



Shire of
Plantagenet

Mount Barker • Kendenup • Narrikup
Porongurup • Rocky Gully

ORDINARY AGENDA

An Ordinary Meeting of Council will be held at the
Shire of Plantagenet Council Chambers, Mount Barker
at 5:00pm on Tuesday 22 September 2026

Garry Bird
CHIEF EXECUTIVE OFFICER



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This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each Item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member will declare the meeting open.

Welcome to this Ordinary Meeting of Council, of Tuesday the 22 September 2026, commencing at 5:00pm. This meeting is being audio-recorded, in accordance with Regulation 14I of the Local Government (Administration) Regulations 1996.

I also point you to the Disclaimer and Emergency Procedures on the lead in pages of this document for this building.

The Shire of Plantagenet acknowledges the traditional custodians of our area and their continuing connection to the land and community. We pay our respects to all members of the Menang Noongar community and their culture; and to Elders past and present.

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

Members Present:

In Attendance:

Apologies:

Members of the Public Present:

Previously Approved Leave of Absence:

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 25 AUGUST 2026

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 25 August 2026.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 25 August 2026, be confirmed as a true and accurate record.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT & REGULATORY SERVICES REPORTS

9.1.1 EXECUTING DOCUMENTS

Synergy Ref:	N68776
Responsible Officer:	André Pinto Executive Manager Development and Regulatory Services
Author:	Louis Fouché Manager Planning and Development Services
Proposed Meeting Date:	22 September 2026

PURPOSE

The purpose of this report is to authorise the Chief Executive Officer to execute documents under s9.49A(4) of the Local Government Act 1995.

BACKGROUND

In accordance with section 5.42(1) a local government may delegate any of its powers or duties to the CEO except those powers which require an absolute majority of Council and other powers expressly restricted under the Local Government Act.

The purpose of delegations is to assist the efficient running of the organisation and reduce matters of a minor or day to day functions being brought before the Council.

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

Section 9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of —
 - (a) the mayor or president; and
 - (b) the CEO,each of whom is to sign the document to attest that the common seal was so affixed.
- (4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.

- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

Local Government (Administration) Regulations 1996

Regulation 18G Delegations to CEOs, limits on (Act s. 5.43)

Powers and duties of a local government exercised under the following provisions are prescribed under section 5.43(i) as powers and duties that a local government cannot delegate to a CEO —

- (a) section 7.12A(2), (3)(a) or (4); and
- (b) regulations 18C and 18D.

POLICY IMPLICATIONS

This report is presented to the Council as part of its ongoing delegation and policy review cycle.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

See Statutory Environment section of this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2025 – 2029 provides:

At Key Pillar 4 - Performance & Leadership the following:

Strategy 4.3 – Commitment to continuous improvement in service delivery

Corporate Action 4.3.1 - Implement review processes in service delivery on a regular basis and as needed

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

RISK MITIGATION IMPLICATIONS

Low Risk

This item has been evaluated against the Shire of Plantagenet Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with currently available resources.

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Council is required to authorise the Chief Executive Officer to execute documents under s9.49A(4) of the Local Government Act 1995 which includes the signing of documents and/or deeds on behalf of the Shire including:

- lodgement, removal, withdrawal, surrender or modifications, notifications, covenants and easements under the Transfer of Land Act 1893; and
- reciprocal access and/or parking agreements; rights of carriageway agreements; caveats under the Transfer of Land Act 1893; and
- easements or deeds of easement under the Land Administration Act 1997 and/or Strata Titles Act 1985.

VOTING REQUIREMENTS

Absolute Majority.

OFFICER RECOMMENDATION

That Council authorises the CEO to execute documents on behalf of the local government.

9.2 INFRASTRUCTURE AND ASSETS REPORTS

Nil

9.3 CORPORATE AND COMMUNITY SERVICES REPORTS

9.3.1 FINANCIAL REPORT – JULY 2026

File Ref:	N68782
Attachment:	Monthly Financial Report – July 2026
Responsible Officer:	Anthony Middleton Executive Manager – Corporate & Community Services
Author:	Anthony Middleton Executive Manager – Corporate & Community Services
Proposed Meeting Date:	22 September 2026

PURPOSE

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 July 2026.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996*, regulation 34 states that a local government must prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

Variances between budgeted and actual expenditure including the required material variances (10% with a minimum value of \$20,000) are included in the variance report.

EXTERNAL CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2026 – 2030 provides:

At Key Pillar 4 *Performance & Leadership* the following:

Strategy 4.2 - A Shire that is open and transparent with its community.

Corporate Action 4.2.3 - Develop effective reporting and communication tools relevant to the way our community access information.

Strategy 4.3 - Commitment to continuous improvement in service delivery.

Corporate Action 4.3.2 - Be transparent with our financial management by reporting regularly readable and meaningful financial data to the community.

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

STRATEGIC RISK IMPLICATIONSLow Risk

This item has been evaluated against the Shire of Plantagenet Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with currently available resources.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The attached Statement of Financial Activity for the period 1 July 2026 to 31 July 2026 represents one (1) month, or 8% of the year. The following items are worthy of noting:

- Closing surplus position of \$11.4m;
- Operating results:
 - 64% of budgeted operating revenue has been received; and
 - 7% of budgeted operating expenditure spent (does not include depreciation);
- Capital expenditure achieved 1% of budgeted projects;
- Cash holdings of \$8.56m of which \$8.1m is held in cash backed reserve accounts; and
- Page 8 of the statements detail major variations from year to date (amended) budgets.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council notes the monthly financial statements for the period ending 31 July 2026, as presented.

9.3.2 FINANCIAL REPORT – AUGUST 2026

File Ref:	N68783
Attachment:	Monthly Financial Report – August 2026
Responsible Officer:	Anthony Middleton Executive Manager – Corporate & Community Services
Author:	Anthony Middleton Executive Manager – Corporate & Community Services
Proposed Meeting Date:	22 September 2026

PURPOSE

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 August 2026.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996*, regulation 34 states that a local government must prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

Variances between budgeted and actual expenditure including the required material variances (10% with a minimum value of \$20,000) are included in the variance report.

EXTERNAL CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2026 – 2030 provides:

At Key Pillar 4 *Performance & Leadership* the following:

Strategy 4.2 - A Shire that is open and transparent with its community.

Corporate Action 4.2.3 - Develop effective reporting and communication tools relevant to the way our community access information.

Strategy 4.3 - Commitment to continuous improvement in service delivery.

Corporate Action 4.3.2 - Be transparent with our financial management by reporting regularly readable and meaningful financial data to the community.

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

STRATEGIC RISK IMPLICATIONSLow Risk

This item has been evaluated against the Shire of Plantagenet Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with currently available resources.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The attached Statement of Financial Activity for the period 1 July 2026 to 31 August 2026 represents two (2) months, or 17% of the year. The following items are worthy of noting:

- Closing surplus position of \$10.9m;
- Operating results:
 - 69% of budgeted operating revenue has been received; and
 - 11% of budgeted operating expenditure spent (does not include depreciation);
- Capital expenditure achieved 3.5% of budgeted projects;
- Cash holdings of \$9.9m of which \$8.1m is held in cash backed reserve accounts; and
- Page 9 of the statements detail major variations from year to date (amended) budgets.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council notes the monthly financial statements for the period ending 31 August 2026, as presented.

9.3.3 LIST OF ACCOUNTS – AUGUST 2026

File Ref:	N68775
Attachment:	<u>List of Accounts – August 2026</u>
Responsible Officer:	Anthony Middleton Executive Manager Corporate & Community Services
Author:	Debbie Evans Finance Officer - Creditors
Proposed Meeting Date:	22 September 2026

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of August 2026.

BACKGROUND

Accountability in local government encompasses various dimensions, as councils strive to fulfill a range of social, political, and financial objectives for the community's benefit.

These accountability principles are rooted in strong financial integrity, adherence to conflict of interest standards, and the expectation that local governments are fully responsible for community resources.

Council has delegated authority to the Chief Executive Officer to make payments from the Shire's Municipal and Trust funds as required.

All payments are independently evaluated by the Manager of Finance to verify that expenditures are for the Shire of Plantagenet and comply with Council policies, procedures, the *Local Government Act 1995*, and relevant regulations. The review also ensures there is no misuse of corporate credit or fuel purchase cards.

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

STATUTORY ENVIRONMENT

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer, then

a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* provides that a list of payments must be prepared and presented to Council each month for all credit, debit, or purchasing cards utilised by authorised employees during the month.

POLICY IMPLICATIONS

Council Policy – Purchasing Policy

Council Policy – Corporate Credit Card Policy

FINANCIAL IMPLICATIONS

This item reports on the payments made from the shire bank accounts as allowed under Delegation 2.2 Payments from Municipal or Trust Funds. The recommendation does not in itself have a financial implication.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2026 - 2030 provides:

At Key Pillar 4 Performance & Leadership the following:

Strategy 4.2:

‘A Shire that is open and transparent with its community.’

Corporate Action 4.2.3 - Develop effective reporting and communication tools relevant to the way our community access information

Strategy 4.3:

‘Commitment to continuous improvement in service delivery.’

Corporate Action 4.3.2 - Be transparent with our financial management by reporting regularly readable and meaningful financial data to the community

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

RISK MITIGATION IMPLICATIONS

Low Risk

This item has been evaluated against the Shire of Plantagenet Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with currently available resources.

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

There are no officer comments for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council receives the list of accounts paid during the month of August 2026 as per the attached Schedule of Payments, and as summarised below:

Municipal Account (inclusive of credit card and fuel card purchases)

Cheque Payments	47307	\$2,460.00
EFT Payments	EFT10652 – EFT10912	\$1,590,308.98
Direct Debit Payments		\$285,897.40
EFT Payroll Payments		\$521,341.21
Total Municipal Account Payments		\$2,400,007.59

Licensing Trust Account

Direct Debit Payments		\$114,545.95
Total Licensing Trust Account Payments		\$114,545.95

TOTAL OF ALL ACCOUNTS		\$2,514,553.54
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9.3.4 ANNUAL COMPLIANCE AUDIT RETURN 2025

Attachment:	<u>Compliance Audit Return Questions final</u>
Responsible Officer:	Anthony Middleton Executive Manager – Corporate & Community
Author:	Lisa Berry Executive Assistant to CEO
Proposed Meeting Date:	22 September 2026

PURPOSE

The purpose of this report is to consider the Compliance Audit Return for the calendar year 1 January to 31 December 2025 and recommend its adoption to Council.

BACKGROUND

A compliance audit is required to be completed by 30 September in each calendar year.

EXTERNAL CONSULTATION

Nil.

STATUTORY ENVIRONMENT

The compliance audit is required pursuant to Section 7.13 of the Local Government Act 1995. The Local Government (Audit) Regulations 1996 includes the following:

14. Compliance audits

- (1) A local government must carry out an audit (a ***compliance audit***) of the local government's compliance with the statutory requirements prescribed by regulation 13 for the period beginning on 1 January and ending on 31 December in each year.
- (1A) Subregulation (1) is subject to regulation 15A.
- (2) After a local government has carried out a compliance audit, the CEO must —
 - (a) prepare a compliance audit return in a form approved by the Inspector; and
 - (b) give a copy of the compliance audit return to the local government's audit, risk and improvement committee.
- (3) The audit, risk and improvement committee must —
 - (a) review the compliance audit return; and
 - (b) report to the council the results of that review.
- (4) When reporting to the council, the audit, risk and improvement committee must make any recommendations that the committee considers appropriate in relation to the compliance audit return.
- (5) The council must consider the compliance audit return and the results of the audit, risk and improvement committee's review (including any recommendations) at a meeting of the council.
- (6) The council must —
 - (a) determine if any matters raised by the audit, risk and improvement committee require action to be taken by the local government; and

- (b) either —
- (i) adopt the compliance audit return; or
- (ii) adopt the compliance audit return subject to amendments proposed by the council.

15. Signed compliance audit return and other information must be given to Inspector

- (1) After a compliance audit return has been adopted by the council under regulation 14(6)(b), the local government must give the following information to the Inspector —
 - (a) a copy of the compliance audit return (or amended compliance audit return, if applicable), signed by the mayor or president and by the CEO;
 - (b) any recommendations made under regulation 14(4) after the audit, risk and improvement committee has reviewed the compliance audit return;
 - (c) a copy of the relevant section of the minutes of the meeting at which the compliance audit return was adopted by the council;
 - (d) any additional information explaining or qualifying the compliance audit.
- (2) The information must be given to the Inspector no later than 31 March next following the period to which the return relates.
- (3) The Inspector may extend the 31 March deadline.

POLICY IMPLICATIONS

Policy implications do not apply for this report, and it is the opinion of the author that policy development is not required.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2026 – 2030 provides:

At Key Pillar 4 Performance & Leadership the following Strategies:

Strategy 4.3 – Commitment to continuous improvement in service delivery

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

STRATEGIC RISK IMPLICATIONS

Low Risk

This item has been evaluated against the Shire of Plantagenet Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with currently available resources.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The completed Compliance Audit Return is attached to this report. The following comments are made in respect to the one item of non-compliance:

Question s. 5.46 Were all Delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2024/2025 financial year:

Answer: No

Delegations were reviewed on 28 May 2024 and 22 July 2025 but not in the 24/25 financial year.

The total number of questions in the Return and the compliance with those questions is detailed in the following table. The Compliance Audit revealed

Year of Return	2023 Questions	2023 Compliance	2024 Questions	2024 Compliance	2025 Questions	2025 Compliance
Total	94	90 (95.7%)	94	93 (98.9%)	97	96 (98.9%)

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council adopts the Compliance Audit Return for the calendar year 1 January to 31 December 2025, as attached.

9.4 EXECUTIVE SERVICES REPORTS

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**12 CONFIDENTIAL****12.1.1 TENDER C04-2627 VEGETATION MANAGEMENT**

Synergy Ref: N69756

Attachment: Recommendation Report

Responsible Officer: Kevin Hemmings
Executive Manager, Infrastructure and Assets

Author: Amy Chadbourne
Senior Administration Officer, Infrastructure and Assets

Proposed Meeting Date: 22 September 2026

PURPOSE

The purpose of this report is to consider submissions received for Tender C04-2627 Vegetation Management.

REASON FOR CONFIDENTIALITY

In accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

Section 5.23 (4)

- (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;

13 CLOSURE OF MEETING

There being no further business the Presiding member closed the meeting at X.XXpm.