – Deed of Lease Extension – Waste Transfer Station – Under Separate Cover).

Furthermore, Officers request Council approves a longer lease extension from 1st January 2027 to 31st December 2029.

ELECTED MEMBER MOTION & COUNCIL RESOLUTION

83-26 MOVED – Cr B S Farrant SECONDED – Cr S L Gillespie

THAT Council, pursuant to Section 5.23 of the *Local Government Act 1995*, section 2(c) resolve to close the meeting to members of the public and go Behind Closed Doors [5.44pm] to consider confidential attachments, which relate to matters to be discussed at the meeting.

CARRIED

8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurensch</i>	
<i>Cr R J Trevathan</i>	

Note: The remaining member of the public and Mrs Natalie Reid, and Mr Ricky Depillo left the Council Chambers at 5:44pm.

ELECTED MEMBER MOTION & COUNCIL RESOLUTION

84-26 MOVED – Cr S L Gillespie SECONDED – Cr B S Farrant

THAT Council return from behind closed doors at [5:49pm].

CARRIED

8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

Note: One (1) member of the public and Mrs Natalie Reid and Mr Ricky Depillo returned to the Council Chambers at 5:50pm.

Change to Officer Recommendation - No Change.**OFFICER RECOMMENDATION & COUNCIL RESOLUTION**

85-26 MOVED – Cr T G Gardiner SECONDED – Cr M R Hutchinson

THAT Council:

1. Approves the lease extension from 12th April 2026 to 31st December 2026 consistent with the lease agreement in (Confidential Attachment A - Deed of Lease Extension - Waste Transfer Station – Under Separate Cover);
2. Authorises the Chief Executive Officer to negotiate a longer lease extension from 1st January 2027 to 31st December 2029 on terms consistent with the existing lease; and
3. Authorises the Chief Executive Officer to execute the additional longer term lease extension from 1st January 2027 to 31st December 2029 (Confidential Attachment B – Deed of Lease Extension – Waste Transfer Station – Under Separate Cover).

CARRIED

8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

Background

The original deed of lease was entered into on 13th April 2016 between CPSS PTY LTD (ACN 603 937 079) as the trustee for the CPSS Unit Trust (Lessor) and the Shire of Dardanup (Lessee). The lease terminated on the tenth (10th) anniversary of the commencement date.

Legal Implications - None

Council Plan

6.2 - Adopt innovative and more sustainable waste management solutions.

Environment - None.

Precedents

The original deed of lease was entered into on 13th April 2016 between CPSS PTY LTD (ACN 603 937 079) as the trustee for the CPSS Unit Trust (Lessor) and the Shire of Dardanup (Lessee).

Budget Implications

Please see (Confidential Attachment B – Budget Implications – Under Separate Cover).

Budget – Whole of Life Cost

Please see (Confidential Attachment B – Budget Implications – Under Separate Cover).

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	Waste Transfer Station Lease
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Manage risk by entering into a new lease agreement.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<p>Health Without a Waste Transfer Station in operation, waste may be illegally dumped within the community</p> <p>Financial If the current Waste Transfer Station lease is not renewed, the financial impact to build another is high.</p> <p>Service Interruption Without a Waste Transfer Station, the local community would have to rely on the Bunbury Harvey Regional Council’s Stanley Road Facility</p>

TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.		
	Reputational	If the current Transfer Station is closed down, then the community will be very disapproving
	Environment	Without a Waste Transfer Station in operation, waste may be illegally dumped within the environment
	Property	Property assets (sheds etc) within the current Waste Transfer Station will need to be removed off the private property and stored, if facility closed

Officer Comment

Council approval is requested to formalise and secure the Waste Transfer Station Deed of Lease Extension. (Confidential Attachment C – Deed of Further Variation of Lease – Under Separate Cover) Securing this lease extension reduces risk for the organisation should the lessor decide to issue a vacate notice. Please see (Confidential Attachment A – Deed of Lease Extension April 2026 – December 2026 – Waste Transfer Station).

It is the Officer’s recommendation that a Deed of Lease Extension be entered into for Lot 81 Marginata Close, Crooked Brook, and that Council approves further lease negotiations to secure the facility until 2029. (Confidential Attachment C – Deed of Further Variation of Lease – Under Separate Cover)

END REPORT

12.5 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

[12.5.1 Quarterly Corporate Performance Report – Quarter 3 – 1st January to 31st March 2026](#)

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins – Director Corporate & Governance
Reporting Officer	Mrs Jolene Roots – EA to Director Corporate & Governance
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.5.1A – Corporate Performance Report 2025-26 – Quarter 3 – 12.5.1B 12.5.1B – Risk Assessment Tool

Overview

This report presents Council with the attached Quarterly Corporate Performance Report for the period of 1st January 2026 to 31st March 2026 (Appendix ORD: 12.5.1A), in relation to the organisation’s performance against the Shire’s Corporate Business Plan and Annual Budget.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

86-26 MOVED – Cr M R Hutchinson SECONDED – Cr K A Laurentsch

THAT Council receives the Quarterly Corporate Performance Report for the period of 1st January 2026 to 31st March 2026 as per (Appendix ORD: 12.5.1A).

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 R J Trevathan	

Background

The purpose of this report is to provide Council with an update on the Shire’s performance against the Council Plan Initiatives and Capital Projects for the 2025/26 financial year.

The third Quarterly Corporate Performance Report for the 2025/26 financial year is hereby presented to Council and covers the period of 1st January 2026 to 31st March 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 Chief Executive Officer's Annual Key Performance Indicators for the 2025/26 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 of the financial year for endorsement.

The last Quarterly Corporate Performance Report (Q2 - 2025/26) was presented to Council on the 28th January 2026.

Budget Implications - None.

Budget – Whole of Life Cost - Not applicable.

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: 12.5.1B) for the full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Report Title	Quarterly Corporate Performance Report – 1 st January 2026 to 31 st March 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 The Shire not achieving against the Corporate Plan could jeopardise the Shire's brand.

Officer Comment

The Quarterly Corporate Performance Report – Quarter 3 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. The report for the period of 1st January 2026 to 31st March 2026 provides an overview of performance against Council Plan initiatives and the Capital Works Program.

Further detail on the Shire's overall performance is provided in the Quarterly Corporate Performance Report (Appendix ORD: 12.5.1A).

END REPORT

12.5.2 Minor Budget Amendments (Mid-year Budget Review)

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins - Director Corporate & Governance
Reporting Officers	Mrs Natalie Hopkins - Director Corporate & Governance
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	12.5.2A – Mid-Year Budget Review Financial Statements, Schedules and Notes 12.5.2B – Risk Assessment

Overview

This report requests that Council consider minor budget amendments arising from the Mid-Year Budget Review for the 2025–26 financial year. These amendments are detailed in the Mid-Year Budget Review Financial Statements, Schedules and Notes (Appendix ORD: 12.5.2A).

Following the adoption of the Mid-Year Budget Review in March 2026, additional adjustments are required to formally update the Revised Budget position. This report presents those adjustments, which were previously identified as forecast variations, for formal adoption as budget amendments, as outlined in (Appendix ORD: 12.5.2A).

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

87-26 MOVED – Cr T G Gardiner SECONDED – Cr K A Laurentsch

THAT Council adopts the budget amendments contained in (Appendix ORD: 12.5.2A) Mid-Year Budget Review FY 2025–26 ‘Forecast’, as formal budget amendments.

Absolute Majority.
CARRIED
8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

Background

At the Ordinary Council Meeting held on 25th March 2026, Council adopted the 2025/26 Mid-Year Budget Review.

In the process of updating the budget amendments, it was identified that a number of minor amendments were not explicitly included in the resolution. While Council has adopted a material

variance threshold of 10% or \$50,000 for reporting purposes, advice received from WALGA and LGIRS indicated that it is appropriate to formally adopt these forecast variations as budget amendments.

Adopting these variances will ensure that the Revised Budget aligns with the forecast end-of-year position, which currently indicates a surplus of \$142,002.

Legal Implications

Under the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*, a local government is required to formally adopt any budget amendments to ensure the budget remains accurate and compliant throughout the financial year.

In particular, Regulation 33 of the *Local Government (Financial Management) Regulations 1996* requires that any expenditure not included in the adopted budget, or any variations to the budget, must be authorised by Council resolution. This ensures transparency, accountability, and that the budget reflects the most current financial position.

Local Government (Financial Management) Regulations 1996

33A. Review of budget

- (1) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget; and*
 - (d) *include the following —*
 - (i) *the annual budget adopted by the local government;*
 - (ii) *an update of each of the estimates included in the annual budget;*
 - (iii) *the actual amounts of expenditure, revenue and income as at the date of the review;*
 - (iv) *adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.*
- (2) *The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

- (4) *Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

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

The Mid-Year Budget Review is conducted annually. In addition, budget amendments are presented to Council throughout the year for adoption by absolute majority.

Budget Implication

Adopting these variances will ensure that the Revised Budget aligns with the forecast end-of-year position, which currently indicates a surplus of \$142,002.

Budget – Whole of Life Cost

While the budget review does not impact directly on the whole of life cost of assets, it does indirectly refer to assets through budgeted acquisition and disposals.

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	Minor Budget Amendments 2025-26
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	<p>Financial</p> <p>Risk that the budget review failed to identify material forecast movements to budget, resulting in an incorrect end of year forecast. Risk under or over budget expenditure/revenue is not reflected correctly in Council’s Revised Budget.</p> <p>Legal and Compliance</p> <p>Risk of Council breaching the Local Government Act 1995 – that expenditure from the Municipal Fund is not included in the Adopted or Revised Annual Budget or reflected in the end of year position.</p> <p>Reputational</p> <p>Failing to complete a compliance requirement is likely to erode community trust</p>

Officer Comment

This report formalises the Mid-Year Budget Review forecasts as formal budget amendments.

While the Mid-Year Budget Review identified that the amendments presented to Council were compliant with Council’s adopted material variance thresholds of 10% or \$50,000, whichever is greater, the intent of the review was to incorporate all forecast variations into formally adopted budget amendments. This

approach ensures full transparency and alignment with the projected end-of-year financial position, currently forecast as a surplus of \$142,002 as at 30th June 2026.

END REPORT

12.5.3 Strategic Community Plan - Overview

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins - Director Corporate & Governance
Reporting Officer	Mrs Natalie Hopkins - Director Corporate & Governance
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.5.3A – Strategic Community Plan 2026 – Draft Framework 12.5.3B – Risk Assessment

Overview

The Shire’s Strategic Community Plan is due for a major review in 2026. The last major review was endorsed by Council in July 2022. This report presents the draft framework underpinning the 2026–2036 Strategic Community Plan major review, including the proposed vision, guiding aspirations, and key priority area objectives developed through workshops with staff and Councillors on 8th April 2026.

Subject to Council endorsement, these elements will inform the next phase of community consultation, with town meetings scheduled for May to gather community feedback. The final Strategic Community Plan is anticipated to be presented to Council for adoption in July 2026.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

88-26 MOVED – Cr S L Gillespie SECONDED – Cr B S Farrant

THAT Council endorses the ‘Strategic Community Plan 2026 Draft Framework’ incorporating the vision, guiding aspirations and key priority objectives as contained in the Plan (Appendix ORD: 12.5.3A) for the purposes of public consultation.

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 Laurensch	
Cr R J Trevathan	

Background

The Strategic Community Plan is the local government’s principal long-term planning document, setting out the community’s vision, aspirations, and priorities for a minimum of 10 years, in accordance with the *Local Government (Administration) Regulations 1996* (Regulation 19C). The Corporate Business Plan is a medium-term document, typically covering four years, that translates these strategic priorities into specific actions, projects, and services, and outlines how resources will be allocated to deliver outcomes, as required under Regulation 19DA. Together, these plans ensure strategic direction and operational delivery are aligned with legislative requirements and community expectations.

At the Ordinary Council Meeting held on 27 July 2022, Council adopted the Shire of Dardanup 2022/23–2032/33 Council Plan, which fulfilled the role of both the Strategic Community Plan and Corporate Business Plan (CR 179-22).

Strategic Community Plan

In accordance with the *Local Government (Administration) Regulations 1996* (Regulation 19C), Council is required to undertake a major review of its Strategic Community Plan every four years, with an interim (minor) review every two years.

The year 2026 marks the scheduled major review of the Strategic Community Plan. This review is undertaken four years following the adoption of the 2022/23–2032/33 Strategic Community Plan and aligns with the Department of Local Government, Sport and Cultural Industries' Integrated Planning and Reporting Framework and relevant legislative requirements.

To support this process, Council has engaged Moore Australia to develop a new suite of integrated planning documents, including the Strategic Community Plan, Corporate Business Plan, and Council Plan.

This report presents the **draft framework** for the 2026–2036 Strategic Community Plan, including the proposed **vision, guiding aspirations, and key priority area objectives** developed through workshops with staff and Councillors on 8th April 2026.

Subject to Council endorsement, these elements will inform the next phase of community consultation, with town meetings scheduled for May. The final Strategic Community Plan is anticipated to be presented to Council for adoption in July 2026.

Corporate Business Plan

The Corporate Business Plan (CBP) contains details of the Actions and resources (human and financial) to achieve each strategy. It is a four-year plan which acts as an organisational guide for the Council and management. The financial capacity to undertake these tasks is evidenced in the then year Long Term Financial Plan for the period.

A report will be presented to Council in May 2026 to update the current Corporate Business Plan and set the actions for 2026-2029.

Once the Strategic Community Plan is endorsed by Council (expected to be July 2026) a more detailed review of the CBP will be undertaken to bring it in line with the new SCP. As such the updated CBP for 2027/28–2030/31, aligned with the July 2026 SCP is expected to be presented to Council for endorsement in April/May 2027.

Legal Implications

Local Government (Administration) Regulations 1996:

Division 3 — Planning for the future

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*

- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to—*
 (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 (c) demographic trends.
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
 *Absolute majority required.
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*
 [Regulation 19C inserted: Gazette 26 Aug 2011 p. 3483-4.]

19DA. Corporate business plans, requirements for (Acts. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 (c) develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A Council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
 *Absolute majority required.
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the Council, the plan or modified plan applies to the district for the period specified in the plan.*

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

A major review of the Strategic Community Plan is required every 4 years, with a minor review every 2 years. In July 2022, Council adopted the Shire of Dardanup 2022/23–2032/33 Council Plan, which incorporated both the Strategic Community Plan and the Corporate Business Plan.

The Strategic Community Plan - Draft Framework has been reviewed in accordance with the Department of Local Government, Sport and Cultural Industries' Integrated Planning and Reporting Framework and legislative requirements.

The draft framework provides the basis for the continual development of the 2026-2036 Strategic Community Plan, which will be presented to Council in its entirety in July 2026.

Budget Implications

Council allocated \$59,000 in the 2025/26 budget to undertake a full review of the Strategic Community Plan, with ongoing provision for the Strategic Community Plan (and Corporate Business Plan) included in the Long Term Financial Plan.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Council Policy CnG CP018 – Corporate Business Plan & Long Term Financial Plan notes that each year with the best endeavours Council aims to consider a draft budget for adoption by the end of June. To achieve this aim, the draft Corporate Business Plan (budget) needs to be compiled within the last weeks of May or early June.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.3B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Report Title	Draft Strategic Community Plan 2026 - Overview
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 The financial implications associated within the elements of the Strategic Community Plan may affect the financial sustainability of Council.

	Legal and Compliance	Legislative requirements and compliance necessitate the preparation of a Strategic Community Plan and Corporate Business Plan in accordance with the Local Government (Administration) Regulations 1996, Regulations 19C and 19DA.
	Reputational	There is a reputational risk to Council if the Strategic Community Plan and Corporate Business Plan do not adequately reflect the projects and works identified in supporting plans and fail to align with community expectations. This may lead to a perceived lack of transparency, accountability, and confidence in Council’s planning and delivery processes.

Officer Comment

Moore Australia has been engaged to undertake the major review of Council’s Strategic Community Plan, Corporate Business Plan and Council Plan.

The first stage of this project involves the preparation of a Strategic Community Plan Draft Framework (Appendix ORD: 12.5.3A) to inform the major review of the Strategic Community Plan is based. As part of this process, consultants from Moore Australia facilitated two workshops in early April to initiate and develop the 2026–2036 Strategic Community Plan.

As part of this work, the existing aspirations and outcomes within the 2022/23–2032/33 Council Plan were reviewed in collaboration with staff and Councillors to develop a set of Guiding Aspirations aligned with the Council’s Vision 2050 strategy. Guiding Aspirations are broad, long-term statements that articulate the community’s desired future for the district, informed by community engagement and documented within the Strategic Community Plan.

Guiding Aspirations:

- Healthy
- Self-Sufficient
- Sustainable
- Connected
- Innovated

Key Priority Area Objectives, previously referred to as ‘Aspirations’, have been retained and refined based on feedback from staff and Councillors. These objectives represent key themes identified through community engagement, reflecting the Shire’s core areas of responsibility and aligning with the requirements of the Local Government Act 1995 to promote economic, social, and environmental sustainability.

Key Priority Area Objectives:

- Leadership
- Environment
- Community
- Prosperity
- Amenity

It is anticipated on endorsement by Council, that the draft framework will form the basis of further community consultation and play a crucial role in the circulation of the draft Strategic Community Plan priorities including marketing, surveys and the upcoming town hall meetings to be held in May 2026.

Subject to Council endorsement, the draft framework will underpin the next phase of community consultation and inform the communication of the draft Strategic Community Plan priorities, including marketing activities, surveys, and town hall meetings scheduled for May 2026.

END REPORT

12.5.4 Monthly Statement of Financial Activity for the Period Ended on the 31st March 2026

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins - Director Corporate & Governance
Reporting Officers	Ms Amy Lawrence – Acting Manager Financial Services Mr Ricky Depillo – Accountant
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.5.4A – Monthly Financial Report 31st March 2026 12.5.4B – Risk Assessment Tool

Overview

This report presents the monthly Financial Statements for the period from the 1st of July 2025 to the 31st of March 2026 for Council endorsement.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

-26 MOVED – Cr M R Hutchinson SECONDED – Cr T G Gardiner

THAT Council receives the Monthly Statement of Financial Activity (Appendix ORD: 12.5.4A) for the period ending on the 31st of March 2026.

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 R J Trevathan	

Background

The Monthly Statement of Financial Activity is prepared in accordance with the *Local Government (Financial Management) Regulations 1996* r. 34, s. 6.4. 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, s 6.4.

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, r 34.

Part 4 — Financial Reports — s. 6.4

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.*
 - (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (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 may be shown —*
 - (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
 - (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.*

[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]

Council Plan

13.1 - Adopt best practice governance.

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 Significant Accounting Policies

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	Monthly Statement of Financial Activity for the Period Ended 31 st of March 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 create compliance issues.
	Reputational Non-compliance with the legislative requirements may lead to erosion of community trust.
	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended on the 31st of March 2026 is contained in (Appendix ORD: 12.5.4A) 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.

At the time of adopting the 2025/26 Annual Budget, the carried forward surplus from the 2024/25 financial year was estimated to be \$936,114. After finalisation of the audited financial statements, the financial year 2024/25 actual surplus brought forward was \$996,531, which is \$60,417 higher than budget.

As at the reporting date, Officers forecast the Surplus as at 30th of June 2026 to be \$142,002 against an adopted end of year budget of \$173,999. The revised budget does not currently incorporate amendments arising from Mid-Year Budget Review, as further budget amendments are still being finalised and will be presented to Council in a separate report at the Ordinary Council Meeting on 29 April 2026. The end of year surplus adjustment is based on known variances in actual performance to date and estimates for the remainder of the year based on current trends and is summarised as follows:

- Surplus Increase of \$60,417 due to adjustment of the opening year Surplus as of 1st July 2025 from a budgeted amount of \$936,114 to actual \$996,531;
- Surplus Decrease of \$70,892 due to lower FAG General Purpose and Local Roads advances for 2025/26 and \$4,000 due to additional training related funding for Fire Brigade officers approved by the Council;
- Surplus decrease of \$17,522 from an estimated forecast of \$159,524 reduced down to \$142,002, due to changes in various accounts during the 2025/26 Mid-Year Budget Review.

Note 2 of the Statement of Financial Activity 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 2025/26 for reporting material variances is 10% or \$50,000, whichever is greater.

The variances reported to 31st March 2026 are primarily due to timing differences between the actual receipt of revenue and the payment of expenses compared to the budget estimates. Some variances are permanent, arising from higher interest rates, an increase in the value of financial assets, and the recognition of a donated asset received from DFES.

Note 6 of the Statement of Financial Activity details of the Council's current cash investments and evaluates the portfolio against established credit risk limits, based on ratings from reputable agencies and aligned with the Council's Investment Policy. During March, there were effectively no net movements, as the \$1 million maturity was rolled over into the Reserve Account, maintaining the balance at \$13 million. Subsequently, \$1 million was drawn from Municipal funds to meet creditor and payroll obligations, reducing the investment balance to \$8 million. These funds were invested in short-term bank term deposits to maximise interest income, achieving rates ranging between 4.10% and 4.75%.

A sufficient level of cash is maintained in the on-call Municipal and Reserve accounts to meet day to day working capital requirements. These on-call accounts currently earn interest at approximately 3.80%.

Note 7 of the Statement of Financial Activity presents the Rates and Charges Outstanding as of 31 March 2026. Outstanding balances, including pensioner-deferred amounts, totalled \$1,542,086, representing 6.96% of collectible rates and charges. This is broadly consistent with the prior year result of 5.96%. Management aims to reduce outstanding balances to 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

12.5.5 Schedule of Paid Accounts as at 31st March 2026

Reporting Department	<i>Corporate & Governance Directorate</i>
Responsible Officer	<i>Mrs Natalie Hopkins - Director Corporate & Governance</i>
Reporting Officers	<i>Ms Amy Lawrence – Acting Manager Financial Services</i> <i>Ms Joanna Hanson - Finance Officer - Accounts Payable</i>
Legislation	<i>Local Government (Financial Management) Regulations 1996</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.5.5A – Schedule of Paid Accounts as at 31st March 2026</i> <i>12.5.5B – Risk Assessment Tool</i>

Overview

This report presents Council with the list of payments made by the Municipal and Trust Accounts under delegation since the last Ordinary Council Meeting.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

90-26 MOVED – Cr L W Davies SECONDED – Cr B S Farrant

THAT Council receives the Schedule of Paid Accounts report from 1st of March 2026 to 31st March 2026 (Appendix ORD: 12.5.5A).

CARRIED

8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurensch</i>	
<i>Cr R J Trevathan</i>	

Background

Council delegates authority to the Chief Executive Officer annually through Delegation 1.2.16 To Purchase Goods and Services to a Specified Value, 1.2.31 Payments from the Municipal or Trust Funds, and 1.2.35 Authorise Electronic Funds Transfers:

- Authority to make payments from Trust and Municipal Funds (1.2.31);
- To purchase goods and services to a value of not more than \$250,000 (1.2.16);
- To purchase goods and services for the Australian Tax Office and other Australian or Western Australian Government Departments, agencies, utility providers (i.e. electricity, water, gas) or Insurance up to the value of \$500,000 (1.2.16);
- To purchase goods and services for Creditors where an executed agreement or legal obligation exists which has prior Council endorsement (1.2.16) and
- To authorise Electronic Funds Transfer (EFT) (1.2.35).

Legal Implications**Local Government Act 1995***S6.5. Accounts and records**Local Government (Financial Management) Regulations 1996**R11. Payments, procedures for making etc.**R12. 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 to 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.*

R13. 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.*

R13A. 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 payment.*
- (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 Paid Accounts 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: 12.5.5B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Report Title	Schedule of Paid Accounts as at the 31 st of March 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	<p>Financial That payments are not made in accordance with Shire's policies and procedures.</p> <p>Legal and Compliance Not reporting schedule of paid accounts to Council is in contravention of Local Government Act 1995.</p> <p>Reputational Non-compliance with a legal requirement may lead to community confidence being eroded in Shire's management and Council.</p>

Officer Comment

This is a schedule of 'paid accounts' - the accounts have been paid in accordance with Council's delegation.

END REPORT

12.6 COMMITTEES

12.6.1 Integrated Planning Committee Meeting held on the 15th April 2026

Reporting Department	<i>Corporate & Governance Directorate</i>
Responsible Officer	<i>Mrs Natalie Hopkins – Director Corporate & Governance</i>
Reporting Officer	<i>Mrs Jolene Roots – EA Director Corporate & Governance</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority/ Absolute Majority.</i>
Attachments	<i>12.6.1A – Integrated Planning Committee Meeting Minutes 11th March 2026</i> <i>12.6.1B – 10 Year Infrastructure and Vehicle Asset Management Plan 2026/27</i> <i>12.6.1C – Debt Management Plan 2026/27</i> <i>12.6.1D – Schedule of Fees and Charges 2026/27</i> <i>12.6.1E – Rating Strategy 2026/27</i> <i>12.6.1F – Chief Executive Officer Comment on Rate Setting Strategy</i>

DECLARATION OF INTEREST

Manager Human Resources, Mrs Kristy Burden, declared a Financial Interest in this item.

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

MINUTES OF THE SHIRE OF DARDANUP INTEGRATED PLANNING COMMITTEE MEETING HELD ON WEDNESDAY, 15TH APRIL 2026, AT THE SHIRE OF DARDANUP ADMINISTRATION CENTRE, EATON, COMMENCING AT 10:00AM.

Overview

The Minutes of the Integrated Planning Committee Meeting held on the 15th April 2026 (Appendix ORD: 12.6.1A) are attached.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION 'A' & COUNCIL RESOLUTION

91-26 MOVED – Cr L W Davies

SECONDED – Cr R J Trevathan

THAT Council received the minutes (Appendix ORD: 12.6.1A) of the Integrated Planning Committee held on the 11th March 2026.

CARRIED

8/0

FOR THE MOTION	AGAINST THE MOTION
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

INTEGRATED PLANNING COMMITTEE RECOMMENDATION ‘A’ & COUNCIL RESOLUTION

92-26 MOVED – Cr T G Gardiner

SECONDED – Cr A C Jenour

THAT Council:

- Adopts the following Annual Transfers to the Plant and Engineering Equipment Reserve for the delivery of the Infrastructure Plant and Vehicle 10 Year Replacement Program:**

	26-27	27-28	28-29	29-30	30-31	31-32	32-33	33-34	34-35	35-36
	Annual Transfer (x \$1,000)									
2026/2027 Draft LTFP	315	355	355	355	385	410	415	554	673	747

- Endorses the 10 year Infrastructure Plant and Vehicle Asset Management Plan 2026/27 - 2035/36 acquisition and replacement program (Appendix ORD: 12.6.1B).**

Absolute Majority.
CARRIED
8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
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 R J Trevathan	

Officer Comment

Following the resolution of item 12.1.1 – Bunbury Geographe Group of Councils’ Meeting held 27th March 2026, any amendments are to be noted and provided for in Integrated Planning Committee Recommendation ‘B’ as provided for below.

Discussion:

The Chief Executive Officer advised that due to the resolution passed on the Bunbury Geographe partnership the figures are to be amended to reflect \$22,000 over the 3 year period, with totals being amended accordingly.

INTEGRATED PLANNING COMMITTEE RECOMMENDATION ‘B’ & COUNCIL RESOLUTION

93-26 MOVED – Cr T G Gardiner

SECONDED – Cr R J Trevathan

THAT Council:

- Support investigation and costs into a Waterwise Verge Program;**

2. Support investigation and costs of Picnic Tables at Watson Reserve into the future 2027/28 Open Spaces Program of Works;
3. Support to increase the Dardanup Australia Day Breakfast (Dardanup Lions) contribution to \$4,200 in the 2026/27 LTFP.
4. Supports, in principle, the Chief Executive Officer to investigate the condition of the affected roads in Dardanup West and consider their inclusion as maintenance requests or within a future Program of Works;
5. Does not support a contribution of \$10,000, and for the Chief Executive Officer to advise FAWNA Inc to consider applying for the 2026/27 Community Grants Scheme for Project/s eg running a community awareness program;
6. Does not support the request for a new PA System at Wells Club Rooms of \$9,026 in 2026/27, but to be considered in the future Buildings Program of Works;
7. Supports an increase the Dardanup & Districts Residents Association annual contribution to \$1,350 in the 2026/27 LTFP;
8. Does not support Ferguson Valley Marketing Inc Website Redevelopment of \$34,000;
9. Does not Support Ferguson Valley Marketing Inc request to increase the Operational Grant to \$41,000, and retains the contribution at \$23,500 within the 2026/27 LTFP;
10. Does not Support Ferguson Valley Marketing Inc request to increase the Lost and Found Festival contribution to \$40,000, and retains the contribution at \$20,000 within the 2026/27 LTFP;
11. Continues to financially support the following tourism groups, events and partnerships in the 2026/27 Annual Budget and 2026/27 – 2035/36 Long Term Financial Plan:

	2026/27	2027/28	2028/29	2029/30
Ferguson Valley Marketing Inc – Operational Grant (plus up to \$6,000 operational costs which are now included in the lease and paid for by Council)	\$24,500	\$25,205	\$25,931	\$26,679
Tourism & Events Grants – Tourism & Events Grants - 25/26 = \$45,000 Fully Allocated (Contestable Grant on application for remaining funds after committed support for **Bull & Barrel Festival \$10,500; Eaton Foreshore Festival \$3,000; and Dardanup Arts Spectacular \$11,500 - CP044 Res:208-22) Lost & Found Event support \$15,000+\$5,000 in 24/25 Res:84-24	\$45,000	\$45,000	\$45,000	\$46,350
Bunbury Geographe Tourism Partnership	\$22,000	\$22,000	\$22,000	\$22,000
TOTAL	\$91,500	\$92,205	\$92,931	\$95,029

12. Supports, in principle, the Chief Executive Officer to investigate cost estimates for air-conditioning and a dishwasher at the Dardanup Hall and report back to Council.

Absolute Majority.
 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 R J Trevathan	

Officer Comment

Correction of Figures and Interpretation in IPC Report 8.3 relating to Events, Programs and Donations (2026/27).

The amendment to IPC Report 8.3 corrects previous errors in figures and interpretation by introducing a clear budget table outlining expenditure and revenue for key events. It clarifies that the listed expenditure represents the net cost to Council, and notes that total project costs may increase subject to the successful receipt of external grant or sponsorship funding, with corresponding revenue offsets.

SynergySoft Ref GL or Job #	Event or Program	2026/27 Proposed Budget: Expenditure	2026/27 Proposed Budget: Revenue
EV11906	Australia Day Breakfast – Eaton	\$10,534 + **Grant funded expenditure	\$5,100 **Grant
EV11907	Australia Day Breakfast – Burekup	\$1,416 + **Grant funded expenditure	\$1,800 **Grant
EV11908	Australia Day Breakfast - Dardanup	\$3,398 + *Grant funded expenditure	\$3,100 **Grant
EV11933	Events & Festivals – Spring Out Festival	\$10,000 + **Grant/ sponsorship funded expenditure	\$30,000 **Grant/ Sponsorship

* = CPI Increase of 3.25%

** Grant and sponsorship-funded expenditure is subject to Council successfully securing external funding. The expenditure shown represents the net cost to Council, with any increase dependent on the receipt of additional grant or sponsorship funding.

INTERGRATED PLANNING COMMITTEE RECOMMENDATION (AS ADOPTED BY COMMITTEE)

THAT Council endorses the following 2026/27 Community Events, Library Programs and Donations and allocates funds within the 2026/27 Annual Budget and Long-Term Financial Plan for these activities:

<i>SynergySoft Ref GL or Job #</i>	<i>Event or Program</i>	<i>2026/27 Proposed Budget: Expenditure</i>	<i>2026/27 Proposed Budget: Revenue</i>
AD14012	<i>Personal Development Grants</i>	<i>\$4,000</i>	
AD14012	<i>Seniors Christmas Dinner (Burekup \$1,250 & Dardanup \$2,000)</i>	<i>\$3,250</i>	
AD14012	<i>Crooked Brook Forest Assoc</i>	<i>\$1,000</i>	
AD14012	<i>Eaton Lions Club Christmas Hampers</i>	<i>\$1,000</i>	
AD14012	<i>Dardanup & District Times</i>	<i>\$1,100</i>	
AD14012	<i>Eaton Community Hive (Contribution to Eaton Child Health Clinic Operating Costs)</i>	<i>\$9,000</i>	
AD14012	<i>InTown Centre support of \$2,500 (Assumed Ongoing Level of Support)</i>	<i>\$2,500</i>	
AD14012	<i>Dardanup & District Residents Association (Traffic Management for ANZAC Day service)</i>	<i>\$2,100</i>	
AD14012	<i>Sundry Community Donations</i>	<i>\$1,500</i>	
EV11902	<i>Public Art Projects</i>	<i>\$10,000</i>	
EV11903	<i>Donation – City of Bunbury for Regional Event (Skyfest Australia Day)</i>	<i>\$5,500</i>	
EV11906	<i>Australia Day Breakfast – Eaton*</i>	<i>\$10,534</i>	<i>\$5,000 Grant</i>
EV11907	<i>Australia Day Breakfast – Burekup*</i>	<i>\$1,416</i>	<i>\$3,500 Grant</i>
EV11908	<i>Australia Day Breakfast – Dardanup*</i>	<i>\$3,398</i>	<i>\$1,500 Grant</i>
AD14012	<i>Annual School Awards</i>	<i>\$1,350</i>	
AD14012	<i>School Chaplaincy</i>	<i>\$6,870</i>	
ED08712	<i>Youth Development Programs (CR 318-20)</i>	<i>\$5,000</i>	
ED08714	<i>Minor/Community Event Assistance</i>	<i>\$10,000</i>	
EV11925	<i>Community and Club Capacity Building Workshops & Activities</i>	<i>\$3,000</i>	
ED08713	<i>School Holiday Workshops & Activities</i>	<i>\$4,500</i>	
ED08720	<i>Programs - Cyber Security Awareness Support for Vulnerable Groups</i>	<i>\$2,308</i>	<i>\$2,308 Grant</i>
EV11909	<i>Citizenship Ceremonies</i>	<i>\$2,000</i>	
EV11921	<i>Community Events – Seniors Workshop & Activities</i>	<i>\$3,000</i>	
EV11922	<i>Community Events – Youth Workshops & Activities</i>	<i>\$2,500</i>	
EV11923	<i>Creative Workshops</i>	<i>\$1,500</i>	
LP11913	<i>Library Programs</i> <ul style="list-style-type: none"> • <i>Early Learning</i> • <i>Children and Youth</i> • <i>Adult Programming</i> • <i>Authors & Events</i> 	<i>\$33,000</i>	
EV11927	<i>Place-making Activities, Programs & Engagement</i> <ul style="list-style-type: none"> • <i>Community Programs & Workshops</i> • <i>Place Activation Initiatives</i> 	<i>\$25,000</i>	
EV11929	<i>Events & Festivals – Summer Events Series</i>	<i>\$30,000</i>	
EV11930	<i>Events & Festivals - Youth Events</i>	<i>\$5,000</i>	
EV11932	<i>Events & Festivals – Seniors Celebration Day</i>	<i>\$3,000</i>	
EV11933	<i>Events & Festivals - Spring Out Festival</i>	<i>\$39,000</i>	<i>Grant & Sponsorship \$29,000</i>
AD14024	<i>Donation – Bunbury Regional Entertainment Centre</i>	<i>\$15,000</i>	
AD14024	<i>Community Grants Scheme*</i>	<i>\$29,000</i>	
AD14017	<i>South West Academy of Sports</i>	<i>\$5,100</i>	
	<i>TOTAL</i>	<i>\$282,426</i>	<i>\$41,308</i>

* = CPI Increase of 3.25%

Officer Comment

The Integrated Planning Committee Recommendation above contains some inaccuracies in the financial figures and their interpretation. Officer Recommendation 'B' has therefore been provided to clarify these matters and present a more accurate budget position for Council's consideration.

OFFICER RECOMMENDATION 'B' & COUNCIL RESOLUTION

94-26

MOVED – Cr T G Gardiner

SECONDED – Cr K A Laurentsch

THAT Council endorses the following amended 2026/27 Community Events, Library Programs and Donations, and allocates funds within the 2026/27 Annual Budget and Long-Term Financial Plan for these activities:

SynergySoft Ref GL or Job #	Event or Program	2026/27 Proposed Budget: Expenditure	2026/27 Proposed Budget: Revenue
AD14012	Personal Development Grants	\$4,000	
AD14012	Seniors Christmas Dinner (Burekup \$1,250 & Dardanup \$2,000)	\$3,250	
AD14012	Crooked Brook Forest Assoc	\$1,000	
AD14012	Eaton Lions Club Christmas Hampers	\$1,000	
AD14012	Dardanup & District Times	\$1,100	
AD14012	Eaton Community Hive (Contribution to Eaton Child Health Clinic Operating Costs)	\$9,000	
AD14012	InTown Centre support of \$2,500 (Assumed Ongoing Level of Support)	\$2,500	
AD14012	Dardanup & District Residents Association (Traffic Management for ANZAC Day service)	\$2,100	
AD14012	Sundry Community Donations	\$1,500	
EV11902	Public Art Projects	\$10,000	
EV11903	Donation – City of Bunbury for Regional Event (Skyfest Australia Day)	\$5,500	
EV11906	Australia Day Breakfast – Eaton	\$10,534 + **Grant funded expenditure	\$5,100 **Grant
EV11907	Australia Day Breakfast – Burekup	\$1,416 + **Grant funded expenditure	\$1,800 **Grant
EV11908	Australia Day Breakfast - Dardanup	\$3,398 + **Grant funded expenditure	\$3,100 **Grant
AD14012	Annual School Awards	\$1,350	
AD14012	School Chaplaincy	\$6,870	
ED08712	Youth Development Programs (CR 318-20)	\$5,000	
ED08714	Minor/Community Event Assistance	\$10,000	
EV11925	Community and Club Capacity Building Workshops & Activities	\$3,000	
ED08713	School Holiday Workshops & Activities	\$4,500	

SynergySoft Ref GL or Job #	Event or Program	2026/27 Proposed Budget: Expenditure	2026/27 Proposed Budget: Revenue
ED08720	Programs - Cyber Security Awareness Support for Vulnerable Groups	\$2,308	\$2,308 **Grant
EV11909	Citizenship Ceremonies	\$2,000	
EV11921	Community Events – Seniors Workshop & Activities	\$3,000	
EV11922	Community Events – Youth Workshops & Activities	\$2,500	
EV11923	Creative Workshops	\$1,500	
LP11913	Library Programs <ul style="list-style-type: none"> • Early Learning • Children and Youth • Adult Programming • Authors & Events 	\$33,000	
EV11927	Place-making Activities, Programs & Engagement <ul style="list-style-type: none"> • Community Programs & Workshops • Place Activation Initiatives 	\$25,000	
EV11929	Events & Festivals – Summer Events Series	\$30,000	
EV11930	Events & Festivals - Youth Events	\$5,000	
EV11932	Events & Festivals – Seniors Celebration Day	\$3,000	
EV11933	Events & Festivals – Spring Out Festival	\$10,000 + **Grant/ sponsorship funded expenditure	\$30,000 **Grant/ Sponsorship
AD14024	Donation – Bunbury Regional Entertainment Centre	\$15,000	
AD14024	Community Grants Scheme*	\$29,000	
AD14017	South West Academy of Sports	\$5,100	
TOTAL		\$282,426	\$41,308

* = CPI Increase of 3.25%

** Grant and sponsorship-funded expenditure is subject to Council successfully securing external funding. The expenditure shown represents the net cost to Council, with any increase dependent on the receipt of additional grant or sponsorship funding.

Absolute Majority.

CARRIED

7/1

FOR THE MOTION	AGAINST THE MOTION
Cr T G Gardiner	Cr M R Hutchinson
Cr S L Gillespie	
Cr B S Farrant	
Cr L W Davies	
Cr A C Jenour	
Cr K A Laurentsch	
Cr R J Trevathan	

INTEGRATED PLANNING COMMITTEE RECOMMENDATION 'C' & COUNCIL RESOLUTION

95-26

MOVED – Cr T G Gardiner

SECONDED – Cr B S Farrant

THAT Council endorses the following projects be included for consideration in the LTFP, Draft Corporate Business Plan and 2026/27 Annual Budget:

1. Staff Budget Requests:

- a. **Regional Collaboration – Contribution to iif26 Conference (27-28 October 2026) - \$ 10,000**
- b. **Business Continuity Response Plan - Exercise - \$12,000**
- c. **Bushfire Training Allowance - \$4,000**
- d. **Brigade Maintenance (LGGS Ineligible) \$5,800**
- e. **Millbridge Boulevard Tree Roots in Road \$23,500 (funded from Road Construction and Major Maintenance Reserve Account)**
- f. **Eaton Drive Tree Planting \$16,000 (funded from Parks & Reserves Upgrade Reserve Account)**
- g. **Demolition and Disposal of Bridges 3679 and 3684 - \$124,000 (funded from Road Construction and Major Maintenance Reserve Account)**
- h. **Install Solar System – Dardanup Works Depo \$25,000 (funded from Building Maintenance Reserve Account)**
- i. **Don Hewison Centre – Concrete Skirting repair \$7,500 (funded from Building Maintenance Reserve Account)**
- j. **Eaton Community Library – Shade Sail \$10,000 (funded from Building Maintenance Reserve Account)**
- k. **Library Book Stock – Increase budget by \$3,000**
- l. **Eaton Recreation Centre – Redevelopment Plan \$80,000 (funded from the Strategic Planning Studies Reserve)**
- m. **Make It Space – Operations \$34,000**
- n. **Eaton Sports Pavilion Meeting Room Fit out \$10,000**

Absolute Majority.

CARRIED

8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurensch</i>	
<i>Cr R J Trevathan</i>	

INTEGRATED PLANNING COMMITTEE RECOMMENDATION 'D' & COUNCIL RESOLUTION

96-26

MOVED – Cr R J Trevathan

SECONDED – Cr M R Hutchinson

THAT Council:

1. Sets the Shire President and Elected Member 2026/27 Annual Attendance Fee at 80% of the prevailing maximum Band 3 value for the Shire of Dardanup applying from the 1st of July 2026, as determined by the Salaries and Allowances Tribunal.
2. Sets the Shire President and Deputy Shire President 2026/27 Annual Local Government Allowance at 80% of the prevailing maximum Band 3 value for the Shire of Dardanup applying from the 1st of July 2026, as determined by the Salaries and Allowances Tribunal.
3. Sets the Elected Member 2026/27 Annual Information and Communications Technology (ICT) Allowance in lieu of expense reimbursements, at 80% of the prevailing maximum Band 3 value for the Shire of Dardanup applying from the 1st of July 2026, as determined by the Salaries and Allowances Tribunal.
4. Reimburses child care expenses at the lesser of actual cost or \$35 per hour (as determined by the Salaries & Allowances Tribunal). Reimbursement shall be made upon submission of documentary evidence that the expense has been incurred for child care expenses.
5. Reimburses travel expenses upon documentary evidence of km's travelled or expense incurred in accordance with the Local Government (Administration) Regulations 1996 and Council Policy CnG CP042 - Councillor Fees.
6. Includes Superannuation to Elected Members of Council at a rate equivalent to the Superannuation Guarantee, applying from 1st July 2026.

Absolute Majority.

CARRIED

8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Laurentsch</i>	
<i>Cr R J Trevathan</i>	

INTEGRATED PLANNING COMMITTEE RECOMMENDATION 'E' & COUNCIL RESOLUTION

97-26 MOVED – Cr T G Gardiner

SECONDED – Cr L W Davies

THAT Council endorses the Debt Management Plan 2026/27 to 2035/36 (refer to Appendix ORD: 12.6.1C) to be incorporated in 2026/27 Annual Budget, four-year Corporate Business Plan, and Long Term Financial Plan.

Absolute Majority.

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 R J Trevathan	

INTEGRATED PLANNING COMMITTEE RECOMMENDATION 'F' & COUNCIL RESOLUTION

98-26 MOVED – Cr T G Gardiner

SECONDED – Cr M R Hutchinson

THAT Council:

- 1. Adopts the 2026/27 Schedule of Fees and Charges included as (Appendix ORD: 12.6.1D), to become effective 1st July 2026; and**
- 2. Where required, Council gives local public notice of the applicable Fees and Charges.**

Absolute Majority.

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 R J Trevathan	

Officer Comment

Further officer comment in relation to the rate setting strategy is provided below Integrated Planning Committee Recommendation 'G'.

INTEGRATED PLANNING COMMITTEE RECOMMENDATION ‘G’ & COUNCIL RESOLUTION

99-26

MOVED – Cr T G Gardiner

SECONDED – Cr A C Jenour

THAT Council:

1. **In addition to forecast growth:**
 - a) **Endorses a projected base rate revenue increase of 6.00% for the 2026/27 budget;**
 - b) **Endorses a projected base rate revenue increase of 6.0%, 6.00%, 6.00% and 6.00% for the four year Corporate Business Plan;**
 - c) **Endorses a projected base rate revenue increase of 6.00% for years five to fifteen of the Long Term Financial Plan.**
2. **Endorses the Rating Strategy 2026/27 to 2035/36 (Appendix ORD: 12.6.1E).**
3. **Endorses the following 6 Differential Rates across 14 Rating Categories (Appendix ORD: 12.6.1E):**
 - **RESIDENTIAL (including Residential Vacant)**
 - **COMMERCIAL (including Commercial Vacant)**
 - **INDUSTRIAL (including Industrial Vacant)**
 - **RURAL RESIDENTIAL (including Rural Residential Vacant)**
 - **ACCOMMODATION**
 - **UV Rural (including UV1, UV2, UV3 and Mining)**

with the Minimum Rate for the 2026/27 budget to be \$1,827 for the Residential Differential Rating Category and \$1,937 for all other Differential Rating Categories.
4. **Supports the retention of the Bulk Waste Collection Specified Area Rate in 2026/27 and future years.**
5. **Notes the exemptions under 6.26 (g) of the *Local Government Act 1995*, whereby the value of the 2025/26 annual rate exemptions under this section of the Act totalled \$635,950.**

Absolute Majority.

CARRIED

6/2

FOR THE MOTION	AGAINST THE MOTION
<i>Cr T G Gardiner</i>	<i>Cr S L Gillespie</i>
<i>Cr B S Farrant</i>	<i>Cr K A Laurentsch</i>
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr R J Trevathan</i>	

Discussion:

Chief Executive Officer, Mr Andre Schonfeldt advised Council that the Workforce Plan taken Behind Closed Doors and the Integrated Planning Committee meeting was not being presented at this meeting. It would be brought to Council in the May meeting.

Chief Executive Officer Comment on Rate Setting Strategy

Following concerns raised by Councillors at the Integrated Planning Committee meeting on 15th April 2026 and questions discussed at the Agenda Briefing on 22nd April 2026, Officers have reviewed whether a reduced rate increase could be supported. This review has considered the short- and long-term impacts on the Shire's financial sustainability.

While some additional revenue is expected in future years, current financial pressures mean that a rate increase closer to the endorsed 6%—rather than 5.5%—is necessary to protect essential services, maintain assets, and avoid significantly higher costs in the future. The key reasons are outlined below.

Interim Rates and Growth Assumptions

During the 2025/26 financial year, interim rates were significantly lower than anticipated. Instead of more than \$200,000, only \$70,000 was realised, largely due to slower development activity caused by land supply constraints.

Although several housing estates are expected to be developed over the next decade and will eventually increase rate revenue, this growth will occur gradually. A conservative assumption of approximately 75 new homes per year has been adopted in the Long Term Financial Plan, generating around \$150,000 annually.

In addition, the expansion of Eaton Fair Shopping Centre is expected to generate approximately \$500,000 per year in additional rates from 2026/27, with only part of this realised in the first year. Importantly, these increases were already factored into previous financial planning and therefore cannot replace the need for a higher general rate increase.

Reduced Revenue from the Eaton Recreation Centre

The opening of several new private gyms has significantly reduced memberships at the Eaton Recreation Centre. This has resulted in a revenue loss of approximately \$240,000 in 2025/26, with a conservative ongoing shortfall of around \$200,000 per year expected over the next five years.

While Officers are actively working to improve patronage through facility upgrades and service improvements, these losses place additional pressure on the operating budget and limit the Shire's capacity to absorb lower rate increases.

Inflation and Rising Costs

The Shire continues to experience increasing costs due to inflation. The Perth CPI of 4.9% (February 2026) has already reduced the expected surplus for 2025/26 and will significantly impact future years.

Higher costs for materials, fuel, and contracted services mean that any forecast surplus for 2026/27 will be minimal, leaving little capacity to fund additional services or asset renewal unless rate revenue increases above CPI.

Unplanned Maintenance Impacts

Severe storm damage during 2025/26 required unplanned maintenance works on major roads, including Ferguson Road and Dowdells Line. These works reduced the year-end surplus and required a drawdown of road reserves, further limiting financial flexibility in future budgets.

Asset Renewal and Long-Term Sustainability

The Shire's Asset Sustainability Ratio (ASR) for 2025/26 is approximately 25%, meaning assets are being consumed three times faster than they are being renewed. The State benchmark is 90%.

Council has already made a deliberate decision to refocus capital works towards asset renewal and to support this through rate increases slightly above CPI. With a 6% rate increase, an additional \$19.9 million can be transferred to asset reserves over the next 10 years, allowing the Shire to reach the 90% ASR benchmark by 2032/33 and 100% by 2034/35.

If the rate increase is reduced to 5.5%, meaningful additional transfers to asset reserves cannot commence until 2030/31. Under this scenario, the ASR remains below 42% for several years, the 90% benchmark is only achieved at the end of the planning period, and the asset renewal funding gap increases to \$31.1 million. This would result in faster asset deterioration and significantly higher costs through emergency repairs and full asset replacements in the future.

Conclusion

While a 0.5% reduction in the rate increase may appear modest in the short term, it has significant long-term consequences for asset condition, service delivery, and financial sustainability.

A rate increase closer to the endorsed 6% is therefore necessary to:

- Offset revenue shortfalls and rising costs;
- Gradually improve asset renewal funding;
- Avoid much larger and less palatable rate increases in the future; and
- Protect the community from higher long-term costs caused by deferred maintenance.

For these reasons, Officers recommend maintaining a rate increase above 5.5% and closer to the currently endorsed 6% as set out in the Long Term Financial Plan.

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
--

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

100-26

MOVED – Cr S L Gillespie

SECONDED – Cr K A Laurensch

THAT Council deals with Item 14.1 Fair Work Commission – Road Transport Contractual Chain Order – Fuel Cost Recovery 2026 as New Business of an Urgent Nature.

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 Laurensch	
Cr R J Trevathan	

[14.1 Fair Work Commission – Road Transport Contractual Chain Order – Fuel Cost Recovery 2026](#)

Reporting Department	<i>Corporate & Governance Directorate</i>
Responsible Officer	<i>Mr Shaun Hill – Acting Director Corporate & Governance</i>
Reporting Officer	<i>Ms Natalie Reid - Procurement Officer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Absolute Majority.</i>
Attachments	<i>14.1A – Fair Work Commission – Road Transport Contractual Chain Order – Fuel Cost Recovery 2026 14.1B – Risk Assessment 14.1.C – Delegation 1.2.23</i>

Overview

This report is provided to Council to advise of the recent Fair Work Commission’s Road Transport Contractual Chain Order – Fuel Cost Recovery 2026 decision and also recommends that Council amend the delegation to allow the CEO to vary contracts as required to enable implementation of the decision.

THAT Council:

1. Notes the report and the decision of the Fair Work Commission – Road Transport Contractual Chain Order – Fuel Cost Recovery 2026;
2. Adopts the amended Delegation 1.2.23 Tenders for Goods and Services (Appendix ORD: 14.1C); and

Discussion

Council discussed the Order at length, and the Cr B S Farrant requested that the Chief Executive Officer advocate through WALGA for the financial assistance with the Order. Cr S L Gillespie moved the motion with the amendment.

Change to Officer Recommendation

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

- To request that the Chief Executive Officer advocate through WALGA for financial assistance to local governments in relation to the Fair Work Commissions Order.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

101-26 MOVED – Cr S L Gillespie

SECONDED – Cr K A Lauretsch

THAT Council:

1. **Notes the report and the decision of the Fair Work Commission – Road Transport Contractual Chain Order – Fuel Cost Recovery 2026;**
2. **Adopts the amended Delegation 1.2.23 Tenders for Goods and Services (Appendix ORD: 14.1C); and**
3. **Requests the Chief Executive Officer to approach WALGA to advocate on behalf of local governments for financial assistance in relation to the Fair Work Commission’s Order.**

Absolute Majority
CARRIED
8/0

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr T G Gardiner</i>	
<i>Cr S L Gillespie</i>	
<i>Cr B S Farrant</i>	
<i>Cr L W Davies</i>	
<i>Cr M R Hutchinson</i>	
<i>Cr A C Jenour</i>	
<i>Cr K A Lauretsch</i>	
<i>Cr R J Trevathan</i>	

Background

On 20th April 2026 the Fair Work Commission (FWC) released the Road Transport Contractual Chain Order – Fuel Cost Recovery 2026 (RTCCO) relating to the increased fuel costs in the road transport industry because of conflict in the Middle East and the disruption to oil shipping (notably via the Strait of Hormuz). As a result, there has been a sudden, industry wide cost spike, especially in diesel.

The order covers people in road transport contractual chains that involve the performance of work in the road transport industry, and the cost risk is shared and not pushed onto the weakest party.

The *Fair Work Amendment (Fairer Fuel) Act 2026* introduced:

- Emergency powers
- Ability to fast-track orders in days instead of months

As a result, the Transport Workers Union and the Australian Road Transport Industrial Organisation jointly applying for an emergency application this decision is the first real use of those powers.

A copy of the Decision is provided in (Appendix ORD: 14.1A).

Legal Implications -

Fair Work Act 2009 (Cth)

Complying with a road transport contractual chain order:

- Section 536NP of the Act provides that a person must not contravene a term of a road transport contractual chain order. Section 536NP is a civil remedy provision.
- Section 539 of the Act sets out who may apply to the courts for an order in relation to contraventions of civil remedy provisions and the maximum penalties that are applicable.

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

This is a federal industrial instrument made by the Fair Work Commission and applies nationally across Australia. This is the first decision made in regard to implementing systems across the whole contractual chain.

Budget Implications -

At this time, the Budget Implications are unknown.

Budget – Whole of Life Cost -

At this time, the Budget – Whole of Life Cost implications are unknown.

Council Policy Compliance -

Council Policy 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: 14.1B) for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.							
Risk Title	Fair Work Commission – Road Transport Contractual Chain Order – Fuel Cost Recovery 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	<table border="0"> <tr> <td>Financial</td> <td>By not investigating the financial impact on Council and its budget process, there is risk of exceeding budgeted amounts</td> </tr> <tr> <td>Legal and Compliance</td> <td>By not complying with FWC Orders there is risk of penalties.</td> </tr> <tr> <td>Reputational</td> <td>By not supporting financial impacts to engaged businesses the Shire could be seen in a negative light.</td> </tr> </table>	Financial	By not investigating the financial impact on Council and its budget process, there is risk of exceeding budgeted amounts	Legal and Compliance	By not complying with FWC Orders there is risk of penalties.	Reputational	By not supporting financial impacts to engaged businesses the Shire could be seen in a negative light.
Financial	By not investigating the financial impact on Council and its budget process, there is risk of exceeding budgeted amounts						
Legal and Compliance	By not complying with FWC Orders there is risk of penalties.						
Reputational	By not supporting financial impacts to engaged businesses the Shire could be seen in a negative light.						

Officer Comment

The impacts of this order are still being assessed by staff in consultation with WALGA and neighbouring Councils. Local Governments have been encouraged to take proactive steps to check whether any of their contracts may be affected by the Order. This includes reviewing contracts and starting to plan for possible contract variations. This may require Local Governments to:

- Review their contracts register.
- Identify which contracts may be covered by this Order (consider Waste Management Contracts, road building/maintenance contracts, and other logistical/road transport-based contracts).
- Check each contract for any subcontracting arrangements.
- Check whether contracts already include Rise and Fall provisions that may meet the requirements of section 4.6 of the Order.
- Consider what governance arrangements are required to vary each contract, if required – for example, identifying who has the authority to vary a contract. Is a Council resolution required to approve unbudgeted expenditure (refer s6.8 of the Act)?
- Consider seeking legal advice (further information provided below) if the Shire is unsure if:
 - a contract is covered by the Order;
 - a contract contains an appropriate Rise and Call clause; or
 - assistance is needed to draft a variation instrument, and what that variation clause says.

Council has authorised the Chief Executive Officer under delegation to vary contracts up to 10% or a maximum value of \$50,000 (Appendix ORD: 14.1C). Such variations are generally applied where minor changes to the scope of works are required or where the contractor identifies or are requested to undertake additional work. In order to ensure the work under existing contracts continues, without requiring reports back to Council on every variation related to the Order, it is recommended that Council amend the current delegation to exclude the implications of the Order from the variations allowed. The current Delegation provides as follows (Appendix ORD: 14.1C):

14. Authority to:

- *Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract or increase the contract value up to maximum of 10% or \$50,000 of the tender, whichever is the lesser.*

- *Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A].*

It is recommended that the delegation be amended to provide for the implementation of the Order as follows:

14. Authority to:

- 14.1 *Vary a contract to implement a Federal or State Government Order, regardless of the percentage or dollar value variation required.*
- 14.2 *In addition to 14.1, vary a contract that has been entered into with a successful tenderer, provided the variation does not materially change the scope of the original contract or increase the contract value by more than 10% of the contract value or \$50,000, whichever is the lesser. Note, the combination of 14.1 and 14.2 may mean a variation greater than 10% or \$50,000.*
- 14.3 *Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A].*

The order will stop if the weekly average national terminal gate price for diesel falls below \$2 per litre. The order will be reviewed by the FWC after one month of operation, and then every 3 months.

Officers are currently working with other Local Governments, WALGA and businesses to formulate a coordinated approach to implementing the Order, including guidance on contract review, variation processes and associated budget impacts.

Impacts on the budget will be reported to Council in the Monthly Financial Statements, where significant implications are expected. It is not foreseen at this point in time that variations greater than 5% - 7% would be likely, under current circumstances.

END REPORT

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS

It is recommended that the following items be heard behind closed doors.

The Shire of Dardanup Standing Orders Local Law 2014 & the *Local Government Act 1995*, Section 5.23.

The Standing Orders and the *Local Government Act 1995* provide 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

102-26

MOVED – Cr S L Gillespie

SECONDED – Cr R Trevathan

THAT Council, pursuant to Section 5.23 of the *Local Government Act 1995*, resolve to close the meeting to members of the public to consider confidential items, being Items 16.1 and 16.2, as the matters to be discussed fall within the provisions of Section 5.23 requiring or permitting the meeting to be closed to ensure the information is dealt with on a confidential basis.

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 Lauretsch	
Cr R J Trevathan	

Note: The member of the public and the following staff left the Council Chambers at 6:42pm:

*Mr Ashwin Nair**Mr Craig Johnson**Mr Shaun Hill**Ms Rachel Sweeney**Mrs Donna Bailye**Mr André van der Merwe**Mrs Amy Lawrence**Mrs Tahnia Creedon**Mrs Natalie Reid**Mr Ricky Depillo*

16.3 Selection and Nominations Committee Meeting held on 7th April 2026.

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Ms Kristy Burden - Manager Human Resources
Reporting Officer	Ms Kristy Burden - Manager Human Resources
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.

REPORT UNDER SEPARATE COVER

Note: In accordance with Sections 5.23(2)(b) and 5.23(4)(b) of the Local Government Act 1995, this report is not available to the public, as it contains matters relating to recruitment/employment of senior positions, and information relating to the personal affairs of an individual. 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.

PROCESS

In accordance with Shire of Dardanup Standing Orders Local Law 2014, Part 9, s9.2, 'Adoption of Recommendations En Bloc'; A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any—

- (a) which require adoption by an absolute or special majority vote;*
- (b) in which an interest has been disclosed;*
- (c) that has been subject of a petition or deputation;*
- (d) which any member has indicated the wish to debate; and*
- (e) in which any member has indicated the wish to ask a question or to raise a point of clarification,*

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

Note: Cr B S Farrant and Cr K A Lauretsch moved and seconded the Selection and Nominations Committee Recommendation and Officer Recommendation en bloc.

SELECTION AND NOMINATIONS COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

105-26 MOVED – Cr B S Farrant SECONDED – Cr K A Lauretsch

THAT Council:

- 1. Appoints Candidate B, (Confidential Attachment C – Under Separate Cover) subject to confirmation of eligibility requirements, as the Independent Presiding Member (Chair) of the Audit, Risk and Improvement Committee, for the term 1 July 2026 – October 2027, with Candidate A identified as the reserve candidate should the preferred candidate decline the appointment; and**
- 2. Appoints Candidate A, (Confidential Attachment C – Under Separate Cover) subject to confirmation of eligibility requirements, as the Independent Deputy of the Presiding Member of the Audit, Risk and Improvement Committee for the term 1 July 2026 – October 2027, with Candidate D identified as the reserve candidate should the preferred candidate decline the appointment; and**

3. Authorises the CEO to advise all applicants of the outcome of the selection process; and
4. Requests that the CEO undertakes a mandatory induction and briefing session with the appointed candidates prior to the September 2026 Audit, Risk and Improvement Committee 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 Lauretsch	
Cr R J Trevathan	

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

106-26 MOVED – Cr B S Farrant

SECONDED – Cr K A Lauretsch

THAT Council approves the Independent Audit, Risk and Improvement Committee (ARIC) Member endorsed fee structure, in accordance with The Salaries and Allowances Tribunal determination No.1 of 2026 to reflect the following, effective from the 1st July 2026:

Independent Position	Attendance Method	Amount Payable
Independent Presiding Member (Chair)	In Person	\$1,200
Independent Presiding Member (Chair)	Teams	\$1,200
Independent Deputy of the Presiding Member	In Person	\$1,200
Independent Deputy of the Presiding Member	Teams	\$1,200

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 Lauretsch	
Cr R J Trevathan	

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

107-26

MOVED – Cr S L Gillespie

SECONDED – Cr R J Trevathan

THAT Council return from Behind Closed Doors at 7:16pm.

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 R J Trevathan	

Note: In accordance with Standing Order 5.2(6) the Presiding Officer, may cause the motion passed by Council whilst behind closed doors to be read out.

17 CLOSURE OF MEETING

The Presiding Member, Cr T G Gardiner, advised that

- The next Ordinary Meeting of Council is to be held on Wednesday, 27th May 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 7:16pm.

**CONFIRMATION OF MINUTES**

“As the person presiding at the meeting at which these minutes were confirmed on 27th May 2026, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

Signed: _____

(Chairman or Shire President or Other Presiding Member)