



DRAFT AGENDA

ORDINARY MEETING OF COUNCIL

28 OCTOBER 2026

DISCLAIMER

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Our Community Vision

"We are a thriving region which is safe, liveable and welcoming.

We value our quality of life and embrace our natural environment which affords us both economic and recreational pursuits.

Our industries are recognised for their resilience, quality and innovation and for their contribution to the state of Western Australia.

Our economic diversity provides business and employment opportunities for all."

SHIRE OF MANJIMUP – ORDINARY MEETING OF COUNCIL AGENDA

28 OCTOBER 2026

NOTICE TO ALL COUNCILLORS

An Ordinary Meeting of Council is called for Wednesday 28 October 2026 commencing at 5:30 PM in the Council Chamber.



**Benjamin Rose
CHIEF EXECUTIVE OFFICER**

15 October 2026

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reasons for seeking the advice or information and how it is proposed to be used.

IMPORTANT MATTERS AFFECTING THOSE ATTENDING THE MEETING AND THOSE AFFECTED BY A DECISION OF THE MEETING:

- 1. Please note this meeting may be electronically recorded.**
- 2. Decisions made in this meeting are unable to be acted upon by the person who has been granted the authorisation unless and until the decision is able to be implemented by the Chief Executive Officer and in any event not before the afternoon of the first business day following this meeting. If you are in any doubt about a decision please contact the Shire prior to making any commitments.**

SHIRE OF MANJIMUP
ORDINARY MEETING OF COUNCIL
WEDNESDAY 28 OCTOBER 2026
TO BE HELD
IN THE COUNCIL CHAMBER
COMMENCING AT 5:30 PM

AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Ngaala kaaditj Noongar moort keyen kaadak nidja boodja.

We acknowledge the Noongar people as the Traditional Custodians of this land.

2. ANNOUNCEMENTS BY THE PRESIDENT

The Shire President extends congratulations to Manjimup resident Ms Michelle Aiken on her selection as flag bearer for the Western Australian team at the Special Olympics National Games.

Further announcements to be advised at the meeting.

3. ATTENDANCE

3.1 Apologies

Nil.

3.2 Approved Leave of Absence

Nil.

4. DECLARATIONS OF INTEREST

5. PUBLIC QUESTION TIME

5.1 Response to public questions taken on notice

Nil.

5.2 Public Question Time**6. PRESENTATIONS****6.1 Petitions**

Nil.

6.2 Presentations

Nil.

6.3 Deputations

Nil.

6.4 Delegate Reports

Nil.

6.5 Conference Reports

Nil.

7. CONFIRMATION OF PREVIOUS MINUTES

_____/_____

That the Minutes of the Ordinary Meeting of the Council held on 23 September 2026 be confirmed as a true and accurate record.

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

Draft

9. OFFICER REPORTS

VOTING TYPE	ITEM	OFFICER REPORTS	Page No.
EXECUTIVE SERVICES			
	9.1	OFFICE OF CEO	
	9.1.1	Minutes of the Warren Blackwood Alliance of Councils Extraordinary Meeting held on 24 September 2026	8
BUSINESS DIRECTORATE			
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DEVELOPMENT SERVICES			
	9.5	STATUTORY PLANNING	
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COMMUNITY SERVICES DIRECTORATE			
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Absolute	9.9.1	Manjimup Christmas Tree - Assessment of Repair and Replacement Options	51
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	9.11	LIBRARIES AND CULTURAL SERVICES	
INFRASTRUCTURE SERVICES DIRECTORATE			

	9.12	TECHNICAL SERVICES	
	9.13	WORKS	
	9.13.1	Proposed Award of Tender RFT 01-27 Provision of Street Sweeping and Pit Eduction Services	64
	9.14	PARKS AND GARDENS	
	9.14.1	Proposed Award of Tender RFT 02-27 Concrete Footpath Construction	68
	9.15	OCCASIONAL AND MANAGEMENT COMMITTEES	
	9.16	ADVISORY COMMITTEES	

_____ / _____

“That Council adopt the recommendations contained in the Council Officers and Committee Reports within Section 9 of the Agenda with the exception of those on the board.”

ATTACHMENT**9.1.1 Minutes of the Warren Blackwood Alliance of Councils
Extraordinary Meeting held on 24 September 2026**

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS	N/A
WARD	Whole of Shire
ZONE	N/A
DIRECTORATE	Executive Services
FILE REFERENCE	F160572
LEGISLATION	<i>Local Government Act 1995</i>
AUTHOR	Kevin Walker (Corporate Executive Assistant)
DATE OF REPORT	12 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

The Warren Blackwood Alliance of Councils (WBAC) is a voluntary regional organisation of Councils comprising the Shires of Boyup Brook, Bridgetown-Greenbushes, Donnybrook Balingup, Manjimup, and Nannup. Established in 2001 in response to significant economic and social changes in the region, WBAC provides a forum for these neighbouring local governments to collaborate on issues affecting the Warren Blackwood area.

The primary role of WBAC is to advocate for the collective interests of the region and support economic, social, and environmental planning across the five member Shires. By working together, the member Councils can strengthen their regional voice and coordinate efforts on matters of shared concern.

The Alliance is funded through contributions from its member Councils, with each Council providing annual financial support based on agreed arrangements. Additional funding is also sourced from state and federal grants or programs to support regional initiatives and operational costs.

WBAC is governed by a Board, with two representatives from each member Council, and supported by an executive team that manages the day-to-day operations and coordination of the Alliance's activities. The Board meets every two months.

This report presents the minutes of the WBAC Extraordinary meeting held on 24 September 2026 for Council's information.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The minutes of the WBAC Extraordinary meeting held 24 September 2026 are attached.

ATTACHMENT: 9.1.1 (1)

The minutes are provided to Council to ensure transparency of WBAC's discussions and decisions, including any matters with potential time or financial implications for the Shire.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS

Participation in the Warren Blackwood Alliance of Councils is closely aligned with the Shire of Manjimup Strategic Community Plan 2021 – 2031, supporting the following strategies:

- Strategy E3 - Actively participate in regional, state and national alliances to return benefit to the community.
- Strategy A18 - Pursue regional climate related opportunities through Warren Blackwood Alliance of Councils.

ORGANISATIONAL RISK MANAGEMENT

Involvement in WBAC supports the Shire in managing organisational risk by enabling collaboration, shared knowledge, and coordinated approaches to regional challenges.

FINANCIAL IMPLICATIONS

The Shire of Manjimup's budget for financial contributions to WBAC in 2026/27 is outlined below:

Warren Blackwood Alliance of Councils Contribution	\$ 46,532
Warren Blackwood Stock Route	\$ 8,500
Local Tourism Organisation Contribution	\$ 75,520
Total	\$ 130,552

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council note the minutes of the Warren Blackwood Alliance of Councils meeting held on 24 September 2026 as shown in Attachment: 9.1.1 (1).

ATTACHMENTS

1 ➡ [WBAC Extraordinary Meeting Minutes - 24 September 2026](#) 2 Pages

ATTACHMENT**9.3.1 Monthly Statement of Financial Activity - August 2026**

PROPONENT	Shire of Manjimup
OWNER	Whole Shire
LOCATION / ADDRESS	Whole Shire
WARD	Whole Shire
ZONE	N/A
DIRECTORATE	Business
FILE REFERENCE	F160188
LEGISLATION	Local Government Act 1995; Local Government (Financial Management Regulations) 1996
AUTHOR	Greg Lockwood (Director Business)
DATE OF REPORT	22 September 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

The Local Government (Financial Management) Regulations 1996 require monthly Statement of Financial Activity reports to be prepared and presented to Council, containing the following information:

- Annual budget estimates.
- Estimates to end of month.
- Actual expenditure.
- Actual income.
- Material variances.
- Net current assets.

The Statement of Financial Activity report for the period to 31 August 2026 is attached. The report is summarised by "Type" with operating comments identifying departments with a reportable variance.

ATTACHMENT: 9.3.1 (1)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The Statement of Financial Activity for the period ended 31 August 2026 indicates that the Shire of Manjimup is generally operating in accordance with the adopted budget. Aside from the bridge maintenance matters outlined below,

no significant financial issues have been identified at this early stage of the financial year.

Following the completion of the first two months of the 2026/27 financial year, income and expenditure trends remain broadly consistent with budget expectations. Activity across the majority of programs is progressing within normal limits and will continue to be monitored through the monthly reporting process.

On the 31 August 2026 Shire staff received advice from the Department of Local Government, Sport and Cultural Industries on the 2026/27 final Financial Assistance Grant (FAG) allocations. The Shire of Manjimup's allocation has increased moderately on the original estimates that made up the 2026/27 adopted budget.

The allocation compared to budget is:

	2026/27 Allocation	2026/27 Adopted Budget (inc early Payment)	(Shortfall) / Excess
General Purpose Grant			
2026/2027 GP Grant Allocation	3,262,306	3,429,208	166,902
Road Grant			
2026/2027 Road Grant Allocation	1,900,746	2,002,207	101,461
Total Financial Assistance Grant	5,163,052	5,431,415	268,363

Bridge maintenance is the only area requiring specific comment at this point in the year. Expenditure to 31 August 2026 totals \$90,596 compared with a whole year budget allocation of \$196,548, representing a significant early use of the annual provision.

This expenditure reflects one request received by the Shire for emergency bridge maintenance works with another two requests yet to be actioned. Main Roads WA is expected to fund two-thirds of the eligible repair cost, with the remaining one-third and any ineligible or additional costs to be met by the Shire.

The bridge maintenance account will be monitored closely over coming months given the early level of expenditure and the potential for further emergency works. At this stage, no budget amendment is proposed, however the position may need to be reassessed if additional works are required.

All other operating and capital accounts reviewed as part of the monthly financial reporting process are considered to be within normal limits for the period ended 31 August 2026.

In summary, the Shire's overall financial position remains satisfactory as at 31 August 2026. Bridge maintenance will continue to be watched due to the level of expenditure incurred early in the year, while all other areas remain within expected budget parameters.

STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act 1995 and Financial Management Regulation 34.

POLICY / STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

As described in above summary.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil

Social: Nil

VOTING REQUIREMENTS: SIMPLE MAJORITY**OFFICER RECOMMENDATION**

That Council receive the Monthly Statement of Financial Activity Report for August 2026, as per Attachment: 9.3.1 (1).

ATTACHMENTS

1 [🔗](#) Monthly Financial Activity Statement - August 2026 27 Pages

ATTACHMENT**9.3.2 Shire Financial Payments for August 2026**

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS	Whole of Shire
WARD	All
ZONE	Whole of Shire
DIRECTORATE	Business
FILE REFERENCE	F160967
LEGISLATION	<i>Local Government (Financial Management) Regulations 1996</i>
AUTHOR	Sharon O'Connell (Finance Officer – Accounts Payable)
DATE OF REPORT	8 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

It is a statutory requirement for a list of payments from the Municipal and Trust Funds to be presented to Council and included in the Minutes.

Effective from 1 September 2023, local governments are required to disclose information about purchases made on purchasing cards, such as corporate cards, debit cards, store cards, fuel cards and taxi cards.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

Accounts for payment totalling \$1,727,918.30 for the month of August 2026 including Corporate Card transactions, Ampol and BP fuel cards and Coles Supermarkets store cards transactions for July 2026, are attached.

ATTACHMENT: 0.09.3.2 (1)

Payment by Fund	Amount
Municipal – August 2026	\$1,727,918.30
Trust Fund	\$0.00
Total	\$1,727,918.30

Electronic Funds Transfer (EFT), direct debits, and cheque payment reports are available for inspection at the Ordinary Meeting of Council of 28 October 2026.

Method	Batch or cheque no.	Amount
Municipal Payments for Month August 2026		
Cheque payments	95944 – 95954	\$8,539.39
EFT	474 - 476	\$734,735.24
Direct Debits		\$52,872.78
Payroll – August 2026		\$931,770.89
Total Payments – August 2026		\$1,727,918.30

Direct Debit for Card Payments	Amount
Corporate Credit Cards – July 2026	\$9,302.11
Coles Supermarkets Australia – July 2026	\$808.80
Total	\$10,110.91
Direct Debit payments included on Warrant Listing Report – August 2026	

Fuel Card Payments	Amount
BP Cards – July 2026	\$8,739.01
Ampol Cards – July 2026	\$2,942.85
Total	\$11,681.86
Fuel Card Payments included on Electronic Funds Transfer (EFT) payments on Warrant Listing Report – August 2026	

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996, Regulations (12) and (13).

POLICY / STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

As stated.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council note the August 2026 accounts for payment totalling \$1,727,918.30 as detailed within Attachment 0.0(1).

ATTACHMENTS

1 ➡ Shire Financial Payments for August 2026 28 Pages

ATTACHMENT**9.5.1 Delegated Planning Decisions September 2026**

PROPONENT	Shire of Manjimup
OWNER	Various
LOCATION / ADDRESS	Various
WARD	All
ZONE	Various
DIRECTORATE	Development Services
FILE REFERENCE	F170085
LEGISLATION	Planning and Development Act 2005 and Local Government Act 1995
AUTHOR	Kelli Summerfield (Planning Administration Officer)
DATE OF REPORT	7 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

In order to ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve applications for Development Approval that meet the requirements of both Local Planning Scheme No. 4 (the Scheme) and adopted Planning Policy.

Delegated planning decisions are reported to Council on a monthly basis to ensure that Council has an appropriate level of oversight on the use of this delegation. A register of Delegated Development Approvals, detailing those decisions made under delegated authority in September 2026 are attached.

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN

Where required, applications were advertised in accordance with the Scheme and Council's adopted Local Planning Policy as detailed in the Policy/Strategic Implications section below.

COMMENT

During September 2026, six (6) development applications were determined under delegated authority. Table 1 shows the number and value of development applications determined under both delegated authority and by Council for September 2026 compared to September 2025.

Table 1: Planning Decisions Made September 2025 and 2026

	September 2025	September 2026
Delegated Decisions	17 (\$3,304,528)	6 (\$753,588)
Council Decisions	2 (\$0)	4 (\$0)
Total	19 (3,304,528)	10 (\$753,588)

Table 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2026-27 compared to the previous Financial Year:

Table 2: Planning Decisions Made Year-To-Date 2025-26 and 2026-27

	YTD 2025-26	YTD 2026-27
Delegated Decisions	41 (\$6,245,966)	18 (\$2,552,373)
Council Decisions	9 (\$160,000)	11 (\$1,360,000)
Total	50 (\$6,405,966)	29 (\$3,912,373)

During September 2026, one (1) clearance of conditions of subdivision approval was issued.

STATUTORY ENVIRONMENT

The Scheme is a Local Planning Scheme, made in accordance with the Planning and Development Act 2005 and associated regulations. Part 8 of the Scheme states that prior planning approval is required for all developments (including proposed land use), except those developments identified within Part 8.4 as being Permitted Development.

In accordance with Part 11.3 of the Scheme, Council has delegated a number of planning powers to the Chief Executive Officer. These powers have been on-delegated by the Chief Executive Officer to other Shire Officers in accordance with clause 11.3.3 of Local Planning Scheme No 4.

Clause 11.3.5 of the Scheme requires that a delegation under the Scheme is consistent with sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in clause 5.46 of that Act. Regulation 19 of the Local Government (Administration) Regulations 1996 requires that a written record of each delegated decision be kept.

POLICY / STRATEGIC IMPLICATIONS

Applications for Development Approval must be assessed against requirements of the Scheme and Local Planning Policies that have been adopted in accordance with Part 2 of the Scheme. These Policies include Local Planning Policy LPS4 6.1.2 *Advertising of Planning Proposals*, which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised, where required, and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council receive the report on Delegated Development Approvals for September 2026 as per Attachment: 9.5.1 (1).

ATTACHMENTS

1 ➡ Decisions September 2026 1 Page

ATTACHMENT**9.5.2 Retrospective Increase in Numbers of Rural Workers in Accommodation at Lot 2 (874) Stirling Road Channybearup**

PROPONENT	Suzie Delroy
OWNER	Delroy Superannuation Pty Ltd
LOCATION / ADDRESS	Lot 2 (874) Stirling Road, Channybearup
WARD	Rural
ZONE	Priority Agriculture
DIRECTORATE	Development Services
FILE REFERENCE	TP2026/113 P57291 DA26/108
LEGISLATION	Planning and Development Act 2005
AUTHOR	Karleha Brown (Planning Officer)
DATE OF REPORT	1 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

Council is requested to consider an application for retrospective approval for 'Rural Workers Accommodation' to increase the number of workers at Lot 3 (874) Stirling Road, Channybearup. The subject site is zoned Priority Agriculture and is 26.18ha in area. The property forms part of Delroy Farms that grow Avocados and Kiwis on the subject property and in the surrounding area. The site includes a four (4) bed transportable each room with ensuite and a four (4) bedroom house. A location plan is shown below.



Retrospective approval is being sought for the occupation of the dwelling for rural workers. The original application proposed to accommodate eight (8) workers within the four (4) bedroom dwelling. However, following a site inspection by Shire Staff and an assessment against the Shire's Health Local Law, the application has been revised as the dwelling can only accommodate five (5) people.

Workers staying in the transportable accommodation approved in March 2019 use the kitchen and laundry facilities in the dwelling. Using the dwelling to accommodate additional workers increases the total number of workers on the property beyond the number originally approved.

The key elements of the proposal is as follows:

- A manager is located at the neighbouring property;
- Parking for up to 12 cars will be provided;
- Onsite potable water is provided;
- Cleaning and catering is undertaken by the workers themselves;
- Rubbish removal is via skip bins.

A copy of the details related to the proposal is provided attached.

ATTACHMENT: 9.5.2 (1)

PUBLIC CONSULTATION UNDERTAKEN

The application was advertised in accordance with Clause 9.6 of the Shire of Manjimup's Local Planning Scheme No. 4 (the Scheme) for a 21 day period to the adjoining landowner, and a notice in the local newspaper. One objection was received during the comment period.

The submission raised issues with regards to the suitability of the dwelling and its location to cater for additional workers. The nature of the submission is discussed further in the comment section below and a copy of the submission is provided in the attachment.

ATTACHMENT: 9.5.2 (2)

COMMENT

To assist Council in determining the application, the following comments are offered:

Zone Purposes and Objectives

The provisions of the Scheme include the subject site and surrounding properties within the Priority Agriculture Zone. As detailed in Clause 4.4 of the Scheme, the purpose of the Priority Agriculture Zone is to provide for the

sustainable use of high-quality agricultural land, particularly where water resources exist, preserving existing agricultural production, including market gardens, orchards and vineyard enterprises.

Consistent with this purpose, the objectives of the zone include a requirement to *“avoid the introduction of land uses and subdivision not related to agriculture including rural residential proposals”*.

As the occupants of the accommodation will be workers employed in the local farming industry, the proposed use is considered to be consistent with the purpose and objectives of the zone.

In determining an application for planning approval, the local government is required to have regard to various matters as outlined within clause 67 of the Planning and Development Regulations 2015 (P&D Regs). These matters include, but are not limited to:

- (a) *the aims and provisions of this and any other local planning scheme operating within the Scheme area;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (x) *the compatibility of a use or development with its setting including the potential impact on the use and enjoyment of adjacent and nearby land and taking into consideration any Special Control Area;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*

Land Use Classification

The Scheme defines “Rural Workers’ Accommodation” as *a building or building(s) located on a rural landholding, which are used for accommodating seasonal, temporary or migratory workers employed for agricultural/horticulture activities in the district and is to be incidental to that agricultural use of that land.*

The application as submitted aligns with the definition above.

Land Use Permissibility

‘Rural Workers’ Accommodation is an ‘A’ land use within the zone. An ‘A’ land use being a use, which is not permitted unless the local government has exercised its discretion by granting approval after giving special notice in accordance with Clause 9.6. As detailed in the public consultation section above, advertising of the application has been completed.

Internal Department Assessment

The proposed development will need to meet the requirements of the Health (Miscellaneous Provisions) Act 1911 and the Building Act 2011 to be considered compliant.

As mentioned above a site inspection was undertaken by Building and Planning Services. The dwelling is recommended to meet the requirements of building services by installing hard wired smoke alarms, emergency lighting and lift off hinges to the water closets to the satisfaction of Building Services.

The proposed use will be required to operate in compliance with all relevant requirements of the *Health (Miscellaneous Provisions) Act, 1911*. Shire staff have assessed the property, as part of this assessment and consider that the property can comply with health legislation.

An assessment against the Shire of Manjimup's Health Local Law has been undertaken, which as a result reduced the proposed occupancy from eight (8) to five (5) persons.

Consistency with Zoning

The Rural Workers Accommodation is considered to meet the objectives of the zone as it will provide the owner with reliable accommodation for workers and provided that the behaviour of occupants is appropriately managed, the Rural Workers are not expected to have any impact on the amenity of the surrounding area. The change of land use will not prejudice the ability of the development to operate as a dwelling in the future.

Parking Requirements

Table 2 Carparking requirements sets out the minimum number of car parking spaces for relevant land uses, whilst Rural Workers Accommodation is not set out in the table the parking requirement can be considered based on the need generated by the use. The applicant has indicated that there is sufficient space for 12 car parking spaces. Given there are only nine (9) total workers being accommodated on the property, there is a surplus of parking spaces on the property.

Management and Emergency Evacuation

As the site manager is located nearby, they will be available to manage and support workers on site. To ensure this occurs, the submitted management plan is to be implemented to clearly demonstrate how the site manager intends to deal with and control the resident workers in the day-to-day manner and in the event of an emergency. An emergency management plan has been submitted which includes an evacuation process. Conditions reflecting this requirement have been included in the Officer Recommendation.

Submission

The submission received raises concern to the retrospective nature of the development, compliance with other relevant legislation such as the Health Local Law and Building Code of Australia and the potential impact the development may create to the local road network.

In response to the concerns raised, Shire staff consider the location of the Rural Accommodation suitable to facilitate the work required on the subject property and surrounding area. The dwelling with the associated transportable have

been assessed and meet the requirements of the Building Act 2011, the National Construction Code and the Health Local Law.

The application is expected to result in only a minimal increase in traffic on Stirling Road then what would normally be experienced if the workers were commuting to and from the property to undertake the work required on the surrounding farms.

Therefore, the dwelling is suitable to accommodate the additional five (5) Rural Workers.

It should be noted that the objector also requested additional information which is considered not to be able to be shared with members of the public, such as historic approvals, the floor plan of the dwelling and the lodging house permit application.

Retrospective Approval

In accordance with Clause 8.6, planning approval may be granted to a development already commenced or completed, regardless of the date, if the development conforms to the provisions of the Scheme.

Development which is unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval. The ongoing use of the land for the proposed purposes will be considered lawful upon the grant of planning approval.

Conclusion

The application for retrospective approval for 'Rural Workers Accommodation' is considered to meet the purpose and objectives of the Scheme provisions. Although one objection was received, an assessment has been undertaken and the application is recommended for approval subject to standard conditions and advice.

STATUTORY ENVIRONMENT

Shire of Manjimup Local Planning Scheme No. 4 and Planning and Development Act 2005.

POLICY / STRATEGIC IMPLICATIONS

The proposal is consistent with the following Community Goals and Strategies as contained within the Shire of Manjimup Strategic Community Plan 2021-2031 as adopted by Council:

Community Goals

- 2.2 Existing core industries such as agriculture and timber, are resilient, innovative and sustainable;

- 2.4 Industry and development is not hindered by excessive or complex compliance regulations.

Strategies

- B5 Collaborate with other stakeholders to develop a transient and seasonal worker strategy to balance their safety, accommodation and employment needs with the need's aspirations of the residential community.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

No substantial implications.

SUSTAINABILITY

Environmental: No vegetation is proposed to be removed as part of this application.

Economic: The application if approved, will allow the agricultural activity on the subject and surrounding property to be carried out in a more efficient and reliable manner.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council in accordance with clause 8.6 and Part 10 of Shire of Manjimup Local Planning Scheme No. 4 grants retrospective planning approval for a Rural Workers Accommodation for additional workers at Lot 2 (874) Stirling Road, Channybearup (TP2026/113) in accordance with the submitted plan as shown at Attachment: 9.5.2 (1) and subject to compliance with the following conditions and advice:

1. The development hereby approved must be carried out in accordance with the plans and specifications, as amended, and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Manjimup;

Reference	Document Title	Date Received
1.	Management Details	6 August 2026
2.	Emergency Plan	6 August 2026

3.	Evacuation Plan	6 August 2026
4.	Floor Plan(s)	6 August 2026

2. The Emergency Evacuation Response Plan, including the provision of the Manager's contact details, is to be displayed in the accommodation at all times.

Advice to Applicant

1. The approved development must comply with all relevant provisions of the *Health (Miscellaneous Provisions) Act 1911*, and the Building Act 2011.
2. Any occupancy above six (6) persons requires further approval as a "Lodging House" pursuant to the Shire of Manjimup Health Local Laws.
3. The use of the dwelling proposed may require the installation of additional smoke alarms, emergency lighting for a Class 1b building as detailed in the Building Code of Australia, Part 3.7.2, Smoke Alarms and lift off hinges to water closets be installed.

ATTACHMENTS

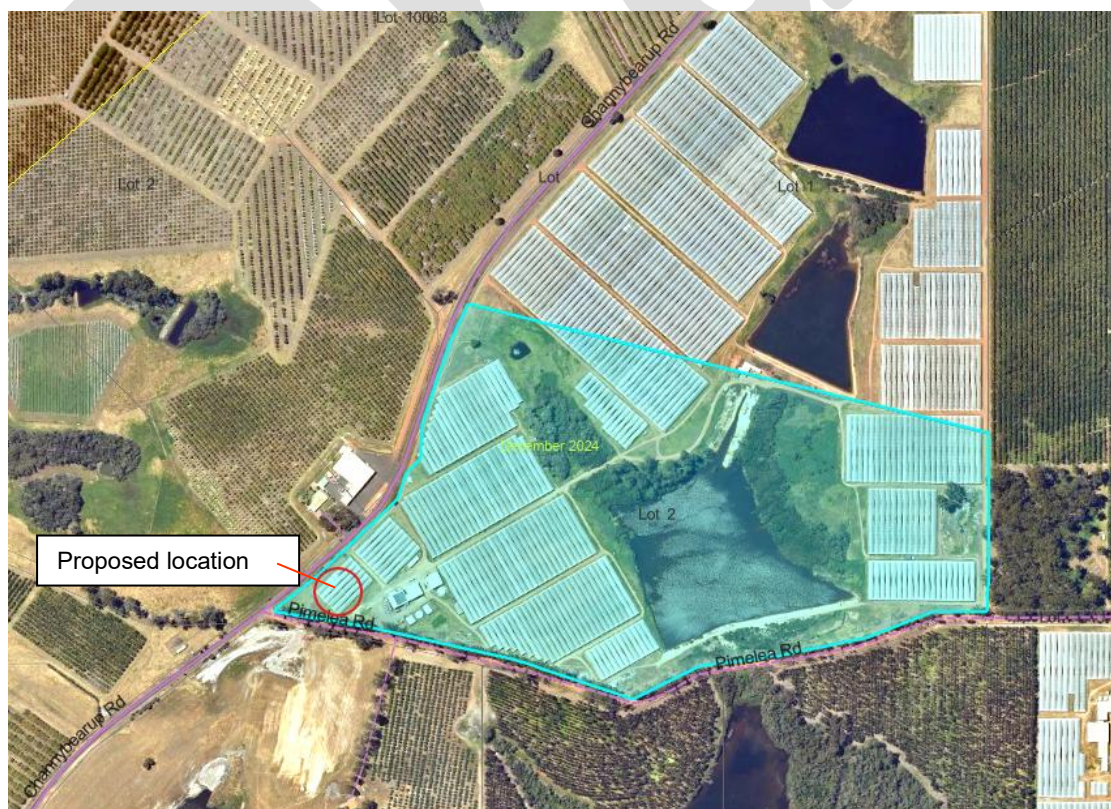
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| <ol style="list-style-type: none"> 1⇒ Management and Emergency Details for the retrospective Rural Workers at Lot 2, 874 Stirling Road Channybearup 2⇒ Submission raising concern | 6
Pages
1 Page |
|---|----------------------|

ATTACHMENT**9.5.3 Proposed Rural Workers Accommodation (90) at Lot 2 Channybearup Road, Channybearup**

PROPONENT	Foslyn Consulting
OWNER	Berry Sweet Strawberry Farm Pty Ltd
LOCATION / ADDRESS	Lot 2 Channybearup Road, Channybearup
WARD	Rural
ZONE	Priority Agriculture
DIRECTORATE	Development Services
FILE REFERENCE	DA26/78 P54123
LEGISLATION	Planning and Development Act 2005
AUTHOR	Jocelyn Baister (Manager Planning Services)
DATE OF REPORT	5 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

Lot 2 is 39.4ha in area and forms part of a multi-lot property along with Lot 1 Channybearup Road, Channybearup being Berrysweet berry farm. The subject land is located at the intersection of Pimelea Road and Channybearup and comprises of a large dam, remnant vegetation, grow tunnels, a packing shed, a number of water tanks and dwellings. A location plan is provided below.



At its 3 October 2013 Ordinary Council Meeting, Council considered and approved an application for two transportable dwellings for Rural Workers Accommodation, a toilet block and lunchroom at the property. The accommodation for no more than six (6) workers was to house the farm manager, the shed manager and their respective partners. These transportables appear to still be located on the property with additions constructed over time.

The current application seeks approval for Rural Workers Accommodation that consists of:

- 15 (3x1) accommodation units – 45 bedrooms – 90 people
- One (1) common room for shared recreation and dining facilities
- One (1) laundry facility
- Setback 25m from Channybearup Road, 10m from Pimelea Road
- Parking for 12 cars
- Manager located on the property

Accommodation will be for seasonal agricultural workers with occupancy periods varying from several weeks to nine (9) months during peak harvesting and production seasons. A copy of the proposal is provided attached.

ATTACHMENT: 9.5.3 (1)

PUBLIC CONSULTATION UNDERTAKEN

The application was advertised in accordance with Clause 9.6 of the Shire of Manjimup's Local Planning Scheme No. 4 (the Scheme) for a 21 day period to the adjoining landowners, and a notice in the local newspaper. Referrals were sent to Department of Health (DoH), Department of Primary Industries and Regional Development (DPIRD) and the Department of Fire and Emergency Services (DFES).

At the close of consultation, one objection was received from a member of the public and comments were received from DPIRD, DoH and DFES.

Copies of the correspondence is attached.

ATTACHMENT: 9.5.3 (2)

COMMENT

To assist Council in determining the application, the following comments are offered:

Zone Purposes and Objectives

The provisions of the Scheme include the subject site and surrounding properties within the Priority Agriculture Zone. As detailed in Clause 4.4 of the Scheme, the purpose of the Priority Agriculture Zone is to provide for the sustainable use of high-quality agricultural land, particularly where water resources exist, preserving existing agricultural production, including market gardens, orchards and vineyard enterprises.

Consistent with this purpose, the objectives of the zone include a requirement to *“avoid the introduction of land uses and subdivision not related to agriculture including rural residential proposals”*.

As the occupants of the accommodation will be workers employed in the local farming industry, the proposed use is considered to be consistent with the purpose and objectives of the zone.

In determining an application for planning approval, the local government is required to have regard to various matters as outlined within clause 67 of the Planning and Development Regulations 2015 (P&D Regs). These matters include, but are not limited to:

- (a) *the aims and provisions of this and any other local planning scheme operating within the Scheme area;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (x) *the compatibility of a use or development with its setting including the potential impact on the use and enjoyment of adjacent and nearby land and taking into consideration any Special Control Area;*
- (y) *any submissions received on the application;*
- (za) *the comments or submissions received from any authority consulted under clause 66;*

Land Use Classification

The Scheme defines “Rural Workers’ Accommodation” as *a building or building(s) located on a rural landholding, which are used for accommodating seasonal, temporary or migratory workers employed for agricultural/horticulture activities in the district and is to be incidental to that agricultural use of that land.*

The application as submitted aligns with the definition above.

Land Use Permissibility

‘Rural Workers’ Accommodation is an ‘A’ land use within the zone. An ‘A’ land use being a use, which is not permitted unless the local government has exercised its discretion by granting approval after giving special notice in accordance with Clause 9.6. As detailed in the public consultation section above, advertising of the application has been completed and the proposal can now be determined.

Parking Requirements

Table 2 Carparking requirements sets out the minimum number of car parking spaces for relevant land uses, whilst Rural Workers Accommodation is not set out in the table the parking requirement can be considered based on the need generated by the use. The applicant has indicated parking for 12 cars on the site plan, however was encouraged to provide one per cabin. Given the workers will be working on the property or at a nearby farm and using buses for transport, the provision of 12 car parking spaces is supported and will be monitored for any issues if a shortfall is occurring.

Policy Position Workforce Accommodation

Over the past 12 months Shire staff have been developing policy positions for workforce accommodation on both rural and residential land. At its September 2026 Ordinary Council Meeting, Council considered the assessment method for workers accommodation on residential land, however have not yet considered the position on rural land.

The proposed aim of a local planning policy addressing rural workers accommodation is to outline:

- a) The suitability of the site to be developed for the proposed use.
- b) The siting of the land use in the context of surrounding existing and proposed land uses.
- c) Access and egress to the site by vehicles and pedestrians.
- d) Facility design and use including provision and/or access to recreation, entertainment and community services.
- e) That the provision of workforce accommodation should be demonstrated through a demand assessment.

The draft policy introduces interpretations to define between agricultural workers versus project-based workers, operational (permanent) versus itinerant workers and the difference between small scale and a village accommodation.

Channybearup Road is a designated tourist route between Manjimup and Pemberton consisting of a number of tourist accommodation properties and local wineries. As such the visual aspect of the proposed accommodation is a valid consideration, to ensure that the visual amenity of the tourist route is protected. The subject property currently consists of grow tunnels.

The proposed development presents as four (4) 70sqm cabins with a 1.8m separation between the cabins and a proposed setback of 25m. The applicant was requested to confirm the setback measurements as it appears that the proposed measurement of the setback would be 18m from the road boundary. Confirmation has been received that the setback will be 26m. The proposed 26m setback is 4m less than the Scheme requirement. Given the site's prominent visual location from the road, it is recommended that compliance with

the 30m setback be imposed as a condition, as on balance this appears achievable.

Should Council consider that the street could use a landscaping improvement, a condition could be imposed requiring buffer landscaping to provide both a visual buffer to the cabins and assist with road traffic noise mitigation for the workers.

Bushfire Risk

The subject property is located within an area designated as Bushfire Prone by the Commissioner of Fire and Emergency Services. The applicant has prepared a Bushfire Attack Level (BAL) assessment and a Bushfire Management Plan (BMP). The Shire and DFES has assessed the information and as a result recommend that the applicant provide adequate rain water tanks to deliver approximately 10,000l per cabin.

Internal Department Assessment

The proposed development will need to meet the requirements of the *Health (Miscellaneous Provisions) Act 2016* and the *Building Act 2011* to be considered compliant. The room sizes have been assessed against the Health Local Law and the number of lodgers proposed to accommodate is consistent with these requirements.

Following planning approval, a certified building approval will be required to classify the building to a class 3 building for accommodation purposes. Then prior to occupation, a lodging house permit will also be required to be obtained for the lodging of the 90 persons.

An advice note in regard to these aspects should be included on any approval granted by Council.

Submissions Received

As mentioned above, one objection was received by a member of the public who raised a number of concerns about:

- the demonstrated demand for the accommodation,
- whether the cabins constitute dwellings under clause 5.34.2.7, of the Scheme, the assumed building classification,
- the acoustic privacy and the suitability of the sleeping environment of each cabin,
- parking requirements,
- access, amenity and integration with the wider community,
- whether adequate wastewater system can be provided,
- limited information relating to water supply, food cooking facilities, food storage, dining areas, laundry equipment, toilets, showers, indoor common areas and outdoor recreation,
- bushfire and emergency evacuation planning,
- assessment of agricultural interface with residential use,
- the strategic implications on settlement and growth of Pemberton.

The submission raises a number of valid matters for consideration and all have formed part of the assessment. Other matters have received preliminary assessment by internal departments and will receive a full assessment during the application processes for Building Permit, Septic Permit and Lodging House Permit applications.

There are limited development standards within the Scheme to require additional documentation from the application that covers the demand, parking standards and strategic implications for the town settlement. The Scheme infers that a 100m buffer would be appropriate between dwellings and agricultural land uses to protect the health and amenity of occupiers.

With regards to the strategic implications of the settlement of Pemberton, it is acknowledged that the Shire does not have a strategic policy around the location of rural workers accommodation. This being a discretionary land use within the zone, the application has been assessed on its merits.

DPIRD

DPIRD did not object to the proposed rural workers accommodation at the abovementioned lot as it is solely intended for seasonal workers performing various farm duties on the property.

DoH

The DoH did not support the proposal as there was insufficient information provided on wastewater management and also provided advice with regards to mosquito management.

Advice on these elements is recommended on any approval of Council.

DFES

DFES has advised that the BMP has not demonstrated compliance with the acceptable solutions of State Planning Policy 3.7 Bushfire and associated Guidelines. Shire staff have reviewed the comments and as a result will be recommending additional water supplies to be provided with an allocated supply for firefighting purposes.

Conclusion

Subject to compliance with the applicable planning provisions and the imposition of conditions to address relevant planning considerations, the proposal is considered to provide accommodation for rural workers in a manner that can be appropriately managed without causing unacceptable impacts on the surrounding area. Accordingly, approval of the development is recommended.

STATUTORY ENVIRONMENT

Shire of Manjimup Local Planning Scheme No. 4 and Planning and Development Act 2005.

POLICY / STRATEGIC IMPLICATIONS

The proposal is consistent with the following Community Goals and Strategies as contained within the Shire of Manjimup Strategic Community Plan 2021-2031 as adopted by Council:

Community Goals

- 2.2 Existing core industries such as agriculture and timber, are resilient, innovative and sustainable.

Strategies

- B5 Collaborate with other stakeholders to develop a transient and seasonal worker strategy to balance their safety, accommodation and employment needs with the needs and aspirations of the residential community.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

No substantial implications.

SUSTAINABILITY

Environmental: No vegetation is proposed to be removed as part of the application.

Economic: Accommodating rural workers on the property supports the agricultural productivity on the property.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council in accordance with Part 10 of Local Planning Scheme No. 4 grants planning approval for 'Rural Workers Accommodation' at Lot 2 Channybearup Road, Channybearup (Application TP2026/100) as shown at Attachment 9.5.3 (1) and subject to the following conditions and advice:

- 1. The development hereby approved is to be carried out in accordance with the approved plans and specifications and these shall not be**

altered and/or modified without the prior knowledge and written consent of the Shire of Manjimup.

Reference	Document Title	Date Received
A-00 A	Site Location	26 June 2026
A-01 A	Site Plan	26 June 2026
A-02	Floor Plan Cabin	4 June 2026
A-03	Elevation Cabin	4 June 2026
A-05	Floor Plan Laundry	4 June 2026
A-06	Elevation Laundry	4 June 2026
A-07	Common Room Plan	4 June 2026
1.	Worker Management Plan and Code of Conduct	6 July 2026
2.	Bushfire Management Plan and Emergency Management Plan	4 June 2026

2. **Notwithstanding Condition 1, the development hereby approved is to achieve a 30m setback to Channybearup Road, unless otherwise approved by the Chief Executive Officer.**
3. **The car parking spaces, access ways and vehicle manoeuvring areas shown on the approved plan shall be laid out and constructed at the time of the development and prior to the occupation of the land and/or buildings for their approved purpose and those areas shall thereafter be permanently maintained by the owner/occupier as vehicle parking and manoeuvring areas to the satisfaction of the Shire of Manjimup.**
4. **An adequate potable water supply shall be supplied for the consumption by the Rural Workers Accommodation and connected to the development prior to occupation of the building, additional water supply shall be provided for fire-fighting purposes and to the satisfaction of the Shire of Manjimup.**

Advice to applicant

1. **The proponent is advised that this development approval is NOT a building permit A certified building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works;**
2. **The approved development must comply with all relevant provisions of the Health (Miscellaneous Provisions) Act 1911 (as Amended) and the National Construction Code.**
3. **The domestic storage referred to in point (3) above shall be fitted with a gate valve to enable fire brigade appliances to access the water for firefighting purposes.**

4. **A wastewater disposal system acceptable to the Shire of Manjimup and/or the Department of Health shall be installed to the satisfaction of the Shire of Manjimup.**
5. **The development the subject of this development approval is required to comply with Shire of Manjimup's Health Local Laws 2020; and**
6. **An application for a Lodging House shall be made to the Shire of Manjimup's Principal Environmental Officer for assessment and approval prior to commencing the use.**

ATTACHMENTS

- 1 ➡ Attachment 1 - Development Application Information 87 Pages**
- 2 ➡ Attachment 2 - Submissions Combined 17 Pages**

ATTACHMENT APPENDIX

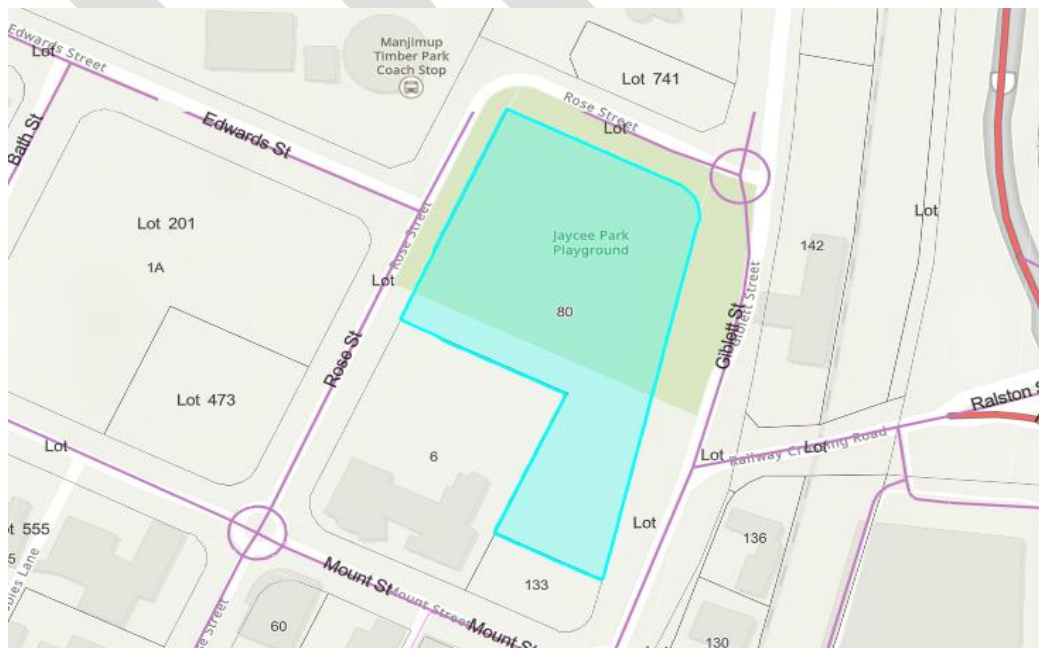
9.5.4 Amendment to Approval at the Gallery Hotel - Lot 156 (80) Rose Street, Manjimup

PROPONENT	Manjimup Investments (WA) Pty Ltd
OWNER	Shire of Manjimup
LOCATION / ADDRESS	Lot 156 (80) Rose Street, Manjimup
WARD	Urban
ZONE	Town Centre- Commercial
DIRECTORATE	Development Services
FILE REFERENCE	TP2026/126 P53170 DA21/146
LEGISLATION	<i>Planning and Development Act 2005</i>
AUTHOR	Sumah Brown (Planning Assistant)
DATE OF REPORT	12 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

Council is requested to consider revised plans for the Gallery Hotel located at Lot 156 (80) Rose Street, Manjimup. It is located on the corner of Rose and Giblett Streets in the Manjimup Town Centre, south of the Manjimup Heritage Park.

The existing development on the property is the Gallery Hotel Clubhouse, Accommodation units, and designated parking areas. A location plan is shown below.



The amended application proposes to remove the three (3) fast food tenancies and to delete the condition requiring carparking in the verge associated with the fast-food tenancies.

At the meeting held 18 November 2021, Council resolved as per resolution 28636 to conditionally approve the Hotel Accommodation and Restaurant at No 80 (Lot 156) Rose Street, Manjimup. Minutes from that Council meeting are included in the appended to this report.

APPENDIX: 9.5.4 (A)

The resolution of that Council meeting is as follows;

28636

That Council In accordance with Part 10 and clause 5.5 of Shire of Manjimup Local Planning Scheme No.4 grants planning approval to the proposed Hotel Accommodation and Restaurant at No 80 (Lot 156) Rose Street, Manjimup in accordance with the submitted plans and specifications as attached at Attachment: 9.5.9(1), subject to compliance with the following conditions:

- a) **The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Manjimup.**
- b) **Notwithstanding condition a) above, the plans hereby approved shall be modified as follows:**
 - i) **The two parking bays immediately west of the stairs from the southern carpark to the Club House Building shall be modified and extended so as to provide a suitable area for the loading/unloading of commercial vehicles associated with the operation of the development hereby approved;**
 - ii) **The accessibility ramp shown on the northern side of the southern carpark being relocated further east so as to facilitate access between the accessible compliant accommodation units and the Club House building;**
 - iii) **Two of the parking bays located toward the centre of the isles of parking located within the proposed southern parking area are to be deleted in favour of landscaping to the satisfaction of the Chief Executive Officer; and**
 - iv) **Provision of an additional 10 parking bays located within the Giblett Street Road reserve between the proposed Club House building and Rose Street to the satisfaction of the Chief Executive Officer.**
- b) **Unless otherwise approved by Council, access to all facilities on-site other than the three (3) external food tenancies shall be restricted to guests only. Alfresco dining for members of the public attending**

these tenancies shall be limited to a maximum of 40 seats the use of the proposed “Club House” as shown on the submitted plans shall be restricted to the guests of the development only.

- c) Prior to lodging an application for a building permit, a detailed landscaping and reticulation plan for the subject site and/or the road verge(s) must be submitted to and approved to the satisfaction of the Shire of Manjimup.
- d) The approved landscaping including reticulation must be fully implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the Shire of Manjimup. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the Shire of Manjimup.
- e) Prior to the occupation or use of the development hereby approved, the area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan shall:
 - i) be constructed, drained and marked in accordance with Clause 5.17 of the Shire of Manjimup Local Planning Scheme No. 4 to the satisfaction of the Council prior to the commencement of the use hereby permitted;
 - ii) thereafter be maintained to the satisfaction of the Council;
 - iii) be made available for such use at all times and not used for any other purpose; and
 - vi) be properly formed to such levels that it can be used in accordance with the plan.
- g) Prior to lodging an application for a building permit, the applicant must submit and have approved by the Shire of Manjimup, and thereafter implement to the satisfaction of the Shire of Manjimup, a construction management plan addressing the following matters:
 - i) How materials and equipment will be delivered and removed from the site;
 - ii) How materials and equipment will be stored on the site;
 - iii) Parking arrangements for contractors;
 - iv) Construction waste disposal strategy and location of waste disposal bins;
 - v) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - vi) How risks of nuisance, wind and/or water borne erosion and sedimentation will be minimised during and after the works; and
 - vii) Other matters likely to impact on the surrounding properties.
- h) Seating within the Café/Club House Building and associated alfresco area shall be limited to 120 seats unless otherwise approved by Council.

- j) **An external Lighting Plan showing lighting to pathways and car parking areas are to be submitted and approved prior to the application for building permit. All lighting is to be installed and operated as per the approved plan to the satisfaction of the Shire of Manjimup.**
- k) **A Waste Management Plan must be submitted to and approved by the Shire of Manjimup prior to lodging an application for a building permit and thereafter implemented. The plan must include the following details to the satisfaction and specification of the Shire of Manjimup:**
 - i) **the location of bin storage areas and bin collection areas;**
 - ii) **the number, volume and type of bins, and the type of waste to be placed in the bins;**
 - iii) **details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and**
 - iv) **frequency of bin collections.**
- l) **All stormwater and drainage runoff is to be retained on the subject property or to be provided with stormwater drainage connections to the drainage system in the area at the developers cost to the satisfaction to the Shire of Manjimup.**
- m) **Prior to occupation or commencement of the use, a signage strategy for the site / development shall be prepared and submitted to the Shire as a separate application for planning approval.**
- n) **The development hereby approved shall be connected to the Water Corporation reticulated sewerage system.**
- o) **Prior to the installation of external fencing (other than construction fencing), details plans of the proposed fence construction and any associated artwork shall be submitted to an approved by the Shire of Manjimup.**

Advice to Applicant:

- i) **It is recommended that the applicant give consideration to the construction of at least one of the Executive Standard accommodation units as an accessible compliance accommodation unit;**
- ii) **It is recommended that the applicant liaise with a certified Building Practitioner over the level of proposed accessible compliant accommodation units and the developments general compliance with requirements of the Building Code of Australia and other relevant legislation/standards. In this regard it is noted that in order to comply with the requirements of the Building Code of Australia a suitable passenger lift is required to facilitate access to the upper floor of the Club House Building**

and that as a minimum an accessible compliant toilet is required on that upper floor;

- iii) The proponent is advised that this Development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works.
- iv) Any retaining walls in excess of 500mm in height required in connection with development shall be so constructed as to accord with plans and specifications prepared by a practising structural engineer to the satisfaction of the Shire of Manjimup and details and particulars of the certified plans and specifications shall be provided to Shire of Manjimup as part of any application for a building permit.
- v) All waste material not required for further onsite processing must be regularly removed from the site. All vehicles removing waste must have loads fully secured and contained so that no wastes are spilled or dust or odour is created to the satisfaction of the Shire of Manjimup.
- vii) The development and associated uses are required to comply all relevant provisions of the *Health (Miscellaneous Provisions) Act 1911* (as Amended), *Health (Public Buildings) Regulations 1992*, the Food Act 2008 and Food Regulations 2009. Prior to commencement of the uses hereby approved, various applications are required under this legislation and it is recommended that you liaise with the Shire of Manjimup's Environmental Health Team over the preparation, lodgement and approvals processes;
- ix) Compliance with the *Health (Aquatic Facilities) Regulations 2007* is required. Construction of the aquatic facility is not permitted to commence until the written approval of the Executive Director, Public Health has been obtained; and
- xi) The development the subject of this planning approval, is required to comply with the requirements of Energy Safety and the Department of Mines and Petroleum (Resources Safety Section) in relation to the storage of dangerous goods. Further information may be found at www.energysafety.wa.gov.au or www.dmp.wa.gov.au

Amended Application Received

The amended site plan removes the previously proposed fast-food tenancies, reallocating that space to the external guest alfresco area. Consequently, the applicant has requested the removal of the additional car parking bays that were originally required for the fast-food use (Condition b) iv)).

“iv) Provision of an additional 10 parking bays located within the Giblett Street road reserve between the proposed Club House building and Rose Street to the satisfaction of the Chief Executive Officer.”

The plan submitted in support of the development is provided attached.

ATTACHMENT: 9.5.4 (1)

PUBLIC CONSULTATION UNDERTAKEN

The application was not required to be advertised.

COMMENT

To guide Council on the determination of this application, the following comments are offered.

The property is 8,423sqm and is zoned Town Centre-Commercial by the Local Planning Scheme No.4 (The Scheme).

Zoning Purpose

The purpose of the Town Centre zone is to provide for the establishment and ongoing development of nodes of diverse commercial, professional, tourist, entertainment, residential and community activities to service the populations of surrounding areas.

An objective relative to this application would be to encourage the establishment of a diverse range of activities and the associated infrastructure/services required to fulfil the community, commercial and administrative functions of a town centre.

Matters to be considered:

In determining an application for planning approval, the local government is required to have regard to various matters as outlined within clause 67 of the Planning and Development Regulations 2015 (P&D Regs). These matters include, but are not limited to:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (m) the compatibility of the development with its setting, including the desired future character of its setting; and the relationship of the development to development on adjoining land ... including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following -environmental impacts; the character of the locality; social impacts of the development;
- (zb) any other planning consideration the local government considers appropriate.

Land Use Classification

The proposed land use is a discretionary land use, meaning a use that is not permitted unless the local government grants approval.

Assessment

The application has been assessed against the relevant statutory criteria, including the objectives of the Town Centre zone and the matters to be considered under Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The removal of the fast-food tenancy and associated car parking ensures the development complies with the Scheme car parking requirements and preserves the existing streetscape amenity. Additionally, restricting the patronage of facilities to registered guests reduces the overall operational intensity of the site, supporting a more cohesive and integrated guest experience that is compatible with the surrounding locality. The developer may wish to consider installing a barricade to restrict public access to the space.

Leasing issues

The property is the subject of a lease between the Shire and the current lessees, which includes a number of provisions relating to the development of the site. Planning Application, which can only be determined on based on an assessment against the Scheme and relevant Planning Policy, and leasing compliance considerations are matters which cannot be addressed as part of this process.

In a scenario where a planning application has dealt with matters that are subject to development obligations under the lease, it would be appropriate to include a clear advice note on any approval clarifying that the issue of a planning approval would not constitute an approval of the Shire as Lessor of the land. However, in this case there are no provisions in the lease that would be pertinent to this application, and consequently no such advice note is recommended.

Conclusion

In conclusion, the proposed amendments to the application align with the provisions of Local Planning Scheme No. 4, under which the land use is a recognised and encouraged use class within the town centre. Omitting the secondary commercial fast-food tenancy to focus entirely on the primary use reduces commercial fragmentation, ensures the site operates in strict accordance with its core land use definition, and warrants conditional approval.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 and Shire of Manjimup Local Planning Scheme No.4.

POLICY / STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

The development application fee in accordance with the Shire of Manjimup's 2026-2027 Fees and Charges Schedule has been paid.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council in accordance with Clause 8.6 and Part 10 of Local Planning Scheme No.4 amend the planning approval to remove the approved fast food tenancies and associated carparking at Lot 156 (80) Rose Street, Manjimup, application (TP2026/126), in accordance with the plans and specifications at attachment 9.5.4 (1) by undertaking the following:

1. **Modify condition a).**

- a) The development hereby approved must be carried out in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Manjimup:

Reference	Document Title	Date Received
1.	Amended Site Plan	03 September 2026

2. **Delete b) iv).**

- ~~b)iv) Provision of an additional 10 parking bays located within the Giblett Street Road reserve between the proposed Club House~~

~~building and Rose Street to the satisfaction of the Chief Executive Officer.~~

3. Notwithstanding condition a) the plans submitted hereby are approved in regards to the removal of the fast-food tenancies and the associated verge carparking only and does not relate to the amended access and new carparking area to the north.
4. All structures associated with the fast-food tenancies, shall be removed within 90 days of notification of this determination.
5. All other conditions of approval remain unchanged.

ATTACHMENTS

1 ➡ Amended Site Plan 1 Page

APPENDICES

A ➡ Minutes from 18 November 2021 OCM 17 Pages

9.5.5 Proposed Adoption of the Conservation Management Plan for the Pemberton Timber Mill Workers Cottage Precinct

PROPONENT	Shire of Manjimup
OWNER	Various
LOCATION / ADDRESS	Pemberton Timber Mill Workers' Cottages Precinct
WARD	Rural
ZONE	Residential and Town Centre
DIRECTORATE	Development Services
FILE REFERENCE	F161045
LEGISLATION	<i>Heritage Act 2018, Planning and Development Act 2005</i>
AUTHOR	Phillip St John
DATE OF REPORT	13 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

This item was deferred at the Ordinary Council Meeting 23 September 2026 for the following reason:

30027

That Council defer consideration of Item 9.5.8 until the next Ordinary Council Meeting.

Reason: The proposed heritage assessment area curtilage is extensive and encompasses the entire Pemberton Mill site. Deferral will allow staff to recommend options to Council to refine the curtilage.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

Further research is necessary to properly address the development of and evaluation of options as required by the Council's decision of 23 September. It is considered that a Council Briefing will be necessary to evaluate options, before this matter is presented for formal consideration and a decision. This is anticipated to occur in November 2026.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 and Heritage Act 2018.

POLICY / STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council further defer this matter to a future Ordinary Council meeting to enable further time to develop and evaluate options for further consideration.

9.7.1 Proposed Appointment of Fire Control Officers and Fire Weather Officers

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS	Whole of Shire
WARD	All
ZONE	All
DIRECTORATE	Development Services
FILE REFERENCE	F160156
LEGISLATION	<i>Bush Fires Act 1954</i>
AUTHOR	Todd Ridley (Community Emergency Services Manager)
DATE OF REPORT	30 September 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

Pursuant to section 38 of the *Bush Fires Act 1954* (the Act), Council may appoint Bush Fire Control Officers for the purposes of the Act. Bush Fire Control Officers have various functions and responsibilities, including the prevention, control and extinguishment of bush fires, and may exercise the special powers provided under section 39 of the Act, including taking charge of and directing bush fire fighting operations.

Bush Fire Control Officers may also issue permits to burn in accordance with the requirements of the *Bush Fires Act 1954*, including during Restricted Burning Times.

Under section 38 of the *Bush Fires Act 1954*, an approved local government may appoint Fire Weather Officers from among its senior Bush Fire Control Officers. A Fire Weather Officer may authorise a person who has been issued a permit to burn to undertake burning when the forecast fire danger rating is High or above, subject to the requirements and limitations of the Act.

The CEO has exercised delegated authority to appoint the Fire Control and Fire Weather officers on behalf of the Council, in accordance with Delegation 3.1.8. The purpose of this item is to enable the Council to note the CEO's appointment of the Shire of Manjimup's Bush Fire Control Officers and Fire Weather Officers.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

Each year, Bush Fire Brigades are requested to nominate a Bush Fire Control Officer for their respective brigade area. All relevant Bush Fire Brigades have been consulted and have provided their nominations, which are reflected in the decision of the CEO.

The two Shire of Manjimup employees listed below were appointed as Fire Weather Officers. Both are Fire Control Officers and have completed several Fire Weather and related courses.

Officer	Position
Todd Ridley	Community Emergency Services Manager (Primary Fire Weather Officer)
Jamie Copeland	Fuel Hazard Reduction Officer (Deputy Fire Weather Officer)

Fire Weather Officers will not authorise a Permit to Burn if the Fire Danger Index is High or above without the support of both the Chief Bush Fire Control Officer and/or the Deputy Chief Bush Fire Control Officer. The approvals will also need to meet all conditions prescribed by the Fire Weather Officer.

ATTACHMENT: 9.7.1 (1)

STATUTORY ENVIRONMENT

Section 38 and 39 of the *Bush Fires Act 1954* permits Local Governments to appoint both Fire Control Officers and Fire Weather Officers.

POLICY / STRATEGIC IMPLICATIONS

Appointment of the Bush Fire Control Officers as proposed is consistent with the *Shire of Manjimup Bush Fire Brigade Local Law 2024* and the *Shire of Manjimup Bush Fire Operational Procedures 2022 – 2027*.

The CEO has delegated authority to appoint the Fire Control and Fire Weather officers on behalf of the Council, in accordance with Delegation 3.1.8.

ORGANISATIONAL RISK MANAGEMENT

Council's appointment of the Bush Fire Control Officers and Fire Weather Officers is required prior to the commencement of the annual bushfire season and is essential to minimise the risk to life, property, environment and the organisation.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: Fire has the potential to decimate the natural and built environment if preventative and operational bushfire strategies are not adequate.

Economic: The economic consequences of fire can be devastating. Fire has the ability to destroy entire agriculture areas with the potential to ruin the livelihood of many people.

Social: The social consequences of fires can also be devastating. Whilst it may be argued that major fire can bring a community together, in addition to the social benefits of camaraderie forged in individual Bush Fire Brigades, the social consequences of destructive fire far outweigh any positive impacts.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council:

1. Note that the persons listed below have been appointed by the CEO as Bush Fire Control Officers until October 2027.

Fire Control Officer	Brigade Area
Remo Pessotto	Whole of Shire
Bradley Wren	Whole of Shire
Todd Ridley	Whole of Shire
Stephen Burch	Whole of Shire
Craig McSharer	Whole of Shire
Nicole Favero	Whole of Shire
Jamie Copeland	Whole of Shire
Gary Ryan	Balbarrup / Wilgarrup
Ryan Pessotto	Balbarrup / Wigarrup
Mick Terrigno	Diamond
Robert Thorn	Diamond
Shane Muddle	Dingup
Jeffery Bennett	Dunreath
Mark Muir	Mordalup
Paul Owens	Northcliffe Fire District Boundary
Peter Russell	Northcliffe
Jeffery Bennett	Northcliffe
Mark Roche	Pemberton Rural
Dustine Swallow	Pemberton Rural

Kent Muir	Perup
Glen Ryan	Quinninup
Mick Eastwood	Quinninup Town
Paul Temptra	Ringbarkers
Frank Shaw	Ringbarkers
Tom Winfield	Seven Day Road / Appadene
Peter Parker	Seven Day Road / Appadene
Bill Rice	Smith Brook
Nigel Pitts	Springfield
Keith Jackson	Springfield
John Mottram	Upper Warren
Glen Burton	Walpole / Walpole Fire District Boundary
Richard Williams	Walpole / Walpole Fire District Boundary
Bradley Wren	Yanmah

2. Note that the persons listed below have been appointed by the CEO as Fire Weather Officers until October 2027 for the whole of the Shire.

Officer	Position
Todd Ridley	Community Emergency Services Manager (Primary Fire Weather Officer)
Jamie Copeland	Fuel Hazard Reduction Officer (Deputy Fire Weather Officer)

3. Note that the advertisement of the appointment of the Fire Weather Officers listed at point 2 will be for a period of no less than one week in the Manjimup Bridgetown Times.
4. Note that the Fire and Emergency Services Commissioner will be notified of the appointment of the Fire Weather Officers listed in point 2.

ATTACHMENT**9.9.1 Manjimup Christmas Tree - Assessment of Repair and Replacement Options**

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS	Johnson Crescent, Coronation Park, Manjimup
WARD	Urban
ZONE	Town Centre Commercial and Parks & Recreation
DIRECTORATE	Community Services
FILE REFERENCE	F160234
LEGISLATION	<i>Local Government Act 1995</i>
AUTHOR	Evy Apeldoorn (Project Manager)
DATE OF REPORT	6 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

The Manjimup Chamber of Commerce owns a large artificial Christmas tree approximately 13 metres in height. The tree was acquired in 2016 for a nominal fee from the City of Perth as they no longer required it.

In its first year of operation, the Chamber erected the Christmas tree on the southern side of the former railway platform on Johnson Crescent, following Council approval for the use of this location (Council Resolution 26864, 10 November 2016). In the following year, the Chamber experienced difficulties obtaining suitable insurance for the installation and erection of the tree and requested assistance from the Shire.

Since that time, the Shire has in most years, except when the tree was broken, coordinated and facilitated the erection and dismantling of the Christmas tree in collaboration with representatives of the Chamber and community volunteers.

During the 2025 Christmas period, one of the upper-tier metal rings forming the tree structure failed while the tree was erected, resulting in the top section leaning significantly. Following dismantling of the structure, it was observed that welds connecting portions of the ring had failed. The condition of the structure has prompted concerns regarding its ongoing suitability for public display. Photos of the Christmas tree are attached.

ATTACHMENT: 9.9.1 (1)

The purpose of this report is to present options for Council's consideration in relation to the future of the Christmas tree in Manjimup, including repair of the existing structure, replacement with a new artificial tree, installation of a living

Christmas tree, or discontinuation of a Christmas tree display within the Manjimup town centre.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

While repair welding has been undertaken on sections of the Christmas tree by the Chamber in previous years, there are increasing concerns regarding the overall structural integrity of the tree. Although failed welds can likely be repaired, visible corrosion and rust throughout the structure indicate that the strength of the steel framework may be progressively deteriorating.

For safety and risk management reasons, it would be prudent to either obtain an engineering assessment of the structure from a suitably qualified person or accept that the tree has reached the end of its operational life. Photographs contained in Attachment 1 illustrate the current condition of the Christmas tree.

The annual erection and dismantling of the tree require a significant contribution of financial resources, volunteer effort and contractor support. The approximate annual costs are outlined below.

Item	Approximate Cost
Traffic management for temporary closure of Johnson Crescent during installation and dismantling, including traffic management plan updates, signage, traffic controllers and associated requirements	\$6,000
Hire of forklift and trailer for transportation of tree sections, crane hire, elevated work platform hire, and qualified operators	\$6,000
Other costs, including testing and tagging of electrical decorations, Shire staff coordination time, and contribution to community volunteers assisting with assembly and dismantling	\$2,000
Annual (Discounted) Total	\$14,000

It should be noted that the above estimate significantly understates the actual value of resources contributed towards the installation and dismantling of the Christmas tree. A substantial proportion of the work is undertaken by volunteers and several contractors provide services at heavily discounted rates as a contribution to the community.

In addition, decorative picket fencing, valued at approximately \$4,000, was purchased by the Shire for the 2025 Christmas period to provide aesthetical protection around the tree display.

The installation of a Christmas tree in Manjimup forms part of the Shire's contribution towards Christmas decorations across the four major townsites within the district. In the 2025/26 budget, Council allocated \$29,000 towards Christmas decorations within the town centres of Manjimup, Pemberton, Northcliffe and Walpole. In the latter three towns, the Shire provides financial assistance to community groups that coordinate and display Christmas decorations locally.

Options

In considering the future of the Manjimup Christmas tree display, four options have been identified for Council's consideration. These options range from repairing the existing structure to establishing a permanent living Christmas tree, each with differing financial, operational and risk implications.

Option 1 - Repair the Existing Christmas Tree

Under this option, the existing Christmas tree would be repaired and retained for future Christmas displays.

Given the age of the structure and the visible signs of deterioration, including failed welds, corrosion and deformation of some structural members, it is recommended that a structural assessment be undertaken by a suitably qualified structural engineer before any repair works proceed. The assessment would determine whether the tree remains structurally sound for public display and identify any repairs required to enable its continued use.

Preliminary investigations indicate a structural engineering assessment may cost in the order of \$5,000 to \$10,000, depending on the level of inspection, testing and certification required. Formal quotations have not yet been obtained. The estimated costs for this option are shown in below table.

Item	Estimated Cost
Structural engineering assessment	\$5,000 - \$10,000
Repair welding and associated works	\$TBC
Total	\$TBC

Pros

- Lowest initial capital outlay if the structure is assessed as suitable for continued use.
- Retains an established and recognisable community Christmas feature.
- Existing decorations, lighting and display infrastructure can continue to be utilised, reducing the immediate need for replacement.
- No change required to the current display location.

Cons

- A structural engineering assessment would be required before repairs could be considered.
- Ownership of the asset remains with the Manjimup Chamber of Commerce.
- The age, corrosion and deterioration of the structure may limit its remaining service life, even after repairs are completed.
- While the existing decorations and lighting can continue to be used, these components are also ageing. Some decorations have been repainted and individual elements replaced over time, however a broader refurbishment or replacement program is likely to be required in the near future.
- Annual installation and dismantling costs would continue to be incurred and are likely to increase over time. The current delivery model relies heavily on volunteers and discounted contractor services as a contribution to the community. As volunteer availability decreases and contractors move towards charging commercial rates, the cost of erecting and dismantling the tree may increase significantly.
- Ongoing maintenance and future repairs are likely to be required.
- May only provide a short- to medium-term solution before replacement is required.

Option 2 - Purchase a New Artificial Christmas Tree

Under this option, Council would replace the existing Christmas tree with a new commercial artificial Christmas tree designed for annual installation and public display.

Quotations from a Perth-based supplier have been obtained for replacement trees of varying heights, including a steel frame and decorations, and are shown in below table.

Item	Cost
8m Tree	\$29,000
10m Tree	\$41,000
12m Tree	\$79,000
Freight	TBC: \$10,000 - \$15,000

Pros

- New structure with expected long service life.
- Reduced maintenance and repair requirements.
- Improved safety and reliability.
- Retains a large Christmas tree feature within the CBD.
- Existing installation location can continue to be utilised.

Cons

- Requires a significant upfront capital investment, as a new artificial Christmas tree of a comparable height to the existing 13 metre tree represents a substantial capital cost.
- Annual installation and dismantling costs would continue and are likely to increase over time due to the ongoing requirement for traffic management, specialised equipment, volunteer labour and contractor support.
- Continued reliance on the availability of volunteers and contractors to assist with annual assembly and dismantling.

Option 3 - Install a Living Christmas Tree (Recommended)

This option would involve purchasing and planting a mature living tree within the southern section of Coronation Park, south of the Torch Statue.

A suitable species such as a Norfolk Island Pine would be sourced from a nursery at an initial height of approximately 6 to 7 metres. Over time, the tree would grow to an estimated mature height up to 20 metres, creating an increasingly prominent and attractive Christmas feature for the town centre. The proposed species has been selected based on its visual appeal, mature height and suitability for the location, enabling it to function as both a seasonal Christmas display and a permanent landscape asset within the park.

The tree would be illuminated from ground level with permanent lighting infrastructure rather than requiring annual assembly and dismantling. To facilitate decorative lighting, a permanent electrical connection would be installed from the northern section of Coronation Park.

Attachment 1 provides a visual example of a potential living Christmas tree display and shows the proposed location and electrical connection.

Preliminary quotes have been obtained to determine the indicative costs for the supply and installation of a living tree with lighting.

Item	Estimated Cost
Supply and delivery of 2000L Norfolk Island Pine Tree	\$10,250
Excavation of planting hole	\$2,500
Crane hire to lift tree into place and guide wiring	\$2,500
Decorative lighting	\$13,950
Electrical connection	\$3,000
Total	\$32,000

Pros

- Eliminates annual assembly and dismantling of a large temporary structure.
- Significantly reduces long-term installation costs.
- Eliminates the need for annual road closures and crane operations.

- Provides an attractive permanent feature within Coronation Park.
- Tree becomes more visually impressive as it matures.
- Lower long-term asset maintenance requirements.
- Reduces safety risks associated with erecting a large temporary structure.
- Supports a more sustainable and enduring Christmas display.

Cons

- Requires initial capital investment.
- Ongoing watering and establishment maintenance will be required, but this will be absorbed within the Shire's operational parks maintenance budget.
- Will take time to reach its ultimate height and visual impact (approximately 25 years).
- Permanent electrical infrastructure required.

Option 4 - Do Not Provide a Christmas Tree in the Manjimup Town Centre

Under this option, the existing Christmas tree would be decommissioned, and no replacement Christmas tree would be provided within the Manjimup town centre.

Pros

- No capital expenditure required.
- Eliminates annual installation, dismantling and maintenance costs.
- Removes public safety risks associated with the tree structure.
- Simplifies annual Christmas decoration activities.

Cons

- Loss of a long-standing Christmas feature valued by the community.
- Reduced visual activation of the town centre during the Christmas period.
- Manjimup is the principal regional service centre within the Shire and the primary northern gateway to the district. Not providing a Christmas tree may detract from the town's role as the Shire's main civic, commercial and visitor centre and reduce the festive atmosphere experienced by residents and visitors during the Christmas period.
- Potential negative community perception.
- Inconsistent with the Shire's broader support of town centre Christmas decorations

Recommendation

It is recommended that Council support Option 3 - Installation of a Living Christmas Tree.

The existing artificial Christmas tree is approximately ten years into the Chamber's ownership and likely considerably older than this. The recent

structural failure, visible corrosion and signs of deformation indicate that the tree may be approaching the end of its serviceable life.

While repair may be possible, it would require a structural engineering assessment and may ultimately only delay the need for replacement. Similarly, the purchase of a new artificial tree would continue the ongoing requirement for road closures, specialist equipment, volunteer support and annual installation costs.

A living Christmas tree would provide a permanent and sustainable long-term solution. While there would be an initial establishment cost, ongoing operational costs would be substantially lower and the need for annual erection and dismantling activities would be eliminated. The tree would also grow in stature over time, creating an increasingly attractive focal point for the town centre and reducing the long-term financial and operational burden on both the Shire and community volunteers.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS

The Shire of Manjimup Strategic Community Plan 2021 – 2031 contains the following being relevant to this matter:

2. Our Prosperity

B9. Encourage and support initiatives to encourage extended service provision and activate town centre.

3. Our Community

3.7 Our community is vibrant, dynamic and fun because we have access to a broad range of art, cultural, social and recreational opportunities.

C2. Support volunteer community groups, encourage participation (particularly in the areas of emergency management) and acknowledge contributions to the community.

C19. Support public events to ensure they are successful and safe.

C20. Facilitate, develop and promote a broad range of cultural and art capabilities, facilities, events and achievements.

ORGANISATIONAL RISK MANAGEMENT

Should Council elect to repair the existing Christmas tree without first obtaining an assessment from a suitably qualified structural engineer, there is a risk that hidden structural defects remain unidentified. If a structural failure were to occur during installation, dismantling or public display, the Shire could be exposed to

injury claims, property damage claims, reputational damage, and potential insurance implications arising from the use of a known ageing asset.

Regardless of the option selected, Council's decision will have implications for future operational and capital expenditure. Retention or replacement of an artificial tree will continue to require annual installation and dismantling costs, traffic management measures and specialist equipment. Conversely, a living Christmas tree would require initial establishment costs and electrical infrastructure but may significantly reduce annual operational costs over the longer term.

Council should therefore consider both immediate and long-term financial and risk management implications when determining the preferred option.

FINANCIAL IMPLICATIONS

The existing Christmas tree requires annual expenditure estimated at approximately \$14,000 for installation, dismantling, traffic management, equipment hire and associated operational activities, in addition to significant volunteer and in-kind contractor contributions.

Should Council support Option 3, funding could be sourced in part from the existing annual Christmas decorations budget. Council currently allocates \$29,000 per annum towards Christmas decorations across the Shire. Of this amount, \$10,000 is provided to community groups in Pemberton, Northcliffe and Walpole to support local Christmas displays, while approximately \$5,000 is expended on other Christmas signage and decorations within Manjimup, together with associated staff coordination and administrative costs. This leaves approximately \$14,000 within the existing annual Christmas decoration budget that could be utilised towards the establishment of a living Christmas tree and associated infrastructure.

The estimated cost of establishing the permanent living Christmas tree, including the purchase and installation of the tree, decorative lighting and associated electrical infrastructure (total estimated cost \$32,000), exceeds the funding currently available within the approved 2026/27 Christmas decorations budget.

It is proposed that the project be funded through an over-expenditure of \$18,000 against the existing Christmas decorations budget allocation, with the resulting budget shortfall to be considered and addressed as part of the 2026/27 Mid-Year Budget Review.

This funding approach is recommended due to the limited time available to procure and establish the tree, install the associated infrastructure and ensure the display is operational for the 2026 Christmas period. Deferring consideration of the funding shortfall until a future budget process would likely delay delivery of the project and jeopardise its completion in time for Christmas.

Although this option requires a higher initial investment, it would eliminate the need for ongoing annual installation and dismantling costs associated with a temporary artificial structure, resulting in reduced operational expenditure over the longer term.

SUSTAINABILITY

Environmental: The establishment of a living Christmas tree would provide a long-term landscape asset, increase urban greenery within the town centre and reduce the annual transport, equipment and resource requirements associated with erecting and dismantling a temporary artificial structure.

Economic: A living Christmas tree would require an initial capital investment but has the potential to reduce ongoing operational expenditure over the long term by eliminating annual costs associated with traffic management, equipment hire, contractor services and volunteer coordination.

Social: The provision of a permanent living Christmas tree would maintain a valued community Christmas feature within Manjimup, enhance the festive atmosphere of the town centre and contribute to community pride, visitor experience and seasonal community celebrations.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

That Council:

1. **Notes the condition of the existing Christmas tree, including the recent structural failure, visible corrosion and the potential risks associated with its continued use without further assessment.**
2. **Determines that the existing Christmas tree has reached the end of its practical service life and should be retired from future public display.**
3. **Supports the establishment of a permanent living Christmas tree including permanent lighting within the southern section of Coronation Park.**
4. **Endorses the selection of a Norfolk Island Pine (*Araucaria heterophylla*) as the species to be established as the Shire's permanent Christmas tree in Manjimup.**
5. **Approves funding the establishment of a permanent living Christmas tree, associated lighting and electrical infrastructure by over-expending the 2026/27 Christmas decorations budget allocation by \$18,000, and requests that the budget shortfall be considered and addressed as part of the 2026/27 Mid-Year Budget Review.**

6. Advise the Manjimup Chamber of Commerce of its decision.

ATTACHMENTS

1 ➡ Christmas Tree Manjimup Town Centre 2 Pages

Draft

ATTACHMENT APPENDIX

9.10.1 Proposed Review of Council Policy 12.1.1 Manjimup Home and Community Care Aims and Objectives

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS	Whole of Shire
WARD	N/A
ZONE	N/A
DIRECTORATE	Community Services
FILE REFERENCE	F161014
LEGISLATION	Local Government Act 1995; Disability Services Act 2006; Aged Care Act 2024; Carer Recognition Act 2010; National Disability Insurance Scheme Act 2013
AUTHOR	Julie Harty (Manager Home and Community Care)
DATE OF REPORT	10 September 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

Council Policy 12.1.1 Manjimup Home and Community Care Aims and Objectives was last reviewed and adopted by Council on 10 April 2024. A copy of the current policy is contained in the Appendix.

APPENDIX: 9.10.1 (A)

Council policies are reviewed periodically to ensure currency and effectiveness. The purpose of this report is to present to Council the reviewed policy.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The Aged Care Act 2024 (No.104, 2024) is the new primary aged-care law, in force from 1 July 2026, replacing the Aged Care Act 1997.

The Disability Services and Inclusion Act (DSI Act) 2023 is the current federal legislation that replaced the Disability Services Act 1986. These Acts have been updated under the Statutory Environment to include the current legislation.

On the 1 November 2025 Support at Home (SAH) replaced Home Care Packaged Program and Short-Term Restorative Care Programme (HCP). Therefore, it is recommended that the existing Council Policy 12.1.1 Manjimup Home and Community Care Aims and Objectives is updated to remove the HCP references and instead use the acronym SAH which refers to the current funding.

The Regional Assessment Service (RAS) no longer exist and has been replaced with an aged care assessor. RAS has been removed from the policy.

ATTACHMENT: 9.10.1 (1)

STATUTORY ENVIRONMENT

Local Government Act 1995:

- Regular reviews are undertaken and the introduction of new policies to improve the operations as per Local Government Act 1995.

Disability Services and Inclusion Act 2023:

- Refers to a contemporary framework to fund and regulate supports and services for people with disability, their families, and carers, regardless of whether they participate in the NDIS.

National Disability Insurance Scheme Act 2013:

- Refers specifically to the NDIS program and set out the rules and requirements that apply to registered NDIS providers.

Aged Care Act 2024:

- Refers specifically to the CHSP and SAH program and sets out the rules for funding, regulation, quality of care and the rights of people over the age of 65 receiving care.

Carer Recognition Act 2010:

- Refers to CHSP, SAH and NDIS programs and aims to provide for the recognition of carers and for related purposes.

POLICY / STRATEGIC IMPLICATIONS

This policy relates to the Strategic Community Plan 2019-2029, and in particular to Goal 3.3 and Strategy C11. Continue to encourage and support age, dementia and disability-friendly initiatives across all domains of community life.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

The Shire of Manjimup auspices all funding received by MHCC with the intention that MHCC will operate on a cost neutral basis.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: The CHSP, SAH and NDIS programs provide support to eligible people to enable them to remain living at home and to participate in the community.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council approve reviewed Policy 12.1.1 Manjimup Home and Community Care Aims and Objectives as per Attachment: 9.10.1 (1).

ATTACHMENTS

1 ➡ Proposed Council Policy 12.1.1 Aims, Philosophy and Objectives	2 Pages
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APPENDICES

A ➡ Current Council Policy 12.1.1 Aims, Philosophy and Objectives	2 Pages
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ATTACHMENT**9.13.1 Proposed Award of Tender RFT 01-27 Provision of Street Sweeping and Pit Eduction Services**

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS	Whole of Shire
WARD	All
ZONE	N/A
DIRECTORATE	Infrastructure Services
FILE REFERENCE	F260138
LEGISLATION	<i>Local Government Act 1995</i>
AUTHOR	Andrew Johns (Projects Officer – Infrastructure)
DATE OF REPORT	31 August 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

The Shire of Manjimup's current contract for street sweeping and pit educting services expires on 31 October 2026; to secure the provision of these services and with fixed base rates for a further period or time, a new tender was advertised. The purpose of tender RFT 01-27 is to appoint a single contractor for a three year period with, should both parties agree, an option to extend the contract for an additional two years.

The purpose of this report is for Council to be presented with details of tenders received and consider awarding a contract for the services detailed in the tender document.

PUBLIC CONSULTATION UNDERTAKEN

Public advertising of the tender was as follows: placement of a notice on the Shire of Manjimup website and advertisements in the Manjimup Bridgetown Times and West Australian newspapers, all on 26 August 2026. The tender closed on 24 September 2026.

COMMENT

A total of seven (7) organisations registered for and drew tender documents with one submission being received detailing an annual first year cost of \$161,165.71 ex GST. The Busselton based contractor B&B Street Sweeping provided this submission, a contractor that has been providing the same service to the Shire of Manjimup for 19 years. During this time the contractor has been reliable, provided good quality, timely services with no notable performance issues.

Regardless of this history, Shire officers assessed the submission on its merits and have attached a copy of the combined assessment sheet.

ATTACHMENT: 9.13.1 (1)

Reference checks were requested from five of B&B Street Sweeping's other local government customers from which, four replies were received. The feedback from all respondents reflected the positive experience of this organisation's officers when dealing with this contractor.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996* detail the Tender requirements for procurement of goods or services exceeding \$250,000 in value by local governments; over three years, the value of the contract will be greater than this threshold.

POLICY / STRATEGIC IMPLICATIONS

The regular cleaning of streets and drainage contributes to meeting the Shire's Strategic Plan 2021 – 2031, section 4 Our Infrastructure, Community Goals:

- 4.2 Community infrastructure is delivered and maintained at a level of service that is aligned with community needs now and in the future.
- 4.4 Town centres are accessible, attractive and create opportunities for people to come together, socialise and enjoy a range of activities.
- 4.9 Transport infrastructure and networks provide for the safe movement of all users.

Ensuring the continued provision of services via a contract with a set base price for a minimum period of three years will enable timely and cost efficient delivery of the tasks and allow informed budget values over that time. Should both parties agree to take up the option to extend the contract for two years administrative time will be reduced. Conversely, should contract performance be an issue, a new tender can be called after three years.

ORGANISATIONAL RISK MANAGEMENT

Risk mitigation has been achieved by the following:

- Three senior Shire officers have reviewed and assessed the tender submission;
- The review has shown B&B Street Sweeping able and competent to reliably carry out the works requested;
- The submission demonstrates the financial sustainability of the contractor; and
- The process has been overseen by the Shire's probity officer.

FINANCIAL IMPLICATIONS

The contract provides for fixed rates at the beginning of the tender however it must be recognised that the services provided largely utilise equipment (trucks) requiring considerable quantities of diesel to operate. Given the current high price of this fuel and the likelihood of continuing volatility in fuel prices, the tender document allows for monthly and annual variations in the price of diesel.

Using the obvious premise that a higher fuel price equates to higher operational costs and vice versa, through the application of a formula that compares the average monthly cost of diesel to a base price set at the beginning of each year of the contract, the actual monthly rate charged for works undertaken will vary; as fuel prices rise or fall, costs to the Shire of Manjimup will rise or fall when compared to the tendered lump sum price.

The fuel price variation will be applied to the monthly tendered rate for all trucks and truck based plant according to the following formula:

$$\text{Adjusted hourly rate} = \left(\frac{\text{monthly average price} - \text{base price}}{\text{base price}} \right) \times \text{fuel factor}$$

Where:

Monthly average price - The average terminal gate price (TGP) for each calendar month calculated using figures downloaded from the Australian Institute of Petroleum website: <https://dev.aip.com.au/pricing/terminal-gate-prices/perthdiesel>.

Base price – The TGP set per litre of diesel for each year of the contract

Fuel factor – the percentage of hourly rate for the contract

Notes:

- The adjusted hourly rate is to be applied on invoices when the monthly average price is equal to or greater than +/- \$0.10 of the base price; the adjusted hourly rate may therefore increase or decrease each month.
- The fuel cost for the term of the contract is to be an industry standard of 20% of the hourly rates for trucks etc.

The lump sum price for the first twelve months, excluding additional work is \$161,165.71 excluding GST; Council's adopted budget for street cleaning/sweeping in the 2026/27 financial year is \$164,800. The contract allows for an annual CPI adjustment to the tendered price and this too may result in a rise or in a fall in the rates charged (to the Shire).

The tender requires a noise management plan from the successful contractor for which B&B Street Sweeping provided a cost of \$3,000 for a plan that spans the initial 3 years of the contract. The plan will need to be lodged with and assessed by the Shire's environmental health team.

SUSTAINABILITY

Environmental: The service meets current Shire of Manjimup and industry standards.

Economic: A well maintained road network allows for safe and efficient transport of goods and services.

Social: A safe and useable road network ensures good social cohesion in our towns.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council:

1. Award RFT 01-27 Provision of Street Sweeping and Pit Educting Services to B&B Street Sweeping in accordance with their tender response for the annual price of \$161,165.71 (ex GST), adjusted on each anniversary date of the contract by the Perth All Group rate CPI for the 12 months prior to that date.
2. Request B&B Street Sweeping to proceed with developing a noise management plan for the contract for a cost of \$3,000 and to submit the plan to the Shire of Manjimup's environmental health department.
3. Acknowledge that the rate for works invoiced is adjusted monthly for variations in the price of diesel according to the formula:

$$\text{Adjusted hourly rate} = \left(\frac{\text{monthly average price} - \text{base price}}{\text{base price}} \right) \times \text{fuel factor}$$

ATTACHMENTS

- 1 ➡ Evaluation Sheet Street Sweeping Tender Combined Analysis

1
Page

ATTACHMENT**9.14.1 Proposed Award of Tender RFT 02-27 Concrete Footpath Construction**

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS	Whole of Shire
WARD	All
ZONE	N/A
DIRECTORATE	Infrastructure Services
FILE REFERENCE	F260139
LEGISLATION	Local Government Act 1995
AUTHOR	Kristie Inker (Administration Officer Infrastructure Services), Andrew Conway (Manager Parks Operations)
DATE OF REPORT	1 October 2026
DECLARATION OF INTEREST	Nil

BACKGROUND

Council's adopted 2026/27 Budget includes funding for the Shire's Footpath Upgrade Program. To fulfil the programmed footpath construction works, the Shire issued a Request for Tender: RFT 02-27 Footpath Construction.

The intent of RFT 02-27 is to appoint a suitable contractor to complete all scheduled footpath construction works within the Shire as per the Budgeted Capital Works Program FY26/27.

These works comprise of Slab replacement and Footpath upgrades to:

- Callcup Street, Northcliffe (Zamia to Meerup Sts)
- Mount Street, Manjimup (Carinya to Collier Sts)
- Sommerville Street, Manjimup (Chopping to Pritchard Sts)
- Young Street, Manjimup (Mottram to O'Connor Sts)

The purpose of this report is for Council to be presented with details of tenders received and consider awarding a contract for the services detailed in the tender document.

PUBLIC CONSULTATION UNDERTAKEN

The Tender was publicly advertised as per the following: Advertisement placement in the Manjimup Bridgetown Times and The West Australian on 26 August 2026 and notification on the Shire of Manjimup website.

Tenders closed on 24 September 2026.

COMMENT

A total of eighteen (18) prospective Tenderers registered and accessed the Tender documentation.

At the close of the Tender, three (3) submissions had been received.

A Tender Evaluation Panel comprising three (3) Senior officers independently assessed the submissions received using the assessment criteria contained within RFT 02-27. The results of the assessment are provided in the attached evaluation sheets.

ATTACHMENT: 9.14.1 (1)

A summary of the Tender Submissions is provided below:

Tenderer		Lump sum price (ex GST)	Regional Price Preference Deduction
1	Dowsing Group Pty Ltd	\$ 339,836.45	N
2	Jetline Kerbing Contractors	\$ 256,622.85	N
3	MJG Concreting Pty Ltd	\$ 287,396.50	\$ 7,751.48

Based on the information received and assessed, the Tender Evaluation Panel recommends that RFT 02-27 Footpath Construction be awarded to Jetline Kerbing for \$256,622.85 (ex GST), in accordance with their submitted Tender response.

STATUTORY ENVIRONMENT

The Local Government Act 1995 and Local Government (Functions and General) Regulations 1996 prescribe the requirements for local government tendering and the assessment and acceptance of tenders. RFT 02-27 Footpath Construction has been undertaken in accordance with these requirements.

POLICY / STRATEGIC IMPLICATIONS

The footpath construction program follows previously identified works which are highlighted in the Local Footpath and Bicycle Plan 2017 – 2027.

In addition, footpath construction and renewal contributes to meeting the Shire's Strategic Plan 2021 – 2031, section 4 Our Infrastructure, Community Goals:

- 4.2 Community infrastructure is delivered and maintained at a level of service that is aligned with community needs now and in the future.

- 4.4 Town centres are accessible, attractive and create opportunities for people to come together, socialise and enjoy a range of activities.
- 4.9 Transport infrastructure and networks provide for the safe movement of all users.

The Shires Regional Price Preference Policy was applied to this Tender Evaluation.

ORGANISATIONAL RISK MANAGEMENT

The awarding of the concrete footpath tender presents a manageable level of organisational risk, noting that the procurement process has been undertaken in accordance with the organisation's applicable procurement requirements and that the proposed works have been identified and appropriately provided for within the approved budget. Key risks relate primarily to the delivery timeframe, including potential delays arising from contractor availability, material supply, weather conditions, site constraints and unforeseen ground conditions.

Particular consideration should be given to sites located on routes to schools or immediately adjacent to schools, where delays or poorly managed works may create increased pedestrian and traffic safety risks, disruption to school access and heightened community concerns. These risks can be mitigated through clear contractual timeframes, appropriate staging and sequencing of works, effective communication with affected schools and residents, suitable traffic and pedestrian management measures, and proactive monitoring of contractor performance.

Overall, the risks associated with awarding the tender are considered manageable, provided the contract includes appropriate controls to ensure works are completed within agreed timeframes and disruptions to the community, particularly around school locations, are minimised.

FINANCIAL IMPLICATIONS

Council's adopted 2026/27 Budget includes \$489,073 for the Footpath Program.

Tendered prices came in within Overall Budget, with set price costs for each of the four (4) projects requested to minimise risk of financial overrun.

SUSTAINABILITY

Environmental: A safe compliant footpath network encourages increased active transport through walking, riding or scooting, thus helping to reduce emissions from vehicle movements.

Economic: A well-connected footpath network increases street appeal and connectivity, which improves accessibility to shopping precincts, in turn promoting economic stimulus.

Social: A safe, accessible and well-maintained footpath network supports pedestrian movement, accessibility and community connectivity throughout the Shire.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council award Request for Tender RFT 02-27 Concrete Footpath Construction to Jetline Kerbing Contractors for \$256,622.85 (ex GST) in accordance with their submitted Tender response.

ATTACHMENTS

1 ➡ [Tender Evaluation Sheet RFT 02 27 - Combined](#) 1 Page

10. LATE REPORTS

11. QUESTIONS FROM MEMBERS

11.1 Response to questions from members taken on notice.

Nil.

11.2 Questions from members.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING**

14. MEETING CLOSED TO PUBLIC

14.1 Matters for which the meeting may be closed

14.1.1 Minutes of the Chief Executive Officer Review Committee Meeting held 24 September 2026

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS	N/A
WARD	N/A
ZONE	N/A
DIRECTORATE	Executive Services
FILE REFERENCE	F170461
LEGISLATION	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i>
AUTHOR	Shammara Markotis (Manager Governance and Executive Services)
DATE OF REPORT	25 September 2026
DECLARATION OF INTEREST	Ben Rose (Chief Executive Officer) has an interest in this item, being subject to the setting of KPIs, the Annual Performance Review by the Committee/Council and the annual remuneration review.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council goes behind closed doors to consider:

Item 14.1.1 as under Section 5.23 (2)(b) it deals with a matter relating to the recruitment or employment of the CEO or a senior employee, including the following (i) the termination of employment; (ii) a review of performance under section 5.38.

14.2 Public reading of resolutions that may be made public.

15. APPLICATIONS FOR LEAVE OF ABSENCE

16. CLOSURE

There being no further business to discuss the Shire President to thank those in attendance and close the meeting at.....pm.

Draft