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 25 August 2026

Anthony Middleton
ACTING CHIEF EXECUTIVE OFFICER

DISCLAIMER

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.

In certain circumstances, members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission, statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement of intimation of approval made by any member or Officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet advises that anyone who has any application lodged with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.

The Shire of Plantagenet advises that any plans or documents contained within this agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

EMERGENCY EVACUATION PROCEDURES

The Evacuation signal is a siren.

On hearing the siren, please leave the building immediately through either of the front doors. Assembly areas are to your right.

A warden will issue you with further instructions.

Obey the instruction of the warden at all times.

Do not re-enter the building at any time, unless under instruction by the Chief Warden.

Please Note: Council Meetings are recorded for accuracy of minute taking.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	**DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**	**5**
2	**RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**	**5**
3	**PUBLIC QUESTION TIME**	**5**
3.1	**RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**	**5**
3.2	**PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995**	**5**
4	**PETITIONS / DEPUTATIONS / PRESENTATIONS**	**5**
5	**DISCLOSURE OF INTEREST**	**5**
6	**APPLICATIONS FOR LEAVE OF ABSENCE**	**6**
7	**CONFIRMATION OF MINUTES**	**6**
7.1	**ORDINARY MINUTES OF COUNCIL HELD 28 JULY 2026**	**6**
8	**ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**	**6**
9	**REPORTS OF COMMITTEES AND OFFICERS**	**7**
9.1	**DEVELOPMENT & REGULATORY SERVICES REPORTS**	**7**
9.1.1	APPLICATION TO KEEP EXCESS POULTRY AND ROOSTERS IN A RESIDENTIAL TOWNSITE – 136 SIXTH AVENUE, KENDENUP	7
9.2	**INFRASTRUCTURE AND ASSETS REPORTS**	**11**
9.2.1	THOMAS STREET – TRAFFIC FLOW ADJUSTMENT	11
9.3	**CORPORATE AND COMMUNITY SERVICES REPORTS**	**14**
9.3.1	FINANCIAL REPORT – JULY 2026	14
9.3.2	LIST OF ACCOUNTS – JULY 2026	17
9.3.3	SKINNER PAVILION REFURBISHMENT – REVISED PLANS AND STAGED APPROACH	20
9.3.4	SUBDIVISION LOT 337 MARTIN STREET– APPLICATION FOR NEW TITLES DP 429443	25

9.3.5 MARMION STREET CHILD CARE CENTRE – LEASE NEGOTIATIONS........ 29

9.3.6 COMMUNITY GRANT PROGRAM 2026/2027 – MOUNTAIN COUNTRY TOURISM – CATEGORY 4 APPLICATION.. 33

9.4 EXECUTIVE SERVICES REPORTS 36

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN................................ 37

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING 37

12 CONFIDENTIAL... 37

12.1.1 CONFIDENTIAL - TENDER CO7-2526 MOUNT BARKER RECREATION CENTRE GYMNASIUM EQUIPMENT.. 37

13 CLOSURE OF MEETING 38

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 25 August 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)

<u>Members Present:</u>

<u>In Attendance:</u>

<u>Apologies:</u>

<u>Members of the Public Present:</u>

<u>Previously Approved Leave of Absence:</u>

Cr K Tyrer

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

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 28 JULY 2026

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 28 July 2026.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 July 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 APPLICATION TO KEEP EXCESS POULTRY AND ROOSTERS IN A RESIDENTIAL TOWNSITE – 136 SIXTH AVENUE, KENDENUP

Synergy Ref:	**N68625**
Responsible Officer:	**André Pinto**
	Executive Manager Development & Regulatory Services
Author:	**Dahna Kleemann**
	Ranger/Admin Assistant
Proprietor/Applicant:	**Margaret Fraser**
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to seek Council's determination on an application submitted by Ms Margaret Fraser to keep poultry at 136 Sixth Avenue, Kendenup, including a request to keep roosters within the Kendenup townsite.

BACKGROUND

Ms Margaret Fraser, of 136 Sixth Avenue, Kendenup, has applied for approval to keep poultry on her residential property within the Kendenup townsite, including a request to keep roosters.

Timeline of events below

- **20 December 2017** – Ms Fraser submitted an application to keep roosters at 132 Sixth Avenue, Kendenup.
- **22 January 2018** – Council refused the application. A refusal letter was issued to Ms Fraser.
- **6 October 2025** – A complaint was received from nearby landowner regarding roosters being kept at 136 Sixth Avenue, Kendenup.
- **10 October 2025** – A Ranger attended the property and advised Ms Fraser that the roosters were required to be removed within seven days.
- **23 October 2025** – A letter was issued to Ms Fraser outlining the requirements of the Shire's *Health Local Law 2008* and referring to the previous refusal issued by Council. Ms Fraser was given a further 14 days to remove the roosters or contact the Shire to discuss alternative arrangements.

- **14 November 2025** – Neighbour confirmed that the roosters remained at the property.
- **20 November 2025** – A site inspection confirmed that the roosters remained. Ms Fraser was advised that an application was required to keep the roosters or they would need to be removed.
- **1 December 2025** – A letter of support was received from the Albany Poultry Club regarding Ms Fraser's involvement with the club. No application had been received at that time.
- **4 February 2026** – A site inspection confirmed that the roosters remained. Ms Fraser advised that she intended to relocate them to another property outside of the townsite. That landowner confirmed the proposed arrangement was in fact correct. Ms Fraser was again advised that an application was required if she wished to keep the roosters at her property.
- **24 April 2026** – Ms Fraser submitted an application. The application was incomplete and further information was requested.
- **21 May 2026** – Ms Fraser submitted an amended application, which remained incomplete. The Shire proceeded to assess the application based on the information provided. A site inspection was undertaken and neighbouring properties were consulted.

For the purposes of this application, the Shire’s Health Local Law 2008 regulates both the number and manner in which poultry may be kept within a townsite. Clause 5.4.2 limits the combined number of poultry and pigeons on a property to 12 unless approval is granted by the local government. Clause 5.4.3 establishes general requirements for the keeping of poultry, including minimum separation distances from dwellings, streets and property boundaries, appropriate secure enclosures, sufficient yard area, and maintaining enclosures in a clean and sanitary condition.

In addition, Clause 5.4.4 specifically provides that a rooster cannot be kept within a townsite without the written approval of the local government. Approval may be granted subject to conditions and applies only while the approved person occupies the property. The local government may also revoke an approval where the keeping of the bird is considered to be causing a nuisance or otherwise creating health, safety or amenity concerns.

Ms Fraser initially submitted an incomplete application. She was advised of the additional information required; however, the resubmitted application remained incomplete. Despite this, an assessment of the application was undertaken, including an inspection of the property on 27 July 2026.

During the inspection, Ms Fraser verbally confirmed that she currently keeps 15 hens on the property and is seeking approval to retain those hens and to keep at least three roosters.

The inspection identified that the existing poultry enclosure does not comply with Section 5.4.3(a) and Section 5.4.3(e) of the *Health Local Law 2008.*

EXTERNAL CONSULTATION

Consultation was undertaken with the four adjoining and nearest neighbouring properties. Two of the four neighbouring property owners objected to the application in relation to the keeping of roosters. However, neither objected to the proposal to keep more than the prescribed number of hens.

STATUTORY ENVIRONMENT

The Shire's *Health Local Law 2008* sections 5.4.2, 5.4.3 and 5.4.4

POLICY IMPLICATIONS

Policy implications do not apply for this report, and further 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:

Strategy 4.1 – Listen and consider the needs of each community

4.1.1 Establish multiple points of access for consultation

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

RISK MITIGATION IMPLICATIONS

Medium 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 "Medium" and can be managed by specific procedures, increased monitoring and the allocation of additional 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

Ms Fraser currently keeps 15 hens on the property, exceeding the prescribed limit of 12 poultry under Section 5.4.2 of the *Health Local Law 2008*. Approval from Council is therefore required to retain the additional hens.

The inspection confirmed that the existing poultry enclosure does not comply with the setback requirements contained in Sections 5.4.3(a) and 5.4.3(e) of the *Shire of Plantagenet Health Local Law 2008*. While these non-compliances have existed without significant complaint, two neighbouring property owners have objected to the application due to the ongoing noise nuisance created by the roosters.

It is therefore considered appropriate to grant a variation permitting Ms Fraser to keep her existing 15 hens and to vary the enclosure setback requirements under Sections 5.4.3(a) and 5.4.3(e). However, it is **not** recommended that approval be granted for the keeping of roosters due to the current nuisance investigation and potential ongoing nuisance within the residential area.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council approves the application subject to the following conditions:

1. **This approval applies only to Ms Margaret Fraser while she remains the occupier of 136 Sixth Avenue, Kendenup.**
2. **The approval is not transferable to another occupier or property.**
3. **A maximum of 15 hens may be kept on the property.**
4. **No roosters are permitted to be kept on the property.**
5. **The poultry enclosure is to be always maintained in a clean and sanitary condition.**
6. **If substantiated complaints are received, or if the Shire forms the opinion that the poultry are causing a nuisance or are injurious, offensive or dangerous to health, the approval may be amended or revoked in accordance with the *Health Local Law 2008*.**

9.2 INFRASTRUCTURE AND ASSETS REPORTS

9.2.1 THOMAS STREET – TRAFFIC FLOW ADJUSTMENT

Synergy Ref:	**N68611**
Attachments:	Summary of Submissions Aerial Map
Responsible Officer:	**Kevin Hemmings** **Executive Manager, Infrastructure & Assets**
Author:	**Amy Chadbourne** **Senior Administration Officer, Infrastructure & Assets**
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to propose the classification of Thomas Street as a one-way street and consider submissions received following public advertising.

BACKGROUND

At its meeting held on 26 May 2026, it was resolved that Council:

'1. *Endorses the proposal to create a one-way configuration (east to west) for Thomas Street, Mount Barker.*

2. *Advertises for public comments for a period of thirty-five (35) days; and*

3. *Considers a report following the thirty-five (35) day advertising period at the Ordinary Council Meeting to be held on 25 August 2026.'*

The proposal was advertised in the Albany Advertiser on 23 June 2026 and the Plantagenet News on 1 July 2026. Information was placed on the Shire Facebook page and was available on the Shire website. Notices were also pinned to the Library and Shire Administration Office notice boards.

Letters were sent to local emergency service providers requesting comment.

EXTERNAL CONSULTATION

External consultation took place in the form of a request for public comment.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Part 5, Division 1, Section 55 'Property in and management etc, of roads'

'(2) Subject to the Main Roads Act 1930 and the Public Works Act 1902, the local government within the district of a road is situated has the care, control and management of the road.'

Road Traffic Code 2000, Part 19, Division 2, Section 291 'Temporary closure of or restriction on use of roads'

'Where, for the more effective control of traffic, it appears the Commissioner of Main Roads to be necessary or expedient to close a road or portion of a road of to set apart a road or portion of a road for traffic travelling in one direction or for traffic of a particular class, the Commissioner of Main Roads may, with the authority of the Minister and after giving such notice as the Minister may direct, do any of those things by means of road signs.'

POLICY IMPLICATIONS

Policy implications do not apply for this report, and further 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

Insert relevant implications in format similar as under:

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

At *Key Pillar 2 - Environment* the following:

> Strategy 2.1 – Improve Shire roads, drainage and pathways to service local industry and social interaction.
>
> Corporate Action 2.1.1 – Design, construct and maintain roads to best practice.

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

The summary of submissions is shown at Attachment One.

One resident endorses the one-way system even though they state the other direction (west to east). Emergency services see no issues. The remaining two residents seem to have differing opinions/evidence.

Resident engagement has been extensive and prolonged throughout the project. A quality road has been created which solves the previous drainage, erosion and maintenance issues which were leading to problems with access.

It is proposed that Thomas Street be classified as one-way. The road is 4.0 metres wide, and two vehicles cannot safely pass. A one-way system reduces vehicle conflict and despite limited support is the best way to provide safe access on this road. Finally the east west alignment means that traffic flow is in an uphill direction encouraging slower and safer speeds which is a key driver for the Shire of Plantagenet Roadwise Committee.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Endorses the proposal to create a one-way configuration (east to west) for Thomas Street, Mount Barker.**
2. **Supports the application for a one-way configuration for Thomas Street (east to west) to Main Roads WA for approval and implementation.**

9.3 CORPORATE AND COMMUNITY SERVICES REPORTS

9.3.1 FINANCIAL REPORT – JULY 2026

Synergy Ref:	**N68644**
Attachment:	**Monthly Financial Report – July 2026**
Responsible Officer:	**Anthony Middleton**
	Acting Chief Executive Officer
Author:	**Anthony Middleton**
	Acting Chief Executive Officer
Proposed Meeting Date:	**25 August 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 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 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 $12.7m;
- Operating results:
  - 50% of budgeted operating revenue has been received; and
  - 7% of budgeted operating expenditure spent (no depreciation has been raised until after the audit is finalised);
- 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 10 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 LIST OF ACCOUNTS – JULY 2026

Synergy Ref:	**N68643**
Attachment:	List of Accounts – July 2026
Responsible Officer:	**Anthony Middleton** **Acting Chief Executive Officer**
Author:	**Debbie Evans** **Finance Officer - Creditors**
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of July 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 July 2026 as per the attached Schedule of Payments, and as summarised below:

Municipal Account (inclusive of credit card and fuel card purchases)		
Cheque Payments		
EFT Payments	EFT10576 – EFT10651	$451,053.54
Direct Debit Payments		$409,798.13
EFT Payroll Payments		$803,236.66
Total Municipal Account Payments		**$1,664,538.33**
Licensing Trust Account		
Direct Debit Payments		$147,577.77
Total Licensing Trust Account Payments		**$147,577.77**
TOTAL OF ALL ACCOUNTS		***$1,812,116.10***

9.3.3 SKINNER PAVILION REFURBISHMENT – REVISED PLANS AND STAGED APPROACH

Synergy Ref:	**N68628**
Attachment:	Skinner Pavilion Refurbishment and Extension – Concept Drawing Modular Unit Plan and Images
Responsible Officer:	**Anthony Middleton** **Acting Chief Executive Officer**
Author:	**Nicole Selesnew** **Manager Community and Recreation Services**
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to seek approval for the Mount Barker Turf Club Incorporated (MBTC) to install a modular facility with connecting landing adjacent to Skinner Pavilion, and carry out a small extension and refurbishments to Skinner Pavilion, Frost Park, Mount Barker. The development is proposed to occur in a series of stages.

BACKGROUND

At the Ordinary Council Meeting held on 26 May 2026, the Council provided in principle approval for extensions and refurbishments to Skinner Pavilion to improve the functionality of the building for race day activities.

A Schematic Design was attached to the report which illustrated two extensions to Skinner Pavilion, creating space for a jockey sitting room and improvements to the ablution areas. The Design included internal changes to address the functionality of the building.

The MBTC sought Quantity Surveyor costings for the Design which amounted to $560,000. The Club budget is $190,000 – provided through a Racing WA grant of $200,000 (less architectural fees spent to date).

The Turf Club revisited the building plans and are now proposing:

- A modular unit be cited on the western side of Skinner Pavilion, connected by a landing, to be used for a jockey sitting area;
- A minor extension to Skinner Pavilion to create a larger changeroom; and
- Internal refurbishments to improve the functionality of changeroom and other internal areas.

The revised plans are attached and have been reviewed and supported by Racing WA and the WA Jockeys Association.

Costings were sought for the revised plans which amounted to $397,000 – falling outside the $190,000 budget. This estimate is for the building works only and excludes all costs associated with the modular unit (such as purchase, transport, citing, services and fit-out).

The installation of a modular unit extending the jockey sitting area is a priority development for the coming 2026/2027 racing season. The MBTC is proposing to fund all modular unit costs and is currently investigating the purchase of a good quality, second hand modular unit.

In addition to the change in scope of the Skinner Pavilion redevelopment plans, the MBTC is seeking approval for a staged approach to the Skinner Pavilion redevelopment.

EXTERNAL CONSULTATION

Consultation has taken place with the MBTC.

STATUTORY ENVIRONMENT

There is no statutory environment relevant for this report.

POLICY IMPLICATIONS

Policy implications do not apply for this report and further policy development is not required.

FINANCIAL IMPLICATIONS

The MBTC has been granted $200,000 from Racing WA to refurbish and extend Skinner Pavilion, of which $10,000 has been spent on architectural plans.

The Club has not requested any financial assistance from the Council.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

This report seeks approval for a minor extension and a refurbishment to Skinner Pavilion, along with the addition of a modular unit to be located adjacent to Skinner Pavilion.

STRATEGIC IMPLICATIONS

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

At *Key Pillar 1 – Community* the following:

> Strategy 1.4 – 'Improve the health and activity levels of our Community:'
>
> Corporate Actions:
>
> '1.4.8 – Finalise Frost / Sounness Master Plan
>
> 1.4.9 – Implement the highest priority elements of the Sounness and Frost Park facility and Masterplan.'

The Frost and Sounness Master Plans are in draft form with the reports due for completion in August 2026. The draft Frost Park Master Plan focuses on a general upgrade and replacement of infrastructure at Skinner Pavilion to include a social / resting area for jockeys, male / female toilets, showers and dry areas and storage improvements.

Further, the draft Master Plan includes the following detail regarding Skinner Pavilion:

'Skinner Pavilion

Proposed Internal Upgrades

Internal Fitout – general upgrade and replacement of infrastructure to create a bespoke facility

New partitions – create a social area with a kitchen, waiting room, secure medical/weighing/drug testing room, male/female toilets, showers and a new administration area

Upgrades – replace windows with frosted glass and install new LED lighting and ceilings

External – general ongoing upgrade and appearance.'

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan and draft Frost Park Master Plan.

RISK MITIGATION IMPLICATIONS

Low Risk
This item has been evaluated against the Shire of Plantagenet's 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

The MBTC is seeking approval to change the scope of the Skinner Pavilion redevelopment to include a modular unit attached to the Pavilion through a landing, in place of a building extension. The modular unit is more affordable option for the Club and provides the additional space required for a jockey sitting room.

The redevelopment plans include a minor extension to Skinner Pavilion to extend the changeroom area and refurbishments to ablution and other internal areas.

To complete the development, the Turf Club is proposing a staged approach:

Stage 1

- Purchase and secure on-site a good quality, second hand 12m x 3m modular unit to be used for a jockey seating area, as per the attached drawing. The unit is to be attached to the rear of Skinner Pavilion utilising an existing doorway with a landing constructed between the two buildings. Modular unit to be painted to improve the aesthetics, with investigations into other options such as cladding to occur later (Stage 3);
- Minor fencing amendments to the Parade Ring area to accommodate the modular unit;
- Modular unit in-situ, connected and functioning by early December 2026 in time for the first race meeting on 11 December 2026;
- Minor updates to furnishings within the Skinner Pavilion; and
- MBTC to fund Stage 1 from current Club funds.

Stage 2

- Minor extension and upgrades to ablution facilities as per the attached Concept Plan;
- Works to commence at the conclusion of the 2026-2027 racing season; and
- MBTC to fund Stage 2 works from the Racing WA grant, with the Club meeting the shortfall in funds.

Stage 3

- Final upgrade of interior furnishings throughout the Skinner Pavilion including window treatments;
- Implement additional changes to improve the aesthetic of the modular unit, such as exterior cladding; and
- Stage 3 funded by the MBTC.

The proposed refurbishments are in accordance with the draft Frost Park Master Plan, although it is worth noting that the intent of the plan was to renew and extend the footprint of the existing building rather than install a modular facility.

Planning approval is not required for this development as the works are considered to be ‘public works’ and are consistent with the Frost Park Public Open Space reserve purpose. The development will require a Building Permit.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council approves for Skinner Pavilion, Frost Park, Mount Barker:

1. **The installation of a modular unit on the western side of Skinner Pavilion, connected to the Pavilion through a landing, in accordance with the attached Concept Drawing and Modular Unit Plan and Images;**
2. **A minor building extension and internal refurbishments in accordance with the attached Concept Drawing; and**
3. **The development being undertaken as a staged approach.**

9.3.4 SUBDIVISION LOT 337 MARTIN STREET– APPLICATION FOR NEW TITLES DP 429443

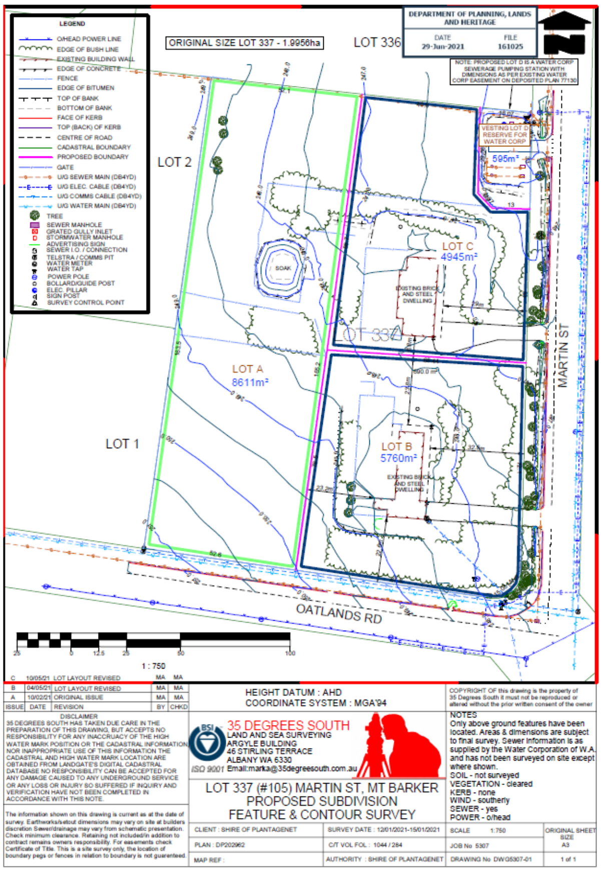
Synergy Ref:	**N68636**
Responsible Officer:	**Anthony Middleton**
	Acting Chief Executive Officer
Author:	**Delma Baesjou**
	Coordinator Corporate Strategy
Proprietor/Applicant:	**Shire of Plantagenet**
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to seek authority for the President and Chief Executive Officer to sign the documentation for the issue of new Titles and the Surrender of Easement M747852 for Lot 337, Martin Street, Mount Barker.

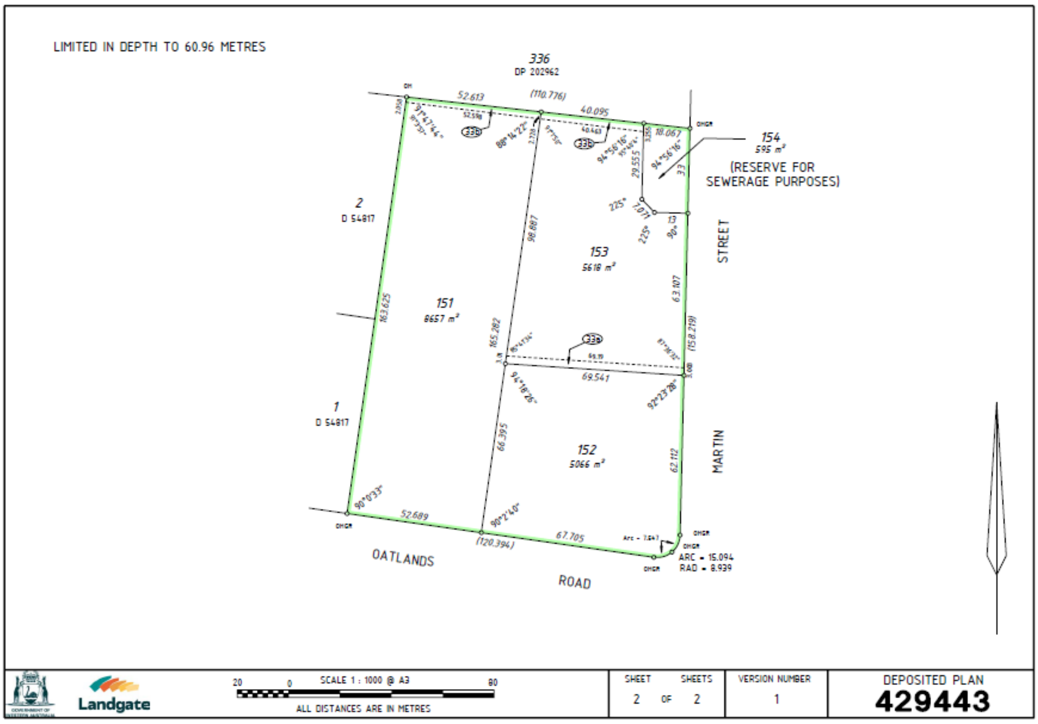
BACKGROUND

Lot 337 is owned freehold by the Shire of Plantagenet. The subject land contains two staff dwellings and a Water Corporation sewer pump station. The Western Australian Planning Commission (WAPC) approved subdivision ref: 161025 on 29 July 2021.



Approved Plan of Subdivision, Lot 337 Martin Street Mt Barker

The various conditions, including power, water and sewer connections were satisfied and clearances obtained from the respective agencies in 2025 and 2026. The Shire's appointed Surveyor has undertaken the survey, installed the new boundary pegs and prepared the Deposited Plan. The WAPC Inspector of Plans and Surveys signed Deposited Plan 429443 as In Order for Dealings on 7 July 2026. Final steps in the process include submission of an Application for New Titles and surrender of the Water Corporation Easement.



Deposited Plan 429443, IOFD 7 July 2026

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Local Government Act 1995
Land Administration Act 1997
Transfer of Land Act 1893
Transfer of Land Regulations 2004

POLICY IMPLICATIONS

Policy– Asset Management

This Policy objective includes 'ensuring that the assets used to support the service delivery continue to function to the level of service determined by the Council'.

Finalisation of the Subdivision of Lot 337 Martin Street is consistent with the Asset Management Policy.

FINANCIAL IMPLICATIONS

Legal costs and Government Fees & Charges for this stage of the process are in the order of $3,500.00 and will be borne by the Shire.

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 3 - Economy the following:

> Strategy 3.4 – Increase Housing availability and diversity of options.
>
> Corporate Action 3.4.2 - Encourage and facilitate residential land development at: Old Depot; Martin Street and Hassell Street.

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 level of risk is considered to be 'Low' 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

The remaining actions to finalise the subdivision of Lot 337 Martin Street include submission of the Application for New Titles for Deposited Plan 429443 and the Surrender of Easement M747852 on Certificate of Title Volume 1044 Folio 284.

A resolution authorising the President and Chief Executive Officer to sign the associated document is recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council grants authority to the President and the Chief Executive Officer to execute and affix the Common Seal of the Council to any documentation required to affect the finalisation of subdivision WAPC reference 161025 and the issue of new Titles for proposed Lots 151, 152, 153 and 154 on Deposited Plan 429443, Martin Street, Mount Barker.

9.3.5 MARMION STREET CHILD CARE CENTRE – LEASE NEGOTIATIONS

Synergy Ref:	**N68649**
Responsible Officer:	**Anthony Middleton** **Acting Chief Executive Officer**
Author:	**Anthony Middleton** **Acting Chief Executive Officer**
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to consider setting appropriate lease terms and conditions for Lot 7 Marmion Street, Mount Barker (Childcare Centre).

BACKGROUND

Lot 7 Marmion Street, Mount Barker has been utilised as a childcare centre for many years. Historically, it was the only service available within the Shire and was also operated by Shire employees in the past, until being leased to a not-for-profit organisation to operate the centre. Due to the high community benefit this service bought to the Shire, this lease has always been at a 'peppercorn' rental value.

In the past few years, a private business has opened a second childcare centre operating out of another Shire owned building, paying an annual lease comparable to market rental value. In addition, a third childcare centre has received development approval to open in a privately owned property, running as a fully commercial operation.

This changing environment has created equity issues for the Shire between the three business models and the level of support given to one operator, in conflict with the commercial format of the others. This issue has been identified and communicated with the lessee of Lot 7 Marmion Street (Uplyft – previously known as Wanslea) during lease negotiations, however staff have had very limited success in bringing these negotiations to a mutually agreeable position.

EXTERNAL CONSULTATION

Consultation has taken place with Uplyft.

STATUTORY ENVIRONMENT

There is no statutory environment relevant for this report.

POLICY IMPLICATIONS

Policy implications do not apply for this report and further policy development is not required.

FINANCIAL IMPLICATIONS

The 2026/2027 Annual Budget includes a $20,000 allocation for rental received from this building.

BUDGET IMPLICATIONS

The 2026/2027 Annual Budget includes a $20,000 allocation for rental received from this building.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

The building currently on the lot is aged and requires considerable maintenance and upgrade to remain fit for purpose into the future. The property is an attractive lot for either future housing development or possible linkage with Sounness Park. The lot is 2,339m^2 and is owned freehold by the Shire of Plantagenet.

The lot is zoned Residential and has a density coding of R12.5/17.5 (the higher density coding applies if the lot is connected to deep sewer and would allow for 4 Grouped Dwellings, otherwise, the development potential is 2 dwellings without sewer);

STRATEGIC IMPLICATIONS

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

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

> Strategy 4.5 - Advocate for improved family support services.
>
> Corporate Action 4.5.2 Investigate and support options for after-school and vacation care.

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

RISK MITIGATION IMPLICATIONS

<u>Medium Risk</u>
This item has been evaluated against the Shire of Plantagenet Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Medium” and can be managed by specific procedures, increased monitoring and the allocation of additional resources.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The previous lease was for a five (5) year term, commencing on 17 June 2019 and expiring in June 2024. On 28 January 2025, the Shire granted Uplyft a periodic month-to-month lease extension based on the existing (peppercorn) terms. A new draft lease was forwarded to Uplyft in July 2025.

A market valuation was undertaken for the property on 18 March 2025, which set the rental value at $36,000 net per annum (plus GST and outgoings). The market value is based on $1,500 per licensed childcare place.

Lease negotiations undertaken to date with Uplyft have included Shire staff offering:

a) a staged implementation to market value over the life of the lease;
b) consideration for a reduction on the number of licensed childcare places, if relevant. This approach is consistent with the lease for the other childcare centre located within a Shire building; and
c) a change in responsibilities (such as building maintenance) as a result of a change in lease 'type' from peppercorn to commercial.

Negotiations have been difficult, especially getting Uplyft to the table to discuss. Eventually, Uplyft requested that "*in the interests of community wellbeing, regional workforce participation and equitable access to early learning, the Shire of Plantagenet is strongly urged to apply a rent concession of between 50% and 60% for this facility.*" A concession of 50% equates to $18,000 per year, whereas a concession of 60% equates to $21,600 per year.

The following points are relevant in consideration for the future direction for this property:

a) The Shire applying a significant and permanent concession to one individual business, when there are two other businesses operating in the same townsite under relative commercial conditions, is not recommended for fairness and equity purposes;
b) Adequate childcare provision is a key economic development, liveability and community service in any rural town;
c) The building currently on the lot is aged and requires considerable maintenance and upgrade to remain fit for purpose into the future;
d) The property is an attractive lot for either future housing development or possible linkage with Sounness Park. The lot is 2,339m^2 and is owned freehold by the Shire of Plantagenet. It is zoned Residential and has a density coding of R12.5/17.5 (the higher density coding applies if the lot is connected to deep sewer and would allow for 4 Grouped Dwellings, otherwise, the development potential is 2 dwellings without sewer);
e) Interest has been shown in alternative uses for this property by private businesses, such as after school hours care;
f) This is an opportunity for the Shire to step outside of a service that has previously been Shire operated and is now being provided adequately by the private sector; and
g) Significant community backlash may be experienced if the community perception is that the Shire has forced the closure of 'their' childcare centre.

Considering the long use of this property as a childcare centre and the economic development, liveability and community service benefits childcare brings to rural towns, it is recommended that the CEO be authorised to negotiate a new lease with Uplyft, with an annual consideration of no less than 75% of market value ($27,000 per annum or more).

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council authorises the Chief Executive Officer to negotiate a new lease agreement with Uplyft for Lot 7 Marmion Street, Mount Barker, with an annual consideration of no less than 75% of market value.

9.3.6 COMMUNITY GRANT PROGRAM 2026/2027 – MOUNTAIN COUNTRY TOURISM – CATEGORY 4 APPLICATION

Synergy Ref:	**N68650**
Responsible Officer:	**Anthony Middleton**
	Acting Chief Executive Officer
Author:	**Anthony Middleton**
	Acting Chief Executive Officer
Proposed Meeting Date:	**25 August 2026**

PURPOSE

The purpose of this report is to consider a Category 4 Grant Application received from Mountain Country Tourism.

BACKGROUND

The Community Grant Program (CGP) aims to support projects that build community capacity, promote social participation and inclusion, and enhance community harmony.

Four (4) CGP categories are available:

Category One - CEO Donation (up to $1,000)
Category Two - Quick Response Grant (less than $3,000)
Category Three - Community Grant (more than $3,000)
Category Four - Industry Support (Triennium Community Grants)

Mountain Country Tourism (MCT) applied to the Shire's 2025/2026 Community Grant Program seeking three years of support, comprising:

Year 1 (25/26) - $55,000
Year 2 (26/27) - $56,650
Year 3 (27/28) - $58,350

The Council awarded $46,800 for Year 1 only, which was based on the previous year's funding with a CPI increase.

Three (3) representatives from MCT attended the 11 August 2026 Council Forum to provide information regarding their application.

EXTERNAL CONSULTATION

Consultation has taken place with MCT.

STATUTORY ENVIRONMENT

There is no statutory environment relevant for this report.

POLICY IMPLICATIONS

Community Grant Program Guidelines were revised and adopted as Council Policy on 24 February 2026.

FINANCIAL IMPLICATIONS

The 2026/2027 Annual Budget includes a $48,600 provision for this purpose.

BUDGET IMPLICATIONS

The 2026/2027 Annual Budget includes a $48,600 provision for this purpose.

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 3 - Economy* the following:

> Strategy 3.9 – Grow tourism that promotes our many natural assets, in a sustainable way.
>
> Corporate Action 3.9.3 - Collaboration with industry groups and neighbouring LGAs to market the region
>
> Corporate Action 3.9.4 - Maintain support of local tourism organisations and engage at a regional level

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

> Strategy 4.4 - A progressive Shire with diverse thinking
>
> Corporate Action 4.4.2 - Community Grant Program - Establish a grant program to support local businesses and community groups in delivering place-based projects, public art, and events

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

RISK MITIGATION IMPLICATIONS

<u>Low Risk</u>
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

Following the Council decision to only award MCT year 1 funding, Shire staff have been working closely with MCT to assist in clarifying their strategic direction. Staff have met with representatives from the Board and are supporting them through a strategic planning and vision setting process.

Whilst this process is ongoing, MCT has submitted a request for funding to enable them to operate during 2026/2027. This request falls outside the Category 3 and 4 grant timelines but has been presented given the organisation has previously applied through the correct process.

MCT has requested $55,000 for a 2026/2027 category 4 grant covering operating costs (wages, telephone / internet and power). The 2026/2027 Annual Budget includes a $48,600 provision for this purpose.

MCT made a presentation to the Council at the 11 August Council Forum in accordance with the Community Grant Program Guidelines. It is recommended that the request be supported within the 2026/2027 budget allocation ($48,600), to enable MCT to finalise the strategic planning and vision setting process.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council approves the Mountain Country Tourism Community Grant Program Category 4 application to a value of $48,600.

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 CONFIDENTIAL - TENDER CO7-2526 MOUNT BARKER RECREATION CENTRE GYMNASIUM EQUIPMENT

Synergy Ref:	**N68626**
Attachment:	Recommendation Report
Responsible Officer:	**Anthony Middleton**
	Acting Chief Executive Officer
Author:	**Nicole Selesnew**
	Manager Community and Recreation Services
Proposed Meeting Date:	**25 August 2026**

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.