



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 28 October 2025



Julian Murphy
CHIEF EXECUTIVE OFFICER



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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member will declare the meeting open.

Welcome to this Ordinary Meeting of Council, of Tuesday the 28 October 2025, commencing at 5:00pm. This meeting is being audio-recorded, in accordance with Regulation 14I of the Local Government Regulations 1996.

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

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

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

Members Present:

In Attendance:

Apologies:

Cr R Brown

Members of the Public Present:

Previously Approved Leave of Absence:

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 30 SEPTEMBER 2025

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 30 September 2025.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 30 September 2025, 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 DEVELOPMENT APPLICATION P867 – PROPOSED ANIMAL HUSBANDRY-INTENSIVE (CATTLE FEEDLOT) AT NO. 144 (LOT 150) PICKLES ROAD, NARRIKUP

Synergy Ref:	N66887
Attachments:	<u>A – Development Application P867</u> <u>B – Public Submissions</u> <u>C – Agency Referral Responses</u>
Responsible Officer:	Andre Pinto, Executive Manager Development & Regulatory Services
Author:	Will Hosken, Manager Planning & Development Services
Proprietor/Applicant:	Kayden McDonald
Proposed Meeting Date:	28 October 2025

PURPOSE

The purpose of this report is to seek the Council's determination of development application P867, which proposes to establish *Animal Husbandry – Intensive* (Cattle Feedlot) at 144 Pickles Road, Narrikup. This application has not been determined by Shire officers under delegation as refusal is recommended.

BACKGROUND

During April 2025 the Shire received and responded to a complaint about the operation of a cattle feedlot at 144 Pickles Road, Narrikup. Following investigation Shire officers commenced compliance action against the operator of the cattle feedlot, Mr Kayden McDonald, for the establishment of an unauthorised land use (*Animal Husbandry – Intensive*).

Due to concerns about the unmanaged discharge of animal effluent onto the neighbouring property and potentially a nearby waterway Shire officers also contacted the Department of Water & Environmental Regulation who commenced their own investigation and compliance process.

On 28 July 2025, Mr McDonald lodged an application for development approval of a cattle feedlot on the property with the consent of the landowners.

In August 2025, Shire officers attended the property to confirm that stock had been removed from the unauthorised feedlot; however, remediation of the site has not yet occurred and this remains an active compliance matter.

This application for *Animal Husbandry – Intensive* proposes the establishment of an open-air cattle feedlot at 144 (Lot 150) Pickles Road. The application was initially considered to be incomplete and further information was requested, including the submission of a management plan detailing the feedlot infrastructure and operating practices.

The feedlot is comprised of five feedlot pens totalling approximately 10 hectares of land. Contour drains and ponds are proposed for the capture of water and effluent run-off. A stockpile area is proposed for solid wastes including animal carcasses. No new or additional dams are proposed for water supply and no new or additional sheds are proposed for machinery, feed or equipment storage. Manure, effluent and carcass disposal is proposed to take place off-site.

Once further information was received adjoining landowners were notified of the application and invited to comment. The application was also referred to the Department of Water & Environmental Regulation (DWER) and the Department of Primary Industries & Regional Development (DPIRD) for comment.

Shire officers have assessed the proposal and recommend that it is refused, as detailed in the Officer Comment section of this report.

EXTERNAL CONSULTATION

9 landowners within close proximity of the subject site were notified of the proposal and invited to comment. 6 landowners responded as follows:

- 3 landowners supported the proposal (4 submissions)
- 2 landowners responded objecting to the proposal (2 submissions)
- 1 landowner responded neutral to the proposal (1 submission)

1 additional submission in support of the proposal was received from a nearby landowner who was notified by the applicant.

8 public submissions were received in total as detailed in Attachment B.

Referral responses were received from DWER and DPIRD and are detailed in Attachment C. Each of these responses identified significant concerns with the proposal, the most substantial of which were (in summary):

- The design of the feedlot potentially accommodates up to 4000 stock and therefore requires licensing by DWER.
- The application does not demonstrate that relevant industry codes of practice will be met.

- The application does not demonstrate that water and effluent management is sufficient to avoid nutrients and contaminants entering the surrounding environment.
- The application does not include sufficient details on effluent and animal waste management including disposal methods.
- The subject site does not meet the expected buffer requirements to sensitive (residential) land uses.

STATUTORY ENVIRONMENT

Animal Husbandry – Intensive is a discretionary ('D') use in the Rural Zone in *Local Planning Scheme No. 5* and therefore requires Shire approval prior to establishment.

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) outline the process for assessing and determining applications for development approval at Schedule 2, Part 9. The range of matters that are to be considered as part of assessing a planning proposal are detailed at Clause 67(2) and have been applied as required to the subject application.

POLICY IMPLICATIONS

Applicable planning policies referenced as part of the assessment of this development application include:

- Shire of Plantagenet *Local Planning Strategy* (2013)
- Shire of Plantagenet *Town Planning Policy No. 13.1 – Feedlots*
- State Planning Policy No. 2.5 – Rural Planning
- Draft State Planning Policy No. 2.9 – Water Resources
- Rural Planning Guidelines (WA Planning Commission)

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

Should the Council decide to refuse this development application the proponent will retain the right to appeal to the State Administrative Tribunal.

ASSET MANAGEMENT IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The proposal is considered to be inconsistent with the objectives of the Shire's adopted Local Planning Strategy as it does not sufficiently demonstrate that it can achieve environmentally sustainable practices and creates land use conflict with other existing and potential land uses. In particular, officers advise against approving this application as it potentially results in implications for long term planning outcomes for the Narrikup townsite.

The recommendation of this report is presented in accordance with the direction provided by the Shire of Plantagenet Strategic Community Plan, including:

- Conservation and Environment Strategy 2.6 – Protection of our natural environment for the enjoyment of future generations
- Develop our Economy Strategy 3.5 – Lead and encourage development via a structured planning vision
- Develop our Economy Strategy 3.6 – Encourage development that is consistent with the individual character of each townsite

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 associated with the Officer Recommendation 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 based on the Officer Recommendation of this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Officers have completed an assessment of the proposal against relevant parts of the planning framework to determine the appropriate recommendation.

Several critical issues with the proposal have been identified, which can be summarised as follows:

Distance from the Narrikup townsite

Town Planning Policy No. 13.1 applies a minimum buffer of 5km between cattle feedlots and townsites within the Shire to ensure residential land uses are not impacted now or in the future. This 5km buffer requirement is

consistent with guidelines published by the State's Environmental Protection Authority.

The proposed feedlot is located 2.2km from the extent of the gazetted Narrikup townsite and 2.8km from the nearest existing residence within the townsite.

Although the potential for dust, odour and other potential impacts on existing Narrikup residence may not be substantial for a small-scale feedlot, the scale of this proposal is unclear given State Government advice that the feedlot is capable of accommodating approximately 4000 stock. In addition, this proposal does not sufficiently demonstrate that it will meet industry codes of practice or utilise the means of assessing buffer requirements that is acknowledged by the State Government. In these circumstances it is recommended that the Shire take a conservative approach and maintain minimum standard buffer requirements to ensure that the townsite of Narrikup is not impacted.

It is also acknowledged that any potential future expansion of the Narrikup townsite within the gazetted boundary or otherwise would potentially bring residences closer to the feedlot site, increasing the potential for land use conflict. Shire officers suggest that the establishment of a feedlot within close proximity to any townsite should be avoided so that land use conflict is not created and the potential for townsites to expand is preserved.

Distance from neighbouring residences (existing and potential)

A minimum buffer distance of 1000m between a cattle feedlot and a residential dwelling (or other 'sensitive premises') is established in several relevant State Government documents and adopted in the WAPC's *Rural Planning Guidelines*. This minimum buffer requirement is also outlined in the Shire's *Town Planning Policy No. 13.1 – Feedlots*.

The proposed cattle feedlot is located 885m from an existing residential dwelling at 346 Lake Barnes Road, a property north of the subject site. While the owner of this property has indicated their support for the proposal, a change of opinion or ownership could potentially result in complaints and the imposition of onerous requirements on the feedlot operator to address off-site impacts (under environmental health legislation). For this reason, the maintenance of the minimum required 1000m buffer is preferred.

Two other immediately adjoining properties, Lot 151 Pickles Road and Lot 1443 Wallinger Road, currently have farming infrastructure but do not contain a residential dwelling. The potential establishment of a dwelling on either of these properties would almost certainly be within 1000m of the proposed feedlot site. The owner of Lot 151 has objected to the proposed feedlot and the owner of Lot 1443 Wallinger Rd has not responded to the

Shire's invitation to comment. As above, this potentially creates a land use conflict that cannot be later addressed through the planning system and may affect both residential amenity as well as the ability of the proposed feedlot to continue operating if complaints were made and substantiated in future.

The residence on the subject site is also less than 1000m from the location of the proposed feedlot but is subject to laws relating to workplace health and safety instead of planning regulation.

Water, effluent and contamination management

Although the application submitted includes information detailing how water and effluent run-off will be managed, comments received from State Government agencies suggest that the proposal lacks sufficient detail to demonstrate that appropriate management will be achieved. This includes details on the construction and design capacity of the infrastructure proposed for water and effluent run-off management, containment infrastructure for both effluent and for deceased animals, spill response measures, and off-site effluent disposal methods and measures.

Without this detail there is insufficient information to confirm that proposed infrastructure will protect the surrounding environment from high levels of nutrient discharge and other contaminants, including groundwater, surface water and remnant vegetation.

Testing to determine the distance to groundwater was undertaken in June, which is before typical groundwater peaks during August/ September. One of the test sites demonstrated groundwater at 1.1m below the surface, while others were at a greater depth. Without groundwater testing at peak, it is unclear whether the minimum separation requirement of 1.5m (according to the Shire's TPP 13.1) or 2.0m (as recommended by DWER and DPIRD) has been achieved.

It is noted that the site contains sandy soils which will potentially result in poorer pasture retention, increased erosion and an increased likelihood of nutrient and contaminant leaching. The Shire's policy indicates a preference against this soil type and consideration of increased minimum separation to groundwater would also be considered appropriate.

Details of the provision of a sufficient water supply has been requested by DWER and this suggested as a shortcoming of the property in a public submission.

In summary, the application as presented does not provide sufficient detail to demonstrate that the infrastructure or management practices will avoid or minimise the potential for nutrient and contaminant discharge into the surrounding environment.

Conclusion

Intensive agricultural developments that have off-site impacts are well suited to locations that are distant from townsites, in designated 'priority agriculture' areas where they can be prioritised, and where surrounding lots are large in scale.

To minimise off-site impacts and environmental harm all intensive agricultural development proposals should be supported by a high standard of information that details the infrastructure and management practices that can be implemented and enforced.

On balance, when taking into account the accumulation of the shortcomings with the proposal and noting the potential for a feedlot in this location to cause land use conflicts both with neighbours and with the Narrikup townsite, officers recommend that this application is refused.

While the Shire broadly supports the development of agricultural industry it is considered when taking a long-term view that this location is not appropriate for an intensive land use of this nature, and the application submitted does not sufficiently justify a different view.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council refuses development application P867 for the proposed *Animal Husbandry - Intensive* (Cattle Feedlot) at Lot 150 Pickles Road, Narrikup for the following reasons:

1. The proposal is inconsistent with the objectives of the Shire's Local Planning Strategy as follows:
 - a) The proposal does not demonstrate sustainable land use, particularly with regard to environmental practices, or the capacity to form part of a landscape accommodating a wide range of rural pursuits consistent with the designation of the land for 'general agriculture' (Part 6.1.3).
 - b) The proposal is not consistent with the objectives for Rural Planning Unit P8 (South Kokonup – Narrikup) in that it may unduly restrict the potential future expansion of the Narrikup townsite and would not maintain the potential for mixed land use on surrounding rural lots (Appendix 6, Part 9).
2. The proposal is a discretionary use in the Rural Zone within Local Planning Scheme No. 5 and planning assessment is required. When taking into account the matters that are to be considered as part of a

planning assessment (as prescribed at Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*) approval of the subject application is not considered to be orderly and proper planning.

3. The proposal is considered to be inconsistent with Objective 3 of the Rural Zone in Local Planning Scheme No. 5 as sufficient environmental management practices have not been clearly demonstrated.
4. The proposal is inconsistent with Part 5.7 of *State Planning Policy 2.5 – Rural Planning* as follows:
 - a) The proposal does not meet the objectives of SPP 2.5 in that sound practices for water and effluent management have not been demonstrated and therefore represent an unacceptable environmental risk.
 - b) SPP 2.5 requires planning decision-makers to consider the ultimate design capacity of the facility, which advice from the Department of Water & Environmental Regulation identifies as 4000 cattle. The subject proposal is for a feedlot that is designed to cater for a larger number of cattle than is indicated by the application, requires licensing as a prescribed premises by the Department, is unfeasible for the Shire to maintain a compliance regime to monitor the movement of cattle to and from the site, and is inconsistent with the stated stocking rates.
 - c) SPP 2.5 requires planning decision-makers to consider matters relating to the transport of animals, wastes and other traffic generation resulting from the proposal land use. Insufficient details of traffic movements have been provided within the application to enable consideration of potential impacts.
 - d) SPP 2.5 requires planning decision-makers to consider the management of effluent disposal and handling of deceased animals. Based on advice received from the Department of Water & Environmental Regulation and the Department of Primary Industries & Regional Development the application contains insufficient detail to demonstrate that the capture, containment, treatment and disposal of contaminated stormwater, animal effluent and carcass disposal will be adequate to avoid environmental harm.
5. The proposal is inconsistent with Part 5.12 of *State Planning Policy 2.5 – Rural Planning* in that it does not adequately demonstrate the prevention and management of off-site impacts with regard to existing and expected sensitive land uses on surrounding land.

According to advice from the Department of Water & Environmental Regulation and the Department of Primary Industries & Regional Development the application does not contain sufficient information to demonstrate compliance with relevant industry codes of practice

including the *National Guidelines for Beef Cattle Feedlots in Australia* and the *National Beef Cattle Feedlot Environmental Code of Practice*.

The application does not include sufficient alternative modelling in accordance with the above guidelines to demonstrate that a buffer distance to sensitive land uses that is less than the generic requirements outlined in relevant planning policies is appropriate.

The proposal does not meet the minimum expected 1000m buffer distance to an isolated residential dwelling or 5000m buffer distance to a townsite, as determined by relevant State Government agencies and referenced within Appendix 2 of the Western Australian Planning Commission's *Rural Planning Guidelines*.

This includes a reasonable expectation that neighbouring lots may develop a residential dwelling in future which would by necessity be within 1000m of the proposed feedlot.

The proposal is approximately 2.2km from the boundary of the gazetted townsite of Narrikup and 2.8km from the nearest existing residence within the townsite. Noting the minimum expected buffer distances, the establishment of the proposed land use may prejudice the ability of the townsite to be developed in future and would therefore be contrary to the principles of orderly and proper planning.

6. The proposal is inconsistent with Part 7.2 of Draft State Planning Policy 2.9 – Planning for Water in that the application does not contain sufficient information to demonstrate that water run-off and effluent will be managed in a way that minimises nutrient and contaminant export into ground and surface water environments.
7. The proposal does not meet the minimum buffer requirements identified at Part 4 of the Shire's *Town Planning Policy No. 13 – Feedlots* for Neighbouring isolated residence or public amenities (1000m) and Gazetted townsites (5000m).

Insufficient information has been provided to demonstrate that the proposal meets the minimum depth separation (1.5m) to the groundwater table at its seasonal peak, or a reasonable groundwater separation given that the site does not contain a preferred soil type as identified at Part 6 of TPP 13 and there is a potentially increased risk of nutrient and contamination leaching.

8. The proposal does not sufficiently demonstrate that solid and liquid wastes will be adequately stored and/or disposed of over the subject land, sufficiently to avoid environmental harm or in accordance with the expectations of the Department of Water & Environmental Regulation, as required at Part 8 of the Shire's *Town Planning Policy No. 13 – Feedlots*.

9.2 INFRASTRUCTURE AND ASSETS REPORTS

Nil.

9.3 CORPORATE AND COMMUNITY SERVICES REPORTS

9.3.1 COMMUNITY GRANT PROGRAM 2025/2026 – CATEGORY 3, ROUND 1 APPLICATIONS

Synergy Ref:	N66910
Attachment:	<u>1. CGP Guidelines</u> <u>2. Extract – Kendenup Community & Men’s Shed Application</u> <u>3. Extract – Mount Barker Amateur Swimming Club Application</u> <u>4. Extract – Art on the Move Application</u> <u>5. Extract – RSPCA Application</u> <u>6. Extract – Porongurup Community Association Application</u> <u>7. Extract – Mount Barker Bulls Football Club Application</u>
Responsible Officer:	Julian Murphy – Chief Executive Officer
Author:	Anthony Middleton – Executive Manager Corporate & Community Services
Proposed Meeting Date:	28 October 2025

PURPOSE

The purpose of this report is to consider the Category 3 grant applications received in round 1 of the 2025/2026 Community Grant Program.

BACKGROUND

The Community Grant Program (CGP) process has been revised and updated in May 2025 to simplify the process for community volunteers, extend the opening period for smaller, straight forward grant requests and to segregate the different types of funding requests (e.g. industry support) to simplify comparisons between applications. This review has been well received by both staff and the community groups seeking funding. A copy of the Guidelines for the CGP are attached (attachment 1).

Four (4) CGP categories are on offer:

1. CEO Donation (up to \$1,000)
2. Quick Response Grant (less than \$3,000)
3. Community Grant (more than \$3,000)
4. Industry Support (Triennium Community Grants)

There are two (2) rounds annually for Category 3 grants, round 1 being open August to September and round 2 February – March. This agenda item deals with the 2025/2026 Category 3, round 1 applications only.

Category 3 grants are open to incorporated, not for profit organisations and charities and unincorporated not-for-profit organisations applying through the auspice of an incorporated body. Applications must address the selection criteria provided within the application guidelines and include all required attachments such as budgets, receipts, quotes and letters of support.

The following items are not eligible for funding under Category 3 grants:

- Alcohol;
- Items directly benefiting an individual;
- Assistance towards operating costs of the applicant (e.g. rent, wages, utility costs. Excludes Shire fees and charges such as hall hire and waste fees); and
- Political activities

The CGP aims to support projects that improve community capacity, promote social participation and inclusion as well as enhance community harmony. The CGP provides funding to assist community groups and not-for-profit organisations with their vital work and programs to:

- Enhance community capacity, foster harmony, and promote social cohesion within the community;
- Motivate individuals and organizations to take initiative in supporting their own growth and development;
- Ensure equitable distribution of activities and services across the Shire; and
- Promote resident involvement in activities that enhance living in the community.

Further information about ineligible items for funding and the objectives of the CGP are contained within attached guidelines.

EXTERNAL CONSULTATION

Round 1 of the CGP was extensively promoted through local media channels and significant consultation between Shire staff and the applicants listed occurred as part of the application process.

STATUTORY ENVIRONMENT

There is no statutory environment relevant for this report.

POLICY IMPLICATIONS

The Community Grant Program Guidelines (attachment 1) were adopted as Council Policy on 17 June 2025.

FINANCIAL IMPLICATIONS

The adopted 2025/2026 Annual Budget includes a total of \$155,000 for the Community Grant Program. Applications received to-date, including the Category 4 grant applications which will be considered by the Council in November, total \$187,711.62. As such, not all grant applications received will be recommended as a priority to receive funding.

BUDGET IMPLICATIONS

As the total value of applications received exceeds the budget allocation, the Council may wish to increase the budget allocation following consideration of all grant applications (Category 4).

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 2025 – 2029 provides:

At Key Pillar 1 - Community the following:

Strategy 1.9 - Encourage and support the retention and attraction of volunteers

Corporate Action 1.9.2 - Review the annual grants program to ensure its relevant to clubs and association needs

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 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

Following the adoption of the new Community Grant Program process in May, a first funding round has been advertised for Category 3 grants. The following summary of grant applications received with the relevant Officer recommendation and comment is as follows:

Applicant	Project Summary	\$'s Requested	\$'s Recommended	Officer Comment
Kendenup Community and Men's Shed Inc.	Contribution to Architect (\$6,000) and Grant writing (\$1,200) expenses.	\$7,200	\$7,200	Important project planning / preparatory work for a new community owned asset. Meets objective of <i>'Ensure equitable distribution of activities and services across the Shire'</i> .
Mount Barker Amateur Swim Club	Financial support to enable participation in the 2026 Country Pennants competition in Karratha. (Return Flights to Karratha, Bus Hire to drive squad around, car hire, accommodation and meals)	\$5,000	\$0	Low priority as predominately supports individuals undertaking a high-performance event, rather than a sufficiently broad, or diverse, target group.
Art On the Move	Jessee Lee Johns – The Ronald Courtney Institute (Artist fees) - Porongurup Project	\$24,900	\$0	Low priority as minimal other funding sources/financial contributors and borders on payment of 'salary' costs. Premature application with Shire's Art & Culture Strategy under development. More evidence of community education component required.
RSPCA WA	RSPCA Community Action Day Plantagenet	\$4,975	\$0	Supported, however, through other Shire budget area (Rangers) – minimal objectives of the CGP met.

Applicant	Project Summary	\$'s Requested	\$'s Recommended	Officer Comment
Porongurup Community Association	Music Festival – different genres including indigenous artists	\$5,000	\$5,000	Creation of new event that meets the objectives of the CGP.
Mount Barker Bulls Football Club	Engaging the teens of Plantagenet – request for funding to support teens who are unable to participate due to financial constraints.	\$5,000	\$5,000	Strong application that meets the objectives of the CGP.

The adopted 2025/2026 Annual Budget includes a total of \$155,000 for the Community Grant Program. Applications received to-date, including the Category 4 grant applications which will be considered by the Council in November, total \$187,712. In addition, there will be a second round of Category 3 grants open in early 2026 and additional category 1 and 2 grants received throughout the year.

As such, not all grant applications above have been recommended as a priority to receive funding, even though all applications are of a high standard and contribute to a worthy community cause.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council approves the 2025/26 round 1, category 3 Community Grant Program applications as follows:

1. Kendenup Community and Men's Shed Inc. - \$7,200;
2. Porongurup Community Association - \$5,000; and
3. Mount Barker Bulls Football Club - \$5,000.

9.3.2 MOUNT BARKER TOURIST BUREAU INC SUBLEASE LOT 640 ALBANY HWY

Synergy Ref:	N66912
Attachment:	<u>Tourist Bureau Lease Schedule and Plan</u>
Responsible Officer:	Anthony Middleton Executive Manager Corporate and Community Services
Author:	Delma Baesjou Coordinator Corporate Strategy
Proprietor/Applicant:	Shire of Plantagenet
Proposed Meeting Date:	28 October 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 Tourist Bureau Sublease for portion of the former Railway Station, Lot 640 Reserve 10338 (662) Albany Hwy, Mount Barker, Western Australia.

BACKGROUND

The Shire of Plantagenet currently leases the former Mount Barker Railway Station site from the Public Transport Authority of Western Australia (PTAWA). The Shire subleases approximately 211.54m² (the southern portion of the building) to the Mount Barker Tourist Bureau Inc. The current sublease agreement expires on 30 November 2025.

A related report on an extended term of 5 years for the current Sublease was considered by the Council at the meeting held 1 December 2020. Item 9.4.4, Resolution 318/20 relates.

EXTERNAL CONSULTATION

Officers have been in contact with the Sublessee, and a draft was prepared and forwarded for consideration. On 14 October 2025 a response was received advising the Tourist Bureau was keen to expedite the new Sublease.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.58 applies to the disposition of property, including leasing. Under the Local Government (Functions and General) Regulations, a disposition of land is an exempt disposition and is excluded from the application of Section 3.58, if:

‘...the land is disposed of to a body, whether incorporated or not – the objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and members of which are not enlisted or permitted to receive a pecuniary profit from the body’s transactions.’

A sublease to the Mount Barker Tourist Bureau Inc. is an exempt disposition.

POLICY IMPLICATIONS

Asset Management Policy

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'. The Policy also states 'The Shire is committed to making informed decisions in relation to its assets'.

The proposed Lease is consistent with Policy No: A/PA/15.

FINANCIAL IMPLICATIONS

The cost of preparing the Sublease document has been born by the Shire.

BUDGET IMPLICATIONS

Item 5 of the current Sublease with the Tourist Bureau set the rent at One dollar (\$1) per annum.

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

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 Heritage Listed former Railway Station is a community asset which the Shire is obligated to continue to maintain in a sound structural condition.

STRATEGIC IMPLICATIONS

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

At Key Pillar 2 - Environment

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.'

Corporate Action 2.4.1 - Asset management and rationalisation plan developed for all Council facilities.

At Key Pillar 3 - Economy

Strategy 3.9 – 'Grow tourism that promotes our many natural assets, in a sustainable way.'

Corporate Action 3.9.4 - Maintain support of local tourism organisations and engage at a regional level.

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 Terms and Conditions of the new Sublease are consistent with the current Sublease, other than the rent which is proposed at \$10 per annum. It is considered appropriate to offer the Sublease on a five-year term.

Renewal of the Sublease is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Enters into the Sublease with Mount Baker Tourist Bureau Incorporated for portion of the former Railway Station, Lot 640 Reserve 10338 (662) Albany Hwy, Mount Barker, Western Australia as proposed; and
2. Authorises the President and the Chief Executive Officer to affix the Common Seal of the Council to the Sublease.

9.3.3 LIST OF ACCOUNTS - SEPTEMBER 2025

File Ref: N66915
Attachment: List of Accounts – September 2025
Responsible Officer: Anthony Middleton
Executive Manager – Corporate & Community
Author: Kylie Caley
Manager of Finance
Proposed Meeting Date: 28 October 2025

PURPOSE

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

The Shire of Plantagenet Corporate Business Plan 2025 - 2029 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

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

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

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

EFT Payments	EFT8474 – EFT8648	\$810,835.93
Direct Debit Payments		\$154,030.79
EFT Payroll Payments		\$463,818.03
Total Municipal Account Payments		\$1,428,684.75
Licensing Trust Account		
Direct Debit Payments		\$ 118,311.85
Total Licensing Trust Account Payments		\$ 118,311.85
<i>TOTAL OF ALL ACCOUNTS</i>		<i>\$1,546,996.60</i>

9.3.4 MONTHLY FINANCIAL REPORT – SEPTEMBER 2025

File Ref: N66916

Attachment: Monthly Financial Report - September 2025

Responsible Officer: Anthony Middleton
Executive Manager Corporate & Community

Author: Kylie Caley
Manager of Finance

Proposed Meeting Date: 28 October 2025

PURPOSE

The purpose of this report is to provide Council with the monthly financial report for the month ending 30 September 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 2025 - 2029 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 2025 to 30 September 2025 represents three (3) months, or 25% of the year. The following items are worthy of noting:

- Closing surplus position of \$10.33m;
- Operating results:
 - 45% of budgeted operating revenue has been received; and
 - 10% of budgeted operating expenditure spent;

- Capital expenditure achieved 2.1% of budgeted projects;
- Cash holdings of \$13.7m of which \$6.65m is held in cash backed reserve accounts;
- Rates debtors outstanding equate to 37.7% of total rates raised for 2025/2026 (this includes deferred pensioner rates); 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 30 September 2025, as presented.

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 COUNCIL MEMBER CONTINUING PROFESSIONAL DEVELOPMENT POLICY

Synergy Ref:	N66917
Attachment:	<u>Council Member Continuing Professional Development Policy</u>
Responsible Officer:	Julian Murphy Chief Executive Officer
Author:	Julian Murphy Chief Executive Officer
Proposed Meeting Date:	28 October 2025

PURPOSE

The purpose of this report is to consider the proposed Council Member Continuing Professional Development Policy.

BACKGROUND

Section 5.128 of the *Local Government Act 1995* requires Council to prepare and adopt a policy for Councillor continuing professional development. The policy is to be reviewed after each local government election.

The *Local Government (Administration) Regulations 1996*, Regulation 37 provides:

- (2) The policy must not allow for the payment or reimbursement of an amount in relation to the participation of a council member in continuing professional development unless the continuing professional development is relevant to either or both of the following —
 - (a) the council's role under the Act or another written law, including as described in section 2.7;
 - (b) the council member's role under the Act or another written law, including as described in any of sections 2.8 to 2.10.
- (3) The policy must not allow for the payment or reimbursement of an amount in relation to the participation of a council member in continuing professional development if the participation occurs during any of the following periods —
 - (a) the period of 3 months ending on the day on which the term for which the council member was elected as an elector mayor or president, or as a Councillor, ends;
 - (b) if the council member delivers a notice of resignation to the CEO under section 2.31 specifying a later day from which the resignation takes effect under section 2.31(4) — the period that —
 - (i) begins on the date of delivery of the notice; and

- (ii) ends when the resignation takes effect;
- (c) a period of suspension of the council or council member under Part 8 of the Act.

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

STATUTORY ENVIRONMENT

Local Government Act 1995

- *section 5.128. Policy for continuing professional development*
- *section 5.129. Fees and expenses*

Local Government (Administration) Regulations 1996

- Regulation 37 Fees and expenses

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

Provision for Elected Member training and reimbursement of expenses is provided for in the Annual Budget.

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 2025 – 2029 provides:

At Key Pillar 4 - Performance & Leadership the following:

Strategy 4.3 – Commitment to continuous improvement in service delivery

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

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

RISK MITIGATION IMPLICATIONS

Low Risk

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The attached policy for Council Member Continuing Professional Development has been developed for:

- Mandatory Council Member Training, and
- Continuing Professional Development.

The policy outlines how the cost of Councillor training and conference expenses will be covered or reimbursed including travel, accommodation and training or conference registration fees.

The policy covers what training and conferences for Councillors will be supported and the application and approval process for attendance.

The policy supersedes the existing Elected Members Expenses to be Reimbursed policy which was adopted prior to changes in the Act, requiring a mandatory training policy and the Salary and Allowances Tribunal (SAT) determinations of Elected Members expenses to be reimbursed. As these matters are now covered by the Salary and Allowances Tribunal determinations, there is no need for a Council policy on reimbursements any longer. The following is a link to the SAT determination for 2025.

[Local Government Chief Executive Officers and Elected Council Members Determination No 1 of 2025](#)

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That Council adopts the Shire of Plantagenet Council Member Continuing Professional Development Policy, as proposed and repeals the Elected Members Expenses to be Reimbursed Policy.

9.4.2 COUNCIL MEETINGS SCHEDULE 2026

File Ref:	N66900
Responsible Officer:	Julian Murphy Chief Executive Officer
Author:	Nolene Wake Executive Officer
Proposed Meeting Date:	28 October 2025

PURPOSE

The purpose of this report is to review and schedule ordinary meetings of the Council for 2026.

BACKGROUND

In 2025, Council held ordinary meetings on the fourth Tuesday of each month except January. Some meeting dates in the past have been altered due to the timing of public holidays.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 5.3 provides that a Council is to hold ordinary meetings and may hold special meetings.

Local Government Act 1995 – Section 5.5 requires the CEO to convene ordinary meetings by giving each Council member at least 72 hours' notice of a date, time and place of a meeting and an agenda for the meeting.

Local Government (Administration) Regulations 1996 – regulation 12 requires that ordinary council meetings to be held in the next 12 months shall be advertised on the local government's official website.

Further, a local government is to give local public notice of any change to the date, time or place of the meeting.

FINANCIAL IMPLICATIONS

The frequency and timing of meetings may impact catering costs.

POLICY IMPLICATIONS

Council Forums Policy and Attendance at Events Policy applies.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2025 – 2029 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.

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

South Coast Alliance Inc; Southern Link VROC and WALGA Zone Meetings are scheduled in such a way to avoid any meeting conflicts.

OFFICER COMMENT

It is recommended that the current cycle of meetings held on the fourth Tuesday of each month, except January, continues.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Holds Ordinary Meetings of Council for 2026 as follows:
 - a) 24 February 2026
 - b) 24 March 2026
 - c) 28 April 2026
 - d) 26 May 2026
 - e) 23 June 2026
 - f) 28 July 2026
 - g) 25 August 2026
 - h) 22 September 2026
 - i) 27 October 2026
 - j) 24 November 2026
 - k) 15 December 2026

2. Holds all Ordinary Meetings of Council commencing at 5.00pm in the Council Chambers, Lowood Road Mount Barker.
3. Advertises meeting dates and times pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.

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 CEO PERFORMANCE REVIEW**

Synergy Ref:	N66918
Attachment:	<u>CEO Performance Review Report</u>
Responsible Officer:	Julian Murphy Chief Executive Officer
Author:	Julian Murphy Chief Executive Officer
Disclosure of Interest:	The Chief Executive Office has a financial interest in this report relating to matters affecting the employment of the CEO
Proposed Meeting Date:	28 October 2025

PURPOSE

The purpose of this report is to consider the Chief Executive Officer Performance Review Report for the 2024/2025 review period.

OFFICER RECOMMENDATION

That in accordance with section 5.23 (2)(a) of the Local Government Act 1995 the meeting is closed to members of the public because it deals with matters affecting an employee of council.

MOTION THAT THE MEETING BE CLOSED TO THE PUBLIC

Time:

MOTION THAT THE MEETING BE OPENED TO THE PUBLIC

Time:

The Council decision to be read aloud in public.

13 CLOSURE OF MEETING