



Shire of
Plantagenet

Mount Barker • Kendenup • Narrikup
Porongurup • Rocky Gully

ORDINARY MINUTES

**An Ordinary Meeting of Council was held at the
Shire of Plantagenet Council Chambers, Mount Barker
at 5:02pm on Tuesday 26 August 2025**

**Anthony Middleton
ACTING CHIEF EXECUTIVE OFFICER**

Resolution numbers: 084/25 to 100/25

***Please Note: Council Meetings are audio-recorded in accordance with
Regulation 14I of the Local Government Regulations 1996.***

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	3
3	PUBLIC QUESTION TIME	4
3.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
3.2	PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995.....	4
3.2.1	MR ROBERT WICKS & MRS SUZY WICKS - THIRD AVE, KENDENUP.....	4
4	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	5
4.1	MR FABIAN STEIN – ITEM 9.1.3 PROPOSED FINAL ADOPTION OF REVISED LOCAL PLANNING POLICY NO. 3.....	5
5	DISCLOSURE OF INTEREST.....	5
6	APPLICATIONS FOR LEAVE OF ABSENCE	5
7	CONFIRMATION OF MINUTES	6
7.1	ORDINARY MINUTES OF COUNCIL HELD 22 JULY 2025	6
7.2	SPECIAL MINUTES OF COUNCIL HELD 5 AUGUST 2025.....	6
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	6
9	REPORTS OF COMMITTEES AND OFFICERS.....	8
9.1	DEVELOPMENT AND REGULATORY SERVICES REPORTS	8
9.1.1	PROPOSED COUNCIL POLICY – CAMPING AND TEMPORARY ACCOMMODATION PERMITS	8
9.1.2	LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS & LOCAL RECOVERY PLAN.....	13

9.1.3	PROPOSED FINAL ADOPTION OF REVISED LOCAL PLANNING POLICY NO. 3 – OUTBUILDINGS & SHIPPING CONTAINERS	16
9.1.4	PROPOSED FINAL ADOPTION OF REVISED LOCAL PLANNING POLICY NO. 5 – EXEMPTIONS FROM DEVELOPMENT (PLANNING) APPROVAL.....	23
9.1.5	SUBDIVISION APPLICATION WAPC 202022 – LOTS 1522 & 9000 HAMBLEY STREET, MOUNT BARKER.....	28
9.2	INFRASTRUCTURE AND ASSETS REPORTS	33
9.3	CORPORATE AND COMMUNITY SERVICES REPORTS	34
9.3.1	BARKER BAPTIST INC. LEASE COMMUNITY RESOURCE CENTRE LOT 151 LOWOOD ROAD	34
9.3.2	CORPORATE BUSINESS PLAN – 2025-2029 – DEFERRED	38
9.3.3	LIST OF ACCOUNTS – JULY 2025.....	41
9.3.4	MONTHLY FINANCIAL REPORT – JULY 2025.....	44
9.4	EXECUTIVE SERVICES REPORTS.....	46
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	47
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	47
11.1	LATE CONFIDENTIAL ITEM – APPOINTMENT OF ACTING CEO	47
11.2	LATE CONFIDENTIAL ITEM – TENDER CO1-2526 VEGETATION MANAGEMENT	47
12	CONFIDENTIAL	47
13	CLOSURE OF MEETING.....	49

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 5.02pm.

The Presiding Member acknowledged 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, present and emerging.

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

Members Present:

Cr L Handasyde	President (Presiding Member)
Cr K Clements	Deputy President
Cr B Bell	Councillor
Cr R Brown	Councillor (Joined via Teams)
Cr S Etherington	Councillor
Cr J Liebeck	Councillor
Cr J Oldfield	Councillor
Cr W Sheard	Councillor

In Attendance:

Mr Kevin Hemmings	Executive Manager Infrastructure and Assets
Mr Anthony Middleton	Acting CEO
Mr Will Hosken	Manager Planning and Development
Ms Nolene Wake	Executive Officer
Ms Helen Purves	Executive Officer Governance

Apologies:

Cr A Fraser	Councillor
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Members of the Public Present:

There were three (3) members of the public present at the meeting.

Previously Approved Leave of Absence:

Nil

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Please Note: This meeting was audio-recorded, in accordance with Regulation 14I of the Local Government Regulations 1996.

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

3.2.1 MR ROBERT WICKS & MRS SUZY WICKS - THIRD AVE, KENDENUP

Mr Wicks addressed the Council regarding his concern that Third Avenue in Kendenup needs bituminising.

Question:

If the Shire can give us a response on when anything will be done?

Response:

The Executive Manager Assets and Infrastructure, Mr Kevin Hemmings, responded he had gone through the records in this regard, maintenance

grading was done on 12 July and 16 July 2024. It was again done on 12 and 13 July 2023, and again on 7 July 2022. The Shire's 10-year roads program which is currently adopted, has a plan to seal all Kendenup's unsealed roads within the town site within the next 4 years, Third Avenue is one of those on that list.

The Shire will provide a further formal response to Mr and Mrs Wicks.

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 MR FABIAN STEIN – ITEM 9.1.3 PROPOSED FINAL ADOPTION OF REVISED LOCAL PLANNING POLICY NO. 3.

Mr Stein addressed the Council in relation to the impacts of the proposed revised Local Planning Policy No3 - Outbuilding and Shipping Containers on vacant landowners.

Mr Stein noted as under:

Provision 6.4 of the Draft Local Planning Policy No. 3 places significant restrictions on vacant landowners who:

- 1. require a secure storage solution to responsibly maintain their property:*
and
- 2. wish or need to develop their land in practical stages.*

I urge Council to reconsider Provision 6.4 so that a) small, non-habitable sheds remain permissible on vacant land, and b) responsible development in stages will be possible without a requirement for dwelling approval.

The President advised that Mr Stein's comments are noted.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr L Handasyde

Item: 9.3.1 Barker Baptist Inc Lease Community Resource Centre Lot
151 Lowood Road
Type: Impartiality pursuant to Schedule 1, Clause 22 of the Local
Government (Model Code of Conduct) Regulations 2021.
Nature: Perceived conflict both ways.
Extent: Will be leaving the meeting.

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 22 JULY 2025

Moved Cr W Sheard, seconded Cr J Liebeck:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 22 July 2025 be confirmed as a true and accurate record.

CARRIED (8/0)

NO. 084/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

7.2 SPECIAL MINUTES OF COUNCIL HELD 5 AUGUST 2025

Moved Cr S Etherington, seconded Cr J Oldfield:

That the Minutes of the Special Meeting of the Shire of Plantagenet, held on 5 August 2025 be confirmed as a true and accurate record.

CARRIED (8/0)

NO. 085/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The President announced Anthony Middleton is attending as the Acting CEO following his appointment by the President on 25 August 2025 and noted there is a late item for the Council to consider appointing an Acting CEO during Julian Murphy's illness. We wish Mr Murphy a full and speedy recovery.

The President also noted the recent death of Mr Vernon Drage.

Moved Cr B Bell, seconded Cr W Sheard:

That the Council's condolences be extended to Mrs Drage and the family of Mr Vernon Drage.

CARRIED (8/0)

NO. 086/25

**For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil**

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT AND REGULATORY SERVICES REPORTS

9.1.1 PROPOSED COUNCIL POLICY – CAMPING AND TEMPORARY ACCOMMODATION PERMITS

Synergy Ref:	N66583
Attachments:	<u>A – Proposed Council Policy – Camping & Temporary Accommodation Permits</u> <u>B – Schedule of Public Submissions</u> <u>C – Proposed Information Brochure ‘Camping on Private Land’</u> <u>D – Proposed Information Brochure ‘Temporary Accommodation’</u>
Responsible Officer:	Andre Pinto, Executive Manager Development & Regulatory Services
Author:	Will Hosken, Manager Planning & Development Services
Proprietor/Applicant:	n/a
Proposed Meeting Date:	26 August 2025

PURPOSE

Public advertising of proposed *Council Policy – Camping & Temporary Accommodation Permits* was recently completed. This report requests Council adopt a final version of the policy (**Attachment A**) subject to minor modifications recommended following assessment of the community feedback received.

BACKGROUND

In August 2024, the State Government announced changes to the *Caravan Parks and Camping Ground Regulations 1997* (the Regulations). These changes provided the ability for local governments to grant permits for camping or temporary accommodation on private land for up to 24 months.

The Regulations provide broad parameters and allow local governments to decide when permits will be granted and the conditions that will apply. This leaves local governments with the responsibility of determining the types of structures that are appropriate, how health and safety issues are addressed, and how the amenity of neighbours is protected.

On 17 June 2025, a report (Item 9.1.1) was presented to the Council proposing a new policy to provide guidelines for the granting of permits for camping and

temporary accommodation on private land. Further background and considerations relevant to the development of the policy is provided in this report.

The proposed policy aims to provide opportunities for camping and temporary accommodation while including appropriate safeguards that address the health and safety requirements of the Regulations.

The proposed policy includes three permit types:

- Short term camping for a period of between 5 and 21 nights (*note: up to 5 nights is permitted by the Regulations without needing approval*)
- Long term camping (temporary accommodation) when a residence is being built on the property
- Long term camping (temporary accommodation) utilising a Tiny Home on Wheels (THOW)

The proposed policy outlines the circumstances where the Shire will support a permit application and the conditions that will apply.

Given that the policy affects the use of privately owned land, it was considered appropriate to advertise the draft policy for public comment.

EXTERNAL CONSULTATION

Public advertising of the draft revised LPP 3 took place between 25 June and 17 July 2025. Public notification occurred via the following means:

- Notice and publication of the draft revised LPP 3 on the Shire's website
- Notice in the Shire's social media
- Notice in Plantagenet News

Two submissions were received from members of the public during the consultation period (**Attachment B**).

Comments were generally supportive of additional opportunities for camping and temporary accommodation.

Various comments and suggestions were made in relation to certain aspects of the policy, which are detailed and responded to in **Attachment B**.

In developing this policy officers have consulted with staff from other local governments and reviewed various approaches to this matter before forming the position recommended in the proposed policy.

Attachments C and D to this report are draft public information brochures that have been prepared to help communicate camping permit requirements. These brochures are based on the proposed policy presented in this report.

STATUTORY ENVIRONMENT

The proposed policy provides direction for the exercise of discretion by the Shire in granting permits for camping under the *Caravan Parks and Camping Grounds Regulations 1997*.

Section 11(1)(a) of the Regulations allows for camping on private land (with a legal right to occupy) without approval for a maximum of 5 nights in any period of 28 consecutive days.

Section 11(1)(aa) allows for camping on private land for a period of greater than 5 nights in any period of 28 consecutive days subject to the written approval of the local government. A local government may grant approval for up to 24 months in accordance with the requirements outlined at Section 11A.

The Shire has relating responsibilities under the *Public Health Act 2016* and associated regulations which have been considered in the development of the proposed policy. For example, the Shire must ensure that the disposal of effluent occurs via a method approved by the WA Department of Health.

POLICY IMPLICATIONS

If adopted, the proposed Council Policy will be added to the regular policy review cycle.

FINANCIAL IMPLICATIONS

The proposed policy refers to the payment of an annual fee for a permit granted for the use of a THOW for up to 24 months.

The collection of an annual permit fee is to support the Council in providing community services for additional residents.

This is recommended as a way to achieve equity with other ratepayers when taking into account that:

- A vacant property where a THOW is established will continue to be charged rates as though it were vacant, as a THOW is unable to be classified as an 'improvement' for the purposes of valuation.
- A property with an existing house where a THOW is established will continue to be charged the same rates, whereas a property where the owner extends the house or adds an ancillary dwelling (granny flat) will see their rates increase when revaluation occurs.

An application fee is only applicable to temporary accommodation proposals (not short term camping).

BUDGET IMPLICATIONS

Application and annual permit fees are applicable as per the schedule of fees and charges included in the adopted budget for 2025/26.

LEGAL IMPLICATIONS

The proposed policy will help to mitigate potential legal risks by providing the Shire with a framework to assess applications for camping permits made under the Regulations.

The proposed policy will also assist Shire officers to set clear and achievable parameters for several ongoing compliance cases that concern the unauthorised occupation of non-habitable structures.

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 2022/23 – 2025/26 provides:

At *Outcome 2.2 Infrastructure* the following Strategies:

Strategy 2.2.1:

‘Long term planning and development guided by the Planning Vision.’

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

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

Strategy 4.1.4:

‘Continuous improvement in service delivery.’

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’s Risk Assessment and Acceptance Criteria. The level of risk is considered to be Low on the basis of the recommendations of this report, as ongoing risks can then 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 proposed policy discussed in this report will fill a need resulting from a recent change to State legislation that puts additional responsibilities into the hands of local government.

It is hoped that the proposed policy will enable the Shire to take a clear and consistent approach to assessing and approving applications to camp on private land.

The submissions received have helped the Shire to review and refine the proposed policy, but it is not seen as necessary to make any significant changes as a result.

Three minor recommended changes are:

- Part 1.2 – allow short term camping for up to 28 days where there is an existing house on the property (advertised version of the policy allowed for up to 21 days).
- Part 2.1 – remove the words ‘single term only’ so that the Shire has discretion to renew a permit for temporary accommodation (eg. if a building project experiences delays).
- Part 3.4 – add the words ‘unless otherwise approved’ to allow for the Shire to approve a camp site that is not behind a house but is otherwise appropriate given the context of the property.

These changes (shown as tracked changes in **Attachment A**) are considered minor in nature and do not change the overall intent of the policy or provisions to which they relate.

Should the Council adopt the policy as proposed officers will develop the application process and undertake ongoing monitoring of implementation.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved by Cr K Clements, seconded by Cr J Oldfield:

That Council:

1. Acknowledges the submissions received as detailed in Attachment B.
2. Adopts the Council Policy – Camping and Temporary Accommodation Permits, as presented.

CARRIED (8/0)

NO. 087/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

9.1.2 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS & LOCAL RECOVERY PLAN

Synergy Ref:	N66545
Attachment:	<u>Local Emergency Management Arrangements</u> <u>Local Recovery Plan</u>
Responsible Officer:	André Pinto Executive Manager Development and Regulatory Services
Author:	Mike Barnes Community Emergency Services Manager
Proposed Meeting Date:	26 August 2025

PURPOSE

The purpose of this report is to review the Local Emergency Management Arrangements and Local Recovery Plan.

BACKGROUND

The Local Emergency Management Arrangements (LEMA) and the Local Recovery Plan (LRP) are the emergency management documents that will guide operations during, and following, a major emergency incident in the Shire of Plantagenet.

The LEMA is the overarching document which each local government is responsible for developing, maintaining and testing.

Local Recovery Plan (LRP) is the emergency management document that will guide operations following a major incident during recovery within the Shire of Plantagenet.

The Emergency Management Act, 2005 S36(a) states that: 'A local government is to ensure that arrangements ("local emergency management arrangements") for emergency management in the local government's district are prepared.'

The Emergency Management Act, 2005 S41(4) states that: 'Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.'

At its meeting held 6 March 2025, the Local Emergency Management Committee (LEMC) recommended that the LEMA & LRP and all attachments be presented to the Council Forum for discussion.

At the July council forum, the Council received the LEMA and LRP. These have been forwarded to the District Emergency Management Advisor (DEMA) for a compliance review and returned compliant.

EXTERNAL CONSULTATION

Local Emergency Management Committee (LEMC) stakeholders.

STATUTORY ENVIRONMENT

Emergency Management Act, 2005 S36(a), 41(2), 41(4), 43(1) and 43(2) compliant.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditure to prepare these reports has been funded through an All Western Australians Reducing Emergencies (AWARE) grant.

ASSET MANAGEMENT IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2025-2035 provides at Outcome 1.5 (Safety & Well-Being) the following Strategy:

Strategy 1.5:

'Support the community in emergency and fire management planning, preparedness, response and recovery.'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

RISK MITIGATION 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.

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 Local Emergency Management Arrangements (LEMA) serve as the primary guiding document for the Shire's Local Emergency Management Committee

(LEMC) in the event of a major incident. The LEMA is supported by a suite of supplementary documents.

The Local Recovery Plan (LRP) provides the key framework for the Shire's Local Recovery Coordinator in managing recovery efforts following a major incident. It is also supported by a range of supporting documents.

Both the LEMA and LRP have been developed in consultation with relevant stakeholders and are aligned with the guidelines set by the State Emergency Management Committee.

In accordance with the Emergency Management Act 2005, the LEMA requires endorsement by Council.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved by Cr J Oldfield, seconded by Cr S Etherington:

That Council adopts the Local Emergency Management Arrangements and Local Recovery Plan, as proposed.

CARRIED (8/0)

NO. 088/25

**For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil**

9.1.3 PROPOSED FINAL ADOPTION OF REVISED LOCAL PLANNING POLICY NO. 3 – OUTBUILDINGS & SHIPPING CONTAINERS

Synergy Ref:	N66573
Attachments:	<u>A – Existing Adopted Local Planning Policy No. 3 – Outbuildings</u> <u>B – Existing Adopted Town Planning Policy No. 17.1 – Sea Containers</u> <u>C – Advertised version of Local Planning Policy No. 3 – Outbuildings & Shipping Containers (including tracking of proposed changes following public advertising)</u> <u>D – Proposed final version of Local Planning Policy No. 3 – Outbuildings & Shipping Containers (incorporating minor modifications)</u> <u>E – Schedule of Public Submissions</u> <u>F – Proposed Information Brochure ‘Sheds’</u> <u>G – Proposed Information Brochure ‘Shipping Containers’</u>
Responsible Officer:	Andre Pinto, Executive Manager Development & Regulatory Services
Author:	Will Hosken, Manager Planning & Development Services
Proprietor/Applicant:	n/a
Proposed Meeting Date:	26 August 2025

PURPOSE

Public advertising of proposed *Local Planning Policy No. 3 – Outbuildings & Shipping Containers* was recently completed. This report requests Council adopt a revised version of the policy (**Attachment D**) incorporating minor changes recommended as a result of the community feedback received.

BACKGROUND

On 27 May 2025 a report (Item 9.1.1) was presented to the Council detailing a review of *Local Planning Policy No. 3 – Outbuildings (LPP 3)* (**Attachment A**) and *Town Planning Policy No. 17.1 – Sea Containers (TPP 17)* (**Attachment B**).

This review recommended a number of potential improvements to LPP 3 to improve consistency and enable development opportunities, including:

- The introduction of detailed criteria to support the assessment of variations from the adopted development standards.
- In the Residential and Urban Development zones, the adoption of standards for maximum outbuilding size that relate to the site area of a property instead of its zoning. The intention of this change is to maintain opportunities for landowners to have large sheds on large residential lots if density coding changes in future.
- The introduction of a development standard for the use of non-reflective external materials in the Rural Residential, Rural Smallholdings, Rural Village, Special Use and Tourism zones.
- The introduction of additional requirements aimed at avoiding the unauthorised conversion and inhabiting of sheds.

This review also identified the potential for a number of improvements to TPP 17 including:

- Align policy standards with *Local Planning Scheme No. 5* (the Scheme) and the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).
- Widening opportunities for the use of shipping containers as a type of outbuilding.
- Incorporating the policy into LPP 3, as shipping containers are classified as a type of outbuilding (unless used as a modular material within another type of building class).

Proposed changes to both policies were incorporated into a draft revised *Local Planning Policy No. 3 – Outbuildings & Shipping Containers* (**Attachment C**) which was endorsed by Council for the purpose of public advertising.

The overall intention of these changes is to improve the clarity and consistency of local planning policies and to reduce planning approval requirements for common types of low-risk development.

Following public consultation, a revised version of the policy has been prepared (**Attachment D**) and is presented to the Council for consideration.

EXTERNAL CONSULTATION

Public advertising of the draft revised LPP 3 took place between 25 June and 17 July 2025, providing for a comment period meeting the minimum statutory requirement of 21 days.

Public notification occurred via the following means:

- Notice and publication of the draft revised LPP 3 on the Shire's website
- Notice in the Shire's social media
- Notice in Plantagenet News

Eight (8) submissions were received from members of the public during the consultation period (**Attachment E**).

The following themes were consistent across all or most of the submissions received:

- **Standards for exempt development were interpreted as upper limits to development**

The policy sets acceptable development standards to determine the extent of development that can take place *without* planning approval. Several submitters interpreted these standards as being the upper limit of all development that would be allowed by the Shire – this is not the case – development outside of the acceptable development standards can be considered subject to planning assessment.

Officers acknowledge that this approach to policy differs from the norm and from the Shire's policies developed before 2023, and that further communication and practice will be required to promote a common understanding of this approach.

- **The need for more outbuildings to support agricultural/ farming enterprises was highlighted**

Responses generally supported allowing a greater amount of outbuildings on rural properties, particularly where this supports agricultural/ farming enterprises.

Officers acknowledge that many farming properties contain a greater area of outbuildings and that this will be a necessary part of farming operations. However, large outbuildings (in size or amount) could potentially have a detrimental impact on neighbouring landowners and planning assessment provides a safeguard in these circumstances.

The proposed acceptable development standards allow for up to 500m² of outbuildings on a single site *without* the need for planning approval, while a greater amount of outbuildings can potentially be approved subject to assessment.

A proposed modification to the draft policy is discussed in the Officer Comment section of this report.

- **Support for the use of shipping containers**

Several submissions support the use of shipping containers and note that rural properties could have a more relaxed standard compared to residential properties. This is supported and modifications to the draft policy are discussed in the Officer Comment section of this report.

Other various matters were raised, and each have been provided with a response from officers in the Schedule of Public Submissions (**Attachment E**).

STATUTORY ENVIRONMENT

Local planning policies are prepared, advertised and adopted in accordance with Part 2 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Existing and proposed local planning policies operate as subsidiary to *Local Planning Scheme No. 5* in providing guidance for discretionary decision making and the assessment of development requiring approval under the Scheme.

In the event the Council adopts the revised version of LPP 3 proposed in this report (**Attachment D**) this will be given effect through publication on the Shire's website and a copy being made available at the Shire's administration offices (as per Schedule 2, Part 2, Clause 4(4) of the Regulations).

POLICY IMPLICATIONS

This report proposes adoption of an updated and revised *Local Planning Policy No. 3 – Outbuildings & Shipping Containers* that will supersede the existing version of this policy as well as replacing *Town Planning Policy No. 17.1 – Sea Containers*.

If adopted, the policy will be published on the Shire's website and thereafter implemented through planning enquiries and approvals procedures.

FINANCIAL IMPLICATIONS

There are not considered to be any significant financial implications relating to the proposed Officer Recommendation of this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are not considered to be any direct legal implications relating to the proposed Officer Recommendation 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 2022/23 – 2025/26 provides:

At *Outcome 2.2 Infrastructure* the following Strategies:

Strategy 2.2.1:

'Long term planning and development guided by the Planning Vision.'

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

'A Shire that is open and transparent with its community.'

Strategy 4.1.4:

'Continuous improvement in service delivery.'

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's 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

As a result of the feedback received, officers recommend several modifications to the policy:

- **Minor wording changes to Parts 6.1 to 6.3 to clarify approval requirements**

Removal of the word 'maximum' in several instances and inclusion of additional notes (*'Outbuildings that do not meet these standards are required to obtain planning approval'*) is proposed to help relay that the acceptable development standards outline what is 'permitted' development *without* the need for planning approval, and not a maximum that can potentially be approved subject to planning assessment.

- **Conditional increase in the permitted outbuilding floor area in the Rural Zone (Part 6.3)**

One of the most significant reasons for limiting the number of outbuildings that can be built on a Rural zoned lot without approval is the potential to impact neighbouring landowners when these outbuildings are built close to a property boundary.

However, officers acknowledge that many rural properties function with a greater amount of outbuildings, particularly genuine farming operations.

It is proposed to introduce an additional clause to support an increase in the permitted floor area without planning approval subject to outbuildings being a minimum of 50m from the boundary to a neighbouring property (the standard boundary setback in the Scheme is 5m side/ 10m rear).

- **Rewording of Part 6.6 - Habitation & Services to improve clarity**

The position of the advertised policy is maintained but amended wording is proposed to improve clarity.

- **Further relaxation for Shipping Containers on Rural zoned lots (Part 6.10)**

Officers agree with feedback that a greater number of shipping containers can be supported on rural properties without impacting on amenity.

Proposed changes to this part of the policy allow for two 20ft shipping containers or one 40ft shipping container on any Rural zoned lot without the need for planning approval.

The existing policy position allowing for one 20ft shipping container without the need for planning approval in all other zones has been maintained.

- **Removal of advice note regarding Shipping Container footings (Part 6.10)**

The advertised version of the policy included the following advice note:

Certification from a qualified and accredited engineer as to the method of providing structural tie down and footings may be required prior to the granting of a building permit.

This acknowledges that shipping containers are treated the same as Class 10a outbuildings under the National Construction Code and this information will be required when a building permit application is lodged.

This detail was included as information only and is proposed to be removed from the policy as Shire officers are currently seeking the opinion from a qualified structural engineer that may amend these requirements.

- **Addition of the Mixed Use Zone**

The updated version of the policy includes the Mixed Use Zone (part of the Kendenup and Rocky Gully townsites) with the same provisions as per the Residential Zone. This will introduce exemptions from approval for outbuildings in this Zone, which was not previously addressed in LPP 3.

It is noted that outbuildings associated with approved commercial land uses can be approved in the Mixed Use Zone without the need for a residential dwelling on site (for example, an outbuilding associated with a Garden Centre).

The format of the policy has also been updated in accordance with the Shire's current policy template.

The proposed modifications are considered relatively minor as they do not substantially change the intent or direction of the policy. These changes are also consistent with the feedback received during public consultation.

These changes are shown in **Attachment C** as tracked changes to the advertised version of the policy and incorporated into the proposed final version of the policy presented as **Attachment D**.

The proposed final version of the policy is supported by updated information brochures provided as **Attachment F** (Sheds) and **Attachment G** (Shipping Containers).

VOTING REQUIREMENTS

Simple Majority

PROCEDURAL MOTION TO ADJOURN ITEM 9.1.3.

Moved by Cr J Oldfield, seconded by Cr B Bell:

That Council adjourn item 9.1.3 to the September 2025 Council meeting.

LOST (5/4)

NO. 089/25

For: Crs Bell, Brown, Oldfield and Sheard
Against: Crs Handasyde, Clements, Etherington, Liebeck

The Presiding Member used his casting vote against the procedural motion.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved by Cr K Clements, seconded by Cr J Liebeck:

That Council:

1. Adopts the revised *Local Planning Policy No. 3 – Outbuildings and Shipping Containers*, as presented;
2. Publishes public notice of the adoption of revised *Local Planning Policy No. 3 – Outbuildings and Shipping Containers* in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
3. Publishes public notice of the revocation of *Town Planning Policy No. 17.1 – Sea Containers* in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED (5/3)

NO. 090/25

For: Crs Handasyde, Brown, Clements, Etherington, Liebeck
Against: Crs Bell, Oldfield and Sheard

**9.1.4 PROPOSED FINAL ADOPTION OF REVISED LOCAL PLANNING POLICY
NO. 5 – EXEMPTIONS FROM DEVELOPMENT (PLANNING) APPROVAL**

Synergy Ref:	N66482
Attachments:	<u>A – Development (Planning) Approval Exemptions Guideline</u> <u>B – Existing Local Planning Policy No. 5 – Single House Exemptions in Non-Residential Zones</u> <u>C – Proposed Local Planning Policy No. 5 – Exemptions from Development (Planning) Approval</u>
Responsible Officer:	Andre Pinto, Executive Manager Development & Regulatory Services
Author:	Will Hosken, Manager Planning & Development Services
Proprietor/Applicant:	n/a
Proposed Meeting Date:	26 August 2025

PURPOSE

This report requests Council adopt a revised version of Local Planning Policy No. 5 following the completion of public advertising. The revised version of this policy proposes to extend the range of minor development that can be undertaken without planning approval.

BACKGROUND*Exemptions from Development (Planning) Approval*

Detailed background on how exemptions from the requirement for planning approval are established is contained in Item 9.1.2 of the Ordinary Council Meeting of 17 June 2025.

In summary, the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) establish that all development works require planning approval unless an exemption is specified in the Regulations, a Local Planning Scheme or a Local Planning Policy.

The Regulations include a schedule of development works that are exempt from development (planning) approval (Schedule 2, Part 7, Clause 61).

The Shire's local planning framework includes exemptions for other forms of development within Local Planning Scheme No. 5 (eg. advertising signage) and various local planning policies (eg. outbuildings, water tanks, houses in non-residential zones).

Attachment A to this report summarises exemptions from development (planning) approval across the various parts of the planning framework. This includes the exemptions currently granted by existing LPP 5 (green highlight) and proposed additional exemptions (yellow highlight) (note: to be used as a guide only).

Local Planning Policy No. 5 (LPP 5)

LPP 5 was first adopted in November 2023 and is included as **Attachment B** to this report. This policy has been highly effective at removing approval requirements for compliant proposals for single houses.

On 17 June 2025, the Council endorsed public advertising of an updated version of LPP 5. The draft revised version of LPP 5 proposed additional exemptions from planning approval for other forms of minor and incidental development, including:

- Alterations, extensions or additions to an existing Grouped Dwelling
- Decking, carports, gazebos, patios, greenhouses and animal shelters
- Structures such as awnings, aerials, clotheslines, letterboxes, play equipment, etc.
- Landscaping, tree planting, retaining walls and site works
- Rural produce stalls and property entrance statements.

The proposed exemptions have been designed with regard to what is already exempted by the Regulations, 'permitted' and 'discretionary' land uses in Local Planning Scheme No. 5 and matters that are (or are proposed to be) addressed in other Local Planning Policies.

Each of the exemptions proposed has specified acceptable development standards – development within these parameters is considered relatively low risk and acceptable without the need for planning assessment. Development that exceeds these standards can potentially be approved subject to a merit-based assessment via a planning application.

By providing acceptable development standards, the policy has allowed for relatively low-risk proposals to avoid planning approval while still requiring assessment for more complex or potentially problematic developments.

EXTERNAL CONSULTATION

Public advertising of the draft revised LPP 5 took place between 25 June and 17 July 2025, providing for a comment period of minimum 21 days.

Public notification occurred via the following means:

- Notice and publication of the draft revised LPP 5 on the Shire's website
- Notice in the Shire's social media
- Notice in Plantagenet News.

No submissions were received during the public comment period or prior to the preparation of this report.

STATUTORY ENVIRONMENT

Local planning policies are prepared, advertised and adopted in accordance with Part 2 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Existing and proposed local planning policies operate as subsidiary to *Local Planning Scheme No. 5* in providing guidance for discretionary decision making and the assessment of development requiring planning approval under the Scheme.

In the event the Council adopts the revised version of LPP 5 (as per **Attachment C**) as proposed in this report, this will be given effect through publication on the Shire's website and a copy being made available at the Shire's administration offices (as per Schedule 2, Part 2, Clause 4(4) of the Regulations).

POLICY IMPLICATIONS

This report proposes adoption of changes to existing *Local Planning Policy No. 5 – Single House Exemptions in Non-Residential Zones* including a change of name to *Local Planning Policy No. 5 – Exemptions from Development Approval* to reflect the broadening of the policy.

If adopted, the policy will be published on the Shire's website and thereafter implemented through planning enquiries and approvals procedures.

FINANCIAL IMPLICATIONS

By increasing the range of development that is exempt from development (planning) approval, the Shire will no longer receive certain types of applications and the associated fees.

As the proposed exemptions relate to relatively minor forms of development the quantum of fees no longer receipted is likely to be a high number of minimum fee (\$147) applications.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

It is noted that many landowners within the Shire have historically undertaken works without approval that are now proposed to be exempt. This reflects a common community perception that these works are minor in nature and that approvals are unwarranted. If the proposed policy is adopted by the Council, this would have the effect of removing any historic requirement for planning approval that may have been required for those works. A building permit may still be required, where applicable (noting the Shire is unable to adjust this requirement).

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 2022/23 – 2025/26 provides:

At *Outcome 2.2 Infrastructure* the following Strategies:

Strategy 2.2.1:

‘Long term planning and development guided by the Planning Vision.’

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

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

Strategy 4.1.4:

‘Continuous improvement in service delivery.’

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’s 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

While no feedback was received on this particular policy during the public consultation period, other policies advertised at the same time (and by the same means) did receive feedback. It is therefore assumed that there are no objections (and general support) for the proposed changes to this policy.

The version of LPP 5 that is included at **Attachment C** and proposed for final adoption includes one minor change that was identified by officers as being desirable:

- Inclusion of the Mixed Use Zone within the exemption for *‘The alteration, extension or addition to a **Grouped Dwelling** (including an associated Ancillary Dwelling) on a strata lot.’*

General residential lots within the Rocky Gully townsite and selected residential lots within the Kendenup townsite are zoned ‘Mixed Use’ to support the establishment of small scale businesses.

As Local Planning Scheme No. 5 provides for the Residential Design Codes to apply, the Mixed Use Zone has the same very similar approval requirements (and exemptions) as the Residential Zone.

Officers therefore recommend that the proposed exemption in LPP 5 for additions to an existing grouped dwelling could also apply within the Mixed Use Zone. While this proposed revision may positively affect a handful of landowners at most, it is desirable to maintain consistency between planning requirements as much as possible.

Overall, the proposed changes to LPP 5 included in the revised version of the policy reflect an intent to reduce planning approval requirements for low-risk development that meets acceptable development standards. Officers suggest that these changes will improve clarity and better reflect community expectations.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Liebeck, seconded Cr K Clements:

That Council:

1. Adopts the revised *Local Planning Policy No. 5 – Exemptions from Development (Planning) Approval*, as presented; and
2. Publishes public notice of the adoption of revised *Local Planning Policy No. 5 – Exemptions from Development (Planning) Approval* in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED (8/0)

NO. 091/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

9.1.5 SUBDIVISION APPLICATION WAPC 202022 – LOTS 1522 & 9000 HAMBLEY STREET, MOUNT BARKER

Synergy Ref:	N66550
Attachments:	<u>A – Location Plan</u> <u>B – Proposed Subdivision Plan</u> <u>C – Bushfire Attack Level (BAL) Contour Plan</u> <u>D – Proposed Conditions & Advice Notes</u>
Responsible Officer:	Andre Pinto, Executive Manager Development & Regulatory Services
Author:	Will Hosken, Manager Planning & Development Services
Proprietor/Applicant:	n/a
Proposed Meeting Date:	26 August 2025

PURPOSE

The Shire recently received a request for advice from the Western Australian Planning Commission (WAPC) relating to the proposed subdivision of Lots 1552 and 9000 Hambley Street, Mount Barker. This report requests the Council respond in support of the proposal subject to appropriate conditions and advice notes being applied.

BACKGROUND

Lots 1552 and 9000 Hambley Street are located at the southwest of the Mount Barker townsite (see **Attachment A**). The subject site and surrounding area is identified as suitable for accommodating the development of residential housing in the Shire's most recent *Local Planning Strategy* (2013).

Lot 1552 is zoned Residential R5/15 and Lot 9000 is zoned Residential R15 in *Local Planning Scheme No. 5*. This zoning supports subdivision and development for residential housing subject to the connection of a reticulated sewerage service, which is proposed.

The subject site has achieved conditional approval from the WAPC for residential subdivision in the past (now lapsed) and the current subdivision application is similar in nature.

The subdivision application proposes to create 66 residential lots of between 582m² and 1600m² (averaging 717m²) and 1 lot of 5,187m² that is designated for public open space (see **Attachment B**).

The proposed area of public open space is sized and located appropriately according to the State Government's *Liveable Neighbourhoods* policy. Further details of how it is to be developed will be required prior to the creation of lots, noting that this site is also expected to accommodate stormwater drainage.

The proposed subdivision would result in the construction of Morpeth Street within the subdivision area as well as two proposed cul-de-sac streets. The connection of Morpeth Street to Mount Barker Road is not part of the proposed subdivision but could potentially be completed in future should adjoining lots seek to subdivide in future (Lot 1551 (93) Mount Barker Road and Lot 139 (97) Morpeth Street).

A small portion of the site is designated as 'bushfire prone' by the State Government, which has necessitated the preparation of a Bushfire Management Plan demonstrating how the proposal can comply with *State Planning Policy 3.7* and the *Planning for Bushfire Guidelines*. The Bushfire Management Plan includes a Bushfire Attack Level (BAL) Contour Plan (see **Attachment C**) which demonstrates that each of the proposed lots can be developed at BAL-29 or lower (the maximum acceptable risk level).

Two emergency access ways are proposed to be created to provide connectivity for emergency services in accordance with the State Government's *Planning for Bushfire Guidelines*. This provides for connection to the land to the south (38 Hambley Street) should this be subdivided in future, including for pedestrian use.

EXTERNAL CONSULTATION

The WAPC processes and determines subdivision applications and does not undertake any public consultation for this type of application.

STATUTORY ENVIRONMENT

Subdivision applications are received and determined by the WAPC in accordance with the *Planning and Development Act 2005*.

The proposed subdivision is consistent with the zoning and coding of the land in *Local Planning Scheme No. 5* and the overall objectives of the Residential Zone.

The proposal is generally considered to be consistent with relevant state planning policies, guidelines and operational policies adopted by the WAPC, noting that further assessment will occur once detailed engineering design has been provided at subdivision clearance stage.

Council's endorsement of the proposed response to the WAPC is requested as Shire officers currently hold delegation for subdivision referral responses of up to 10 lots only.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no implications for the 2025/26 budget as a result of this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

Should the proposed subdivision be approved and proceed to construction, the applicant will be responsible for building the roads, footpaths, drainage, public open space and other infrastructure that is required to support the proposed residential lots. This includes the construction of Morpeth Street to the extent shown.

Once an initial maintenance period is complete, management responsibility will be formally passed to the Shire, and this infrastructure will be included within forward planning for short term (maintenance) and long term (renewal) works.

The proposed subdivision will create increased traffic along Hambley Street, primarily in a northern direction towards the Mount Barker town centre. The increased traffic demands and expected pedestrian movement will bring forward the need to upgrade Hambley Street, which is currently constructed to a single lane width only to the south of Pugh Street.

It is recommended that an appropriate condition of approval is requested to provide for the subdivider to contribute proportionately to the upgrade of Hambley Street. The amount of this contribution will be subject to further scoping of road construction design, investigation of costings and apportionment.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At *Outcome 2.2 Infrastructure* the following Strategies:

Strategy 2.2.1:

'Long term planning and development guided by the Planning Vision.'

At *Outcome 3.1 Local Business* the following Strategies and Actions:

Strategy 3.1.1:

'Develop and implement policies and initiatives to attract inward migration and investment.'

Action 3.1.1.3:

'Encourage and facilitate residential land development.'

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's 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 proposed subdivision complies with the local planning framework and is consistent with the applicable policies and guidelines of the state planning framework. It is recommended that the Council advise the WAPC of its support for the proposal subject to appropriate conditions and advice notes.

Attachment D details a range of recommended subdivision conditions and advice notes that have been selected from the WAPC's Model Conditions Schedule. These conditions are highly technical in nature but are commonplace for a subdivision of this scale. The WAPC does not generally support subdivision conditions that vary from this schedule.

Key issues noted by officers include:

- **Hambley Street**

As discussed in the Asset Management section of this report, the proposed subdivision will bring forward the need to upgrade Hambley Street (to the south of Pugh Street).

The Shire can request the WAPC apply a condition requiring a proportionate contribution from the subdivision proponent for the cost of upgrade for approximately 300m of Hambley Street (this is part of the 10 year capital roads programme).

The Shire may therefore need to consider:

- Interim upgrade works to improve road and pedestrian safety
- Availability and timing of funding to complete a full upgrade
- Contributions from other landowners that may subdivide in future.

These matters do not stop the proposed subdivision application from proceeding but remain to be addressed by the Shire in the future.

- **Public Open Space**

Based on preliminary discussions with the proponent it is expected that some part of the public open space will support stormwater management. It is noted that:

- The groundwater table is relatively close to the surface
- Stormwater runoff will need to be detained so that water discharged from the site is close to pre-development levels
- Maximising the useable area of the proposed public open space is an important community consideration.

This matter will be resolved by negotiation once detailed technical designs have been prepared by the proponent.

Overall, the proposed subdivision would create 66 new, fully-serviced residential lots in close proximity to the town centre (approx. 500m walk from Wilson Park).

This would provide a significant and highly desirable boost to residential land supply, enabling the development of contemporary housing stock and catering to a proportion of the Shire's expected population growth over the next few years, dependant on timing and staging.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr J Liebeck:

That Council advises the Western Australian Planning Commission that the proposed subdivision of Lots 1552 and 9000 Hambley Street, Mount Barker (WAPC 202022) is supported, subject to the conditions and advice notes, as presented.

CARRIED (8/0)

NO. 092/25

**For: Crs Handasyde, Bell, Brown, Clements, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil**

9.2 INFRASTRUCTURE AND ASSETS REPORTS

Nil.

9.3 CORPORATE AND COMMUNITY SERVICES REPORTS

9.3.1 BARKER BAPTIST INC. LEASE COMMUNITY RESOURCE CENTRE LOT 151 LOWOOD ROAD

Synergy Ref:	N66578
Attachment:	<u>Schedule and Annexure 1 Barker Baptist Inc. Lease - Lot 151 Lowood Road</u>
Responsible Officer:	Anthony Middleton Executive Manager Corporate & Community Services
Author:	Delma Baesjou Coordinator Corporate Strategy
Proprietor/Applicant:	Baptist Union of WA
Proposed Meeting Date:	26 August 2025

PURPOSE

The purpose of this report is to seek authority for the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Lease for portion of the Community Resource Centre building, Lot 151 Lowood Road Mount Barker.

BACKGROUND

The Shire of Plantagenet is registered as the proprietor of Lot 151 (1) Lowood Road Mount Barker. The premises comprise a significant 2 storey building and outside carparking and grounds. The ground floor of the building, excluding the area occupied by the library, was formerly leased to the Baptist Union of Western Australia (BUWA). That 30-year lease between the Shire of Plantagenet (Landlord), BUWA (sponsor) and Mount Barker Community Centre (tenant) commenced on 31 July 2009 and was surrendered, effective 30 June 2025.

During late 2023, BUWA advised of its intention to handover the management and operations of the Mount Barker CRC to a local organisation. Since then, the Shire engaged Hammond Woodhouse Advisory to prepare a Situation Report and appointed McLeods Lawyers to draft Lease documentation for the various 'Tenants'. Since then, the parties have liaised to progress the transition and arrange new leases.

A draft lease was forwarded to BBI approximately 12 months ago, with terms negotiated and agreed by the Parties since. The key terms of the draft lease are consistent with the previous arrangement wherever possible and include:

- Rent - Ten dollars (\$10.00) per annum payable on demand.
 - Term – Fourteen (14) years expiring on 30 July 2039
 - Further Term - Twenty-five (25) years commencing on 31 July 2039 and expiring on 30 July 2064.
-

- Outgoings - Five thousand dollars (\$5,000) payable per annum commencing on the Commencement Date, which amount may be reviewed and amended on each anniversary of the Commencement Date at the discretion of the Lessee.

Related reports on this matter were considered by the Council at its meetings held on 28 November 2023 (resolution 190/23) and 27 May 2025 (resolution 052/25).

The subject land is designated as 'Public Purpose' under the Shire of Plantagenet Local Planning Scheme No. 5.

EXTERNAL CONSULTATION

Advice was sought from LGIS regarding liability and replacement obligations in the event of destruction/loss. Supplementatry legal advice and comment on proposed variations to document was obtained.

STATUTORY ENVIRONMENT

Section 3.59 of the Local Government Act relates to commercial enterprises by local governments, including the disposal of land (including leases). Clause 10 (a) sets out that regulations may prescribe exempt land transactions, including disposal to a body the objects of which are of a religious nature. Under the circumstances this Lease is considered exempt.

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

The cost of preparing and revising the lease document has been born by the Shire.

BUDGET IMPLICATIONS

Item 4 of the former Lease with BUWA set the rent at one dollar (\$1) per annum.

A contemporary 'peppercorn' rent of ten dollars (\$10) per annum is proposed under the draft BBI lease.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no new Shire of Plantagenet assets are being created or acquired. However, it is acknowledged that the Mount Barker Community Centre is a significant asset which the Shire is obligated to continue to maintain in a sound structural condition.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2025-2035 provides:

At *Pillars 2 Environment and 4- Leadership* the following Strategies:

Strategy 2.3 – ‘Prioritise town halls and public buildings to enable community focal points and gathering spaces.’

Strategy 2.4 – ‘Develop a range of community facilities that cater for all.’

Strategy 4.1 – ‘*Listen and consider the needs of each community.*’

Strategy 4.2 – ‘A Shire that is open and transparent with its community.’

Strategy 4.5 – ‘Advocate for improved family support services.’

Strategy 4.6 – ‘Advocate the provision and promotion of services, home care and facilities that meet the needs of the community.’

Accordingly, the recommended outcome for this report aligns with the Strategic Community 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 new lease for the portion of the Mount Barker Community Centre building to accommodate the local Mount Barker Baptist Church provides for ongoing access by the local group to the auditorium, office, storage space and common areas of the building. The premise in preparing the new lease was to honour the previous arrangement, with neither party to be advantaged or disadvantaged. Following several meetings, various exchanges and multiple revisions, there is now consensus on the majority of the items and terms within the lease. Given the time that has lapsed since the surrender of the Lease with BUWA, it is prudent to enter into a new arrangement with BBI. It is recommended that authority be delegated to the CEO to negotiate the final details of the lease for 151 Lowood Road, Mount Barker.

VOTING REQUIREMENTS

Simple Majority

5.24 pm Cr L Handasyde declared an interest in this item and left the meeting. Deputy President Cr K Clements assumed the Chair.

OFFICER RECOMMENDATION

That Council:

1. Delegates authority to the Chief Executive Officer to negotiate the final terms and conditions for the lease to Barker Baptist Incorporated for portion of Lot 151 Lowood Road, Mount Barker; and
2. Authorises the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Lease – Barker Baptist Incorporated portion of Lot 151 Lowood Road Mount Barker.

COUNCIL DECISION

Moved by Cr J Oldfield, seconded by Cr J Liebeck:

That Council:

1. Delegates authority to the Chief Executive Officer to negotiate the final terms and conditions for the lease to Barker Baptist Incorporated for portion of Lot 151 Lowood Road, Mount Barker; and
2. Authorises the Deputy Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Lease – Barker Baptist Incorporated portion of Lot 151 Lowood Road Mount Barker.

CARRIED (7/0)

NO. 093/25

**For: Crs Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil**

Reason for Change

In the interests of transparency as the Shire President has noted a conflict of interest.

5.26 pm Cr L Handasyde returned to the meeting and resumed the Chair.

9.3.2 CORPORATE BUSINESS PLAN – 2025-2029 – DEFERRED

File Ref:	N66579
Attachments:	<u>Draft Corporate Business Plan 2025-2029</u>
Responsible Officer:	Julian Murphy Chief Executive Officer
Author:	Anthony Middleton Executive Manager – Corporate & Community
Proposed Meeting Date:	26 August 2025

PURPOSE

The purpose of this report is to consider the draft Corporate Business Plan 2025-2029 for adoption.

BACKGROUND

The current Shire of Plantagenet Corporate Business Plan 2022/2023 – 2025/2028 was adopted by the Council on 2 August 2022.

Local Government (Administration) Regulations 1996 19DA requires a local government to review the current Corporate Business Plan for its district every year. In addition to this legislative requirement, the considerable update of the Shire's Strategic Community Plan adopted by the Council in February 2025 has flowed through to a corresponding update to the attached plan.

EXTERNAL CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996 19DA requires a local government is to review the current Corporate Business Plan for its district every year. The Corporate Business plan is to cover a period of at least 4 financial years and needs to incorporate:

- A local government's priorities for dealing with the objectives and aspirations of the community in the district;
- A local government's internal business planning by expressing priorities by referencing operations that are within the capacity of the local government's resources; and
- The integration of matters relating to resources, including asset management, workforce planning and long-term financial planning.

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

This item recommends establishing a new, albeit revision, of the existing strategic direction. The existing Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At Outcome 4 Performance & Leadership the following Strategies:

Strategy 4.1.1:

‘A Shire that listens and considers the needs of each community.’

And

Strategy 4.1.3:

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

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan that it is replacing.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The community and the Council set the organisation’s long-term vision through the strategies established in the Strategic Community Plan 2025-2035. The attached draft Corporate Business Plan defines the measurable and actionable tasks (corporate actions) required to achieve those strategies established in the Strategic Community Plan, within resource constraints.

The Corporate Business Plan is a ‘rolling’ four (4) year plan that, in future years, will see another future year column added, while the progress of corporate actions in the year just completed will be scored using a simple traffic light scoring system. This progress status reporting will be communicated to the Council quarterly via the Council Forum and annually to the community via the Annual Report.

The attached draft Corporate Business Plan includes the following:

- 155 Corporate Actions, broken down as follows:
 - Key Pillar 1 (Community) - 54
 - Key Pillar 2 (Environment) - 40
 - Key Pillar 3 (Economy) - 38
 - Key Pillar 4 (Leadership) - 23
- 103 Corporate Actions set to commence or continue in 2025/2026

With the adoption of a new Strategic Community Plan in February, covering the period 2025-2035, this new Corporate Business Plan has been developed and is attached for the Council's consideration.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council adopt the Corporate Business Plan 2025-2029, as presented.

This item was deferred to the next Ordinary Council Meeting in September as the final document was not currently available.

9.3.3 LIST OF ACCOUNTS – JULY 2025

File Ref:	N66544
Attachment:	<u>List of Accounts – July 2025</u>
Responsible Officer:	Anthony Middleton Executive Manager – Corporate & Community
Author:	Kylie Caley Manager of Finance
Proposed Meeting Date:	26 August 2025

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of July 2025.

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 F/FM/17 – Purchasing Policy

Council Policy F/FM/18 – Corporate Credit Card Policy

FINANCIAL IMPLICATIONS

Expenditure is in accordance with the 2025/2026 Annual Budget.

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

There are no strategic implications for this report.

RISK MITIGATION 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.

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

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.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr J Liebeck:

That Council receives the list of accounts paid during the month of July 2025 as per the attached Schedule of Payments, and as summarised below:

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

EFT Payments	EFT8167 – EFT8330	\$1,930,752.53
Direct Debit Payments		\$179,215.10
EFT Payroll Payments		\$ 648,245.78
Total Municipal Account Payments		\$2,758,213.41
Licensing Trust Account		
Direct Debit Payments		\$ 143,997.35
Total Licensing Trust Account Payments		\$ 143,997.35
TOTAL OF ALL ACCOUNTS		\$2,902,210.76

CARRIED (8/0)

NO. 094/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

9.3.4 MONTHLY FINANCIAL REPORT – JULY 2025

File Ref:	N66528
Attachment:	<u>Monthly Financial Report – July 2025</u>
Responsible Officer:	Anthony Middleton Executive Manager Corporate & Community
Author:	Kylie Caley Manager of Finance
Proposed Meeting Date:	26 August 2025

PURPOSE

The purpose of this report is to provide Council with the monthly financial report for the month ending 31 July 2025.

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

s.6.4 *Local Government Act 1995*, Part 6 - Financial Management
r. 34 *Local Government (Financial Management) Regulations 1996*
r. 35 *Local Government (Financial Management) Regulations 1996*

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 2022/23 – 2025/26 provides:

At Outcome 4 Performance & Leadership the following Strategies:

Strategy 4.1.3:

‘A Shire that is open and transparent with its 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 2025 represents one (1) month, or 8% of the year. As such, there is little commentary to make on the statements at this time.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr W Sheard:

That Council notes the monthly financial statements for the period ending 31 July 2025, as presented.

CARRIED (8/0)

NO. 095/25

**For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil**

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

Moved Cr S Etherington, seconded Cr J Liebeck:

That new business of an urgent nature, namely items:

**11.1 LATE CONFIDENTIAL ITEM – APPOINTMENT OF ACTING CEO
and**

**11.2 LATE CONFIDENTIAL ITEM – TENDER CO1-2526 VEGETATION
MANAGEMENT**

be introduced to the meeting.

CARRIED (8/0)

NO. 096/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard

Against: Nil

12 CONFIDENTIAL**MOTION THAT THE MEETING BE CLOSED TO THE PUBLIC**

Moved Cr K Clements, seconded Cr W Sheard:

5:32 pm That in accordance with Section 5.23 (2) (a) and (c) 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 (2)

- a) a matter affecting an employee or employees;
- c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

CARRIED (8/0)

NO. 097/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard

Against: Nil

5.32 pm Members of the public left the meeting.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr J Liebeck:

That Mr Anthony Middleton be appointed Acting Chief Executive Officer while the Chief Executive Officer is absent on sick leave, commencing 27 August 2025.

CARRIED (8/0)

NO. 098/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr J Liebeck:

That Council Tender CO1-2526 Vegetation Management be awarded as follows:

a) Portion A – Riverhill Contractors \$93,360

b) Portion B – MCC \$119,239

c) Portion C – MCC \$129,130

Total Value of Tender \$342,729.

CARRIED (8/0)

NO. 099/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

MOTION THAT THE MEETING BE OPENED TO THE PUBLIC

Moved Cr J Oldfield, seconded Cr K Clements:

5:35pm That the meeting proceed in public.

CARRIED (8/0)

NO. 100/25

For: Crs Handasyde, Clements, Bell, Brown, Etherington,
Liebeck, Oldfield and Sheard
Against: Nil

5.35pm The meeting was re-opened to members of the public.

13 CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 5.35pm.

CONFIRMED: CHAIRPERSON_____DATE:____/____/____