



SHIRE OF
DOWERIN
TIN DOG TERRITORY

MINUTES

Ordinary Council Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 28 April 2026
Commencing 4:00pm



Shire of Dowerin

Minutes Certification

I certify that these Minutes for the 28 April 2026 Ordinary Council Meeting were presented to the Ordinary Council Meeting held on 26 May 2026

A handwritten signature in black ink, appearing to read 'DP Hudson', is written over a horizontal line.

PRESIDENT
Cr DP Hudson

Table of Contents

1.	Official Opening / Obituaries
2.	Record of Attendance / Apologies / Leave of Absence
3.	Public Question Time
4.	Disclosure of Interest
5.	Applications for Leave of Absence
6.	Petitions and Presentations
7.	Confirmation of Minutes of the Previous Meetings
7.1	Ordinary Council Meeting held on 24 March 2026
7.2	Special Council Meeting held on 1 April 2026
8.	Minutes of Committee Meetings to be Received
8.1	Assets & Works Committee Meeting held on 23 March 2026
9.	Recommendations from Committee Meetings for Council Consideration
10.	Announcements by the President Without Discussion
11.	Officer's Reports - Corporate and Community Services
11.1	Financial Activity Statements
11.2	List of Accounts Paid
11.3	Temporary Use of Term Deposit Funds for Cash Flow Management
12.	Officer's Reports - Governance and Compliance
12.1	Council Policy Review - 3.11 Procurement Policy
12.2	Committee Representation and Appointment
12.3	CEO Performance Review Panel
12.4	Work, Health and Safety Policy
12.5	Dowall St, MINNIVALE - Renaming
12.6	Establishment of the Dowerin Home Care Subcommittee
13.	Officer's Reports - Asset & Works
14.	Urgent Business Approved by the Person Presiding or by Decision
14.1	Development Application - CBH Group
15.	Elected Members' Motions
16.	Matters Behind Closed Doors
17.	Closure

Shire of Dowerin Ordinary Council Meeting 4:00pm Tuesday 28 April 2026

1. Official Opening / Obituaries

The President welcomes those in attendance and declares the Meeting open at 4:04pm
In the opening of the meeting, the Council and Staff acknowledge the passing of Albert Carol with a minutes silence.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr DP Hudson	President
Cr RI Trepp	Deputy President
Cr JA Graffin	
Cr AR Jones	
Cr CJ Meakins	
Cr JC Sewell	

Staff:

Ms M Barthakur	Chief Executive Officer
Ms K Rose	Manager of Governance and Community Services
Mr B Forbes	Manager of Infrastructure and Projects
Ms R Wall	Manager of Corporate Services
Ms M Sumpton	Executive Assistant

Members of the Public:

Ms Emma Haak	CBH Group
--------------	-----------

Apologies:

Approved Leave of Absence:

3. Public Question Time

4. Disclosure of Interest

Ms Manisha Barthakur – Item 12.3 – CEO Review Performance Panel

5. Applications for Leave of Absence

Cr Meakins – May 2026

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/ Resolution – 5

Moved Cr Jones Seconded: Cr Graffin

1295 That, by Simple Majority pursuant to Sections 2.25(1) of the *Local Government Act 1995*, Cr Meakins be granted Leave of Absence for May 2026.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meeting(s)

7.1 Ordinary Council Meeting held on 24 March 2026

[Attachment 7.1A](#)

7.2 Special Council Meeting held on 1 April 2026

[Attachment 7.2A](#)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/ Resolution – 7

Moved Cr Sewell Seconded: Cr Meakins

1296 That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 24 March 2026, as presented in Attachment 7.1A, and the Minutes of the Special Council Meeting held 1 April 2026, as presented in Attachment 7.2A be confirmed as a true and correct record of proceedings.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

8. Minutes of Committee Meeting(s) to be Received

- 8.1 Asset & Works Committee Meeting held on 23 March 2026
[Attachment 8.1A](#)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/ Resolution – 8

Moved Cr Jones **Seconded:** Cr Trepp

1297 That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Asset & Works Committee Meeting held on 23 March 2026, as presented in Attachment 8.1A, be received.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell


9. Recommendations from Committee Meetings for Council Consideration

10. Announcements by the President Without Discussion

ANZAC Day event – well attended for a long weekend
Congratulations to Maddison for the management and arrangement of the event, and to the other staff members that assisted.

11. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES

11.1 Financial Activity Statements

<h1>Corporate and Community Services</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	9 April 2026	
Location:	Not Applicable	
Responsible Officer:	Manisha Barthakur, Chief Executive Officer	
Author:	Megan Shirt, Acting Manager of Corporate Services	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
SharePoint Reference:	Organisation / Financial Management / Reporting / Financial Statements / 2025-2026 Monthly Financial Statements	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.1A - Financial Activity Statement March 2026	

Purpose of Report

Executive Decision Legislative Requirement

Summary

This item presents the Statement of Financial Activity to Council for the period March 2026.

Background

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports which have been prepared and are presented to Council.

Comment

To fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

Note 1 - Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Nature and Type (Statutory) and by Program (for information).

Note 2 - Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 3 - Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

Note 4 - Other Current Assets

This note provides details of other current assets that the Shire may hold.

Note 5 - Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 6 - Rate Revenue

This note provides details of rates levied during the year.

Note 7 - Disposal of Assets

This note gives details of the capital asset disposals during the year.

Note 8 - Capital Acquisitions

This note details the capital expenditure program for the year.

Note 9 - Borrowings

This note shows the Shire's current debt position and lists all borrowings.

Note 10 - Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

Note 11 - Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

Note 12 - Operating Grants and Contributions Received

This note provides information on operating grants received.

Note 13 - Non-Operating Grants and Contributions Received

This note provides information on non-operating grants received.

Notes 14 - 16 Operational Data Sub program data

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$5,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

Consultation

Manisha Barthakur, Chief Executive Officer
Megan Shirt, Acting Manager of Corporate Services
Ben Forbes, Manager of Infrastructure and Projects

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>Deliver a high standard of governance and administration.</i>
Outcome:	4.1
Reference:	4.1c

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar, Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Financial Implications

As per budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 11.1

Moved Cr Trepp


Seconded: Cr Jones

1298

That Council, by Simple Majority pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996, receives the draft statutory Financial Activity Statement report for the period of March 2026, as presented in Attachment 11.1A.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

11.2 List of Accounts Paid	
Corporate & Community Services	
 SHIRE OF DOWERIN TIN DOG TERRITORY	
Date:	9 April 2026
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Megan Shirt, Acting Manager of Corporate Services
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
Disclosure of Interest:	Nil
Attachments:	Attachment 11.2A - List of Payments March 2026 Attachment 11.2B - Credit Card and Star Card Statements March 2026

Purpose of Report

Executive Decision
 Legislative Requirement

Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for March 2026.

Background

Nil

Comment

The List of Accounts Paid as presented have been reviewed by the Chief Executive Officer.

Consultation

Manisha Barthakur, Chief Executive Officer
 Megan Shirt, Acting Manager of Corporate Services
 Ben Forbes, Manager of Infrastructure and Projects

Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>Deliver a high standard of governance and administration.</i>
Outcome:	4.1
Reference:	4.1c

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for Council showing creditors paid under delegated authority.

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

As per budget

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution - 11.2

Moved Cr Graffin **Seconded:** Cr Sewell

1299 That Council, by Simple Majority pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachments 11.2A and 11.2B as detailed below:

Summary of List of Accounts Paid - March 2026

EFT 14736 to EFT 14873	\$640,977.73
Direct Debits Total	\$43,842.59
Payroll Total	\$148,985.45
TOTAL PAYMENTS	\$833,805.77

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

11.3 Temporary Use of Term Deposit Funds for Cash Flow Management

Corporate & Community Services



Date:	9 April 2026
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Megan Shirt, Acting Manager of Corporate Services
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

- Executive Decision Legislative Requirement

Summary

To seek Council endorsement for the utilisation of term deposit funds to support short-term cash flow requirements, noting timing delays in grant income and the intent to replenish funds.

Background

As part of the 2025/26 Budget, Council endorsed a transfer from reserves totalling \$900,039 to support operational and capital expenditure.

Since that time, two term deposits have matured and been transferred into the municipal account:

- \$1,225,877 - cleared on 13th April 2026
- \$1,121,972 - cleared on 8th April 2026

In addition, a further \$700,000 Bendigo term deposit is due to mature on 30 April 2026.

Comment

The Shire is currently experiencing a timing lag in grant income, resulting in short-term cash flow constraints. While sufficient funds exist within term deposits and reserves, the timing mismatch between expenditure commitments and income receipts requires interim cash flow management.

The use of term deposit funds in this instance is not an additional expenditure, but a timing adjustment to ensure the Shire can meet its financial obligations, including large invoices due over the coming weeks.

This approach is consistent with prudent financial management practices adopted by local governments where:

- Cash flow timing differs from budgeted income streams
- Funds are available but not immediately liquid

- There is a clear intention and capacity to replenish funds

Management confirms that:

- The overall financial position of the Shire remains stable
- Funds utilised will be replenished once grant income is received
- This is a temporary measure to manage timing differences only

Consultation

Manisha Barthakur, Chief Executive Officer
Megan Shirt, Acting Manager of Corporate Services
Ben Forbes, Manager of Infrastructure and Projects

Policy Implications

Consistent with the Local Government Act 1995 and sound financial management principles, noting Council oversight and approval.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	<i>Deliver a high standard of governance and administration.</i>
Outcome:	4.1
Reference:	4.1c

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

- Section 6.2 (Local Government Act 1995) – requires local governments to prepare and adopt an annual budget. The use of term deposit funds represents a cash flow adjustment within the adopted budget and does not constitute additional expenditure.
- Section 6.8 (Local Government Act 1995) – allows municipal funds to be applied to lawful purposes of the local government. The use of funds to meet operational commitments is consistent with this provision.
- Section 6.11 (Local Government Act 1995) – provides for the establishment and use of reserve funds. While a transfer from reserves of \$900,039 was budgeted, the temporary utilisation of additional term deposit funds reflects a timing difference rather than a change in Council's intent regarding reserve use. Funds will be replenished to ensure reserve balances align with Council's adopted budget position.
- Regulation 34 (Financial Management Regulations) – requires a local government to manage its finances efficiently and effectively. The temporary use of term deposit funds to address timing delays in revenue is consistent with prudent financial management.
- Regulation 19A (Financial Management Regulations) – requires monthly financial reporting to Council, ensuring transparency and oversight of the Shire's financial position.
- Regulation 33A (Financial Management Regulations) – requires a review of the annual budget where material variances occur. Any ongoing variance will be addressed through the budget review process if required.

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1 Council Policy Review – 3.11 Procurement Policy

<h2 style="color: #C00000;">Governance & Compliance</h2>		 <p style="font-size: small; margin: 0;">SHIRE OF DOWERIN TIN DOG TERRITORY</p>
Date:	14 April 2026	
Location:	Not Applicable	
Responsible Officer:	Rachael Wall, Manager of Corporate Services	
Author:	Kahli Rose, Manager of Governance and Community Services	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
SharePoint Reference:	Organisation / Governance / Council Policies	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A - Current Purchasing Policy Attachment 12.1B - Draft Policy 3.11 - Procurement Policy	

Purpose of Report

Executive Decision
 Legislative Requirement

Summary

Council is asked to consider adopting the revised Policy 3.11 – Procurement Policy, which will replace the current Policy 3.11 – Purchasing Policy. The updated policy modernises the Shire’s approach to procurement, strengthens governance and compliance, and better reflects current local government practice and audit expectations.

Background

The current Policy 3.11 – Purchasing Policy was adopted in June 2018. Since that time, expectations around procurement across local government have increased, particularly in relation to governance, probity, documentation, sustainability, and value for money.

A review of the existing policy found that while the current purchasing thresholds remain appropriate, the policy would benefit from being updated to provide clearer guidance, stronger controls, and better alignment with contemporary legislative and audit requirements.

As part of this review, the policy has been renamed Policy 3.11 – Procurement Policy to better reflect its broader scope

Comment

The updated policy:

- Broadens the scope from transactional purchasing to a whole-of-procurement approach, including planning, evaluation, contract management, sustainability, and risk considerations;
- Strengthens governance and probity requirements, including clearer expectations around ethical conduct, conflicts of interest, transparency, and record keeping;
- Expands value for money considerations to include whole-of-life costs, technical merit, supplier capability, safety, sustainability, and local economic benefit;
- Introduces clearer and more robust controls for exemptions, emergency purchasing, Expressions of Interest, and sole supplier arrangements;
- More clearly and simply identifies the roles and responsibilities of staff in the procurement process;
- Clarifies requirements for contract variations, extensions, and re-tendering to reduce risk and ensure legislative compliance;
- Improves alignment with contemporary audit expectations, legislation, and better practice across the local government sector; and
- Incorporates a new clause to remove the requirement for purchase orders for transactions under \$100.

These amendments strengthen governance, improve consistency and accountability in procurement decision-making, and reduce compliance and audit risk.

Amendments to officer purchasing limits has been updated as shown in the below table:

ROLE	EXISTING	NEW	NOTE
Chief Executive Officer	Unlimited	Unlimited	N/A
Manag. Infrastructure and Projects	\$20,000	\$100,000	Prev. Asset & Works Coord.
Manag. Corporate Services	\$50,000	\$20,000	Prev. Deputy CEO
Manag. Governance and Community	\$10,000	\$20,000	Prev. Governance Coord.
Home Care Coordinator	\$10,000	\$10,000	Prev. Aged Care Coord.
Community Dev. Coordinator	\$10,000	\$10,000	Prev. CRC Coord.

**** NOTE ****

Above limits relate to the approval of purchase orders, and do not grant all staff access to the Shire's banking systems. Approved officers with access to the bank remain unchanged (CEO, MCS, MGCS).

Consultation

Manisha Barthakur, Chief Executive Officer
 Kahli Rose, Manager of Governance and Community Services
 Glen Nordsvan and Megan Shirt, AccWest
 Councillors, February and March Workshops

Policy Implications

If adopted, Policy 3.11 – Procurement Policy will replace Policy 3.11 – Purchasing Policy.

Statutory Implications

Local Government Act 1995

Section 6.8 – Expenditure not included in annual budget

“(1) A local government may incur expenditure that is not included in the annual budget if the expenditure is required to meet an emergency.

(2) The mayor or president may authorise the expenditure and the decision is to be reported to the next ordinary council meeting.”

Local Government (Functions and General) Regulations 1996

Regulation 11 – Tendering exemptions

“(2) A local government is not required to invite tenders for a contract for the supply of goods or services if the supply is exempt under this regulation.”

Strategic Implications

Strategic Community Plan

Community Priority: Our Organisation

Objective: Deliver a high standard of governance and administration.

Outcome: 4.1

Reference: 4.1c

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (2)
Key Controls (in place)	Policy development Engagement with internal and external stakeholders
Action (Treatment)	Scheduled policy review Developed protocols
Risk Rating (after treatment)	Effective

Financial Implications

There are no direct financial implications arising from the adoption of this policy. The revised policy strengthens controls around procurement and expenditure decisions.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 12.1

Moved Cr Graffin

Seconded: Cr Meakins

1301 That Council, by simple majority, adopts Policy 3.11 – Procurement Policy, as presented in Attachment 12.1B, replacing the existing Policy 3.11 – Purchasing Policy as presented in Attachment 12.1A.

CARRIED 5/1

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins

Against: Cr Sewell

12.2 Committee Representation and Appointment

Governance & Compliance



Date:	14 March 2026
Location:	Not applicable
Responsible Officer:	Kahli Rose, Manager of Governance and Community Services
Author:	Kahli Rose, Manager of Governance and Community Services
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation/Governance/Committees/Council Committee General File
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This report seeks Council endorsement to appoint Councillors to committee vacancies arising from the resignation of Cr Adam Metcalf.

Council is requested to fill the vacant positions and nominate a representative to an external committee to ensure continuity of governance and representation.

Background

Council has established a number of committees to support its governance functions, including the Asset & Works Committee and Bush Fire Advisory Committee (BFAC).

In addition, Council appoints representatives to external committees, including the Regional Road Group.

Following the resignation of Cr Adam Metcalf on 23 March 2026, a number of positions across these committees and external bodies have become vacant.

To ensure continuity of operations and appropriate representation, Council is required to appoint replacement members and nominate a representative where applicable.

Comment

The appointment of Councillors to committees and nomination to external bodies is necessary to:

- maintain quorum requirements
- ensure continuity of committee functions
- provide appropriate Council representation

The following positions are currently vacant:

Committee / Body	Position
Asset & Works Committee	Chair
Bush Fire Advisory Committee	Member
Regional Road Group (external)	Council Representative

The following appointments remain unchanged:

Committee / Body	Position	Councillor
Asset & Works Committee	Deputy	Cr Trepp
Asset & Works Committee	Member	Cr Meakins
Asset & Works Committee	Proxy	Cr Jones
Bush Fire Advisory Committee	Member	Cr Sewell
Regional Road Group (external)	Proxy	Cr Meakins

Nominations will be called at the meeting.

Consultation

Manisha Barthakur, Chief Executive Officer
Kahli Rose, Manager of Governance and Community Services
Ben Forbes, Manager of Infrastructure and Projects

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

Section 5.10 – Appointment of Committee Members

(1) A committee is to have members appointed by the local government.

(2) A committee is to consist of –

- 1. council members only; or*
- 2. council members and employees; or*
- 3. council members, employees and other persons; or*
- 4. council members and other persons; or*
- 5. employees and other persons; or*
- 6. other persons only.*

(3) The President may be a member of any committee of the local government.

(4) The CEO may be a member of a committee that includes employees and other persons.

Section 5.11 – Tenure of Committee Membership

(1) Where a person is appointed as a member of a committee under section 5.10, the person's membership of the committee continues until –

- a. the term of the person's appointment as a committee member expires; or*
- b. the committee is disbanded; or*
- c. the next ordinary election day, whichever happens first.*

Section 5.98 – Fees etc. for Council Members

A council member who attends a council or committee meeting is entitled to be paid –

- a. the prescribed minimum fee for attending a meeting; or*
- b. where the local government has set a fee within the prescribed range, that fee.*

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	Deliver a high standard of governance and administration
Outcome:	4.1
Reference:	4.1a

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Clearly defined Terms of Reference and proper appointment of members reduces the risk of committees acting outside their authority or meetings being invalid due to lack of quorum. It also supports compliance with statutory obligations.

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Short term non-compliance but with significant regulatory requirements imposed
Consequence Rating	Major (4)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Moderate (8)
Key Controls (in place)	Engagement practices with external stakeholders; Terms of Reference
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications

Provision has been made in the 2025/26 Budget for committee sitting fees, payable at \$75 per meeting under GL 2040113 - Members Sitting Fees.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation/Resolution - 12.2

Moved Cr Meakins

Seconded: Cr Sewell

1302 That, by Absolute Majority, in accordance with Sections 5.10, 5.11A and 7.1A of the *Local Government Act 1995*, Council:

1. Notes the resignation of Cr Adam Metcalf and the resulting vacancies on Council committees and external representation;
2. Declares the following positions vacant, and calls for nominations to fill these vacancies:

Committee / Body	Position
Asset & Works Committee	Chair
Bush Fire Advisory Committee	Member
Regional Road Group (external)	Council Representative

3. Appoints the following Councillors:

Committee / Body	Position	Councillor
Asset & Works Committee	Chair	Cr Trepp
Asset & Works Committee	Proxy	Cr Sewell
Bush Fire Advisory Committee	Member	Cr Hudson
Regional Road Group (external)	Council Representative	Cr Hudson

4. Notes all other committee appointments remain unchanged.
5. Councillor appointments will be revisited post the Extraordinary Election on 25 June 2026

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

M BARTHAKUR EXIT AT 4:16pm

12.3 CEO Performance Review Panel	
<h2>Governance & Compliance</h2>	
 SHIRE OF DOWERIN TIN DOG TERRITORY	
Date:	22 April 2026
Location:	Nil
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Manisha Barthakur, Chief Executive Officer
Legislation:	Local Government Act 1995
SharePoint Reference:	Nil
Disclosure of Interest:	Manisha Barthakur, Chief Executive Officer
Attachments:	Attachment 12.3A - Draft Policy 1.20 - CEO Performance and Salary Review Policy

Purpose of Report

- Executive Decision
 Legislative Requirement

Summary

This report recommends that Council establish a CEO Performance Review Panel to undertake the CEO's annual performance and salary review internally and adopt the Shire of Dowerin CEO Performance and Salary Review Policy to guide this process.

Background

Section 5.38 of the Local Government Act 1995 requires that the performance of the CEO be reviewed at least annually. The Local Government (Administration) Regulations 1996, under Schedule 2, outline the model standards for CEO recruitment, performance and termination, which require the review process to be fair, transparent and agreed upon by both Council and the CEO. To ensure compliance and consistency, it is proposed that a formal policy be adopted and a Review Panel be established.

Comment

The proposed CEO Performance and Salary Review Policy outline the review framework, including performance criteria, responsibilities of a Review Panel, and provisions for conducting internal reviews without the need for an external consultant unless specifically resolved by Council. The formation of a CEO Performance Review Panel will ensure the review process is structured, compliant, and completed within required timeframes. The panel will consist of the Shire President and four elected members and will have responsibility for conducting the CEO review, developing or reviewing the performance agreement, and reporting outcomes to Council. Administrative support will be provided by the Governance team.

Consultation

Manisha Barthakur, Chief Executive Officer
 All Councillors, Shire of Dowerin

Policy Implications

Nil

Statutory Implications

1. 5.39A. Model standards for CEO recruitment, performance and termination
 - (1) Regulations must prescribe model standards for local governments in relation to the following
 - the recruitment of CEOs;
 - the review of the performance of CEOs;
 - the termination of the employment of CEOs.
2. Salaries and Allowance Act 1975
3. Corruption, Crime and Misconduct Act 2003

Strategic Implications

Strategic Community Plan

Community Priority: Our Organisation
 Objective: Deliver a high standard of governance and administration
 Outcome: 4.1
 Reference: 4.1

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Short term non-compliance but with significant regulatory requirements imposed
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Moderate (9)
Key Controls (in place)	
Action (Treatment)	
Risk Rating (after treatment)	Adequate

Financial Implications

There are no financial implications associated with conducting the CEO performance and salary review internally. Should Council wish to engage an independent consultant in the future, costs would be incurred, and a separate report would be presented for budget consideration.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation/Resolution - 12.3

Moved Cr Graffin

Seconded: Cr Sewell

11303 That Council, by absolute majority

1. Adopt the attached Shire of Dowerin CEO Performance and Salary Review Policy;
2. Establish a CEO Performance Review Panel comprising the Shire President and four elected members named below:
 - a. President Darrel Hudson
 - b. Deputy President Robert Trepp
 - c. Tracy Jones (Independent Panel Member, remains as is)
 - d. Cr Graffin
 - e. Cr Meakins
3. Appoint the Shire President as Presiding Member of the Panel;
4. Authorise the Panel to undertake the CEO's annual performance and salary review in accordance with the Local Government Act 1995, Salaries and Allowance Act 1975 and the adopted Policy;
5. Request the Panel to report its findings and recommendations to Council for formal endorsement.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

M BARTHAKUR ENTERED AT 4:17pm

12.4 Work, Health and Safety Policy

Governance & Compliance



Date:	14 April 2026
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Kahli Rose, Manager of Governance and Community Services
Legislation:	<i>Work, Health and Safety Act 2020</i>
SharePoint Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 12.4A - Policy 7.9 - Work, Health and Safety Policy

Purpose of Report



Executive Decision



Legislative Requirement

Summary

A review of the Work Health Safety Policy has identified minor updates required to better reflect the intent and terminology of the Work Health and Safety Act 2020 (WA), as well as current insurer expectations regarding policy review frequency.

The proposed amendments do not alter the intent of the Policy but strengthen compliance, clarify responsibilities, and ensure alignment with current WHS expectations and audit standards.

Background

Policy 7.9 - Work Health Safety Policy was last reviewed on 18 February 2025 (CMRef:1065).

As part of ongoing policy review and governance practices, the Policy has been assessed against current legislative requirements under the Work Health and Safety Act 2020 (WA) and associated regulations.

The review also considered insurer expectations, including the requirement for annual policy review to support effective risk management and audit outcomes.

This review identified several minor gaps where wording could be improved to better reflect legislative obligations and contemporary WHS standards.

Comment

The proposed amendments are minor in nature and include:

- Clarifying that the Shire's WHS obligations extend to all persons affected by its operations, including contractors and other relevant parties
- Strengthening consultation requirements to align with legislative obligations
- Including reference to the due diligence obligations of officers under the Work Health and Safety Act 2020 (WA)
- Reinforcing requirements for incident reporting, investigation, and corrective actions
- Strengthening references to safe systems of work
- Expanding wording to include rehabilitation *and* return to work following injury
- Formalising the requirement that the Policy is reviewed at least annually to align with insurer expectations and audit standards

These updates do not introduce new operational requirements but provide clearer alignment with legislative expectations and reinforce existing practices already undertaken by the Shire.

Consultation

Policy Implications

This report relates to Policy 7.9 – Work Health Safety Policy.

Statutory Implications

Work Health and Safety Act 2020 (WA)

Section 19 – Primary duty of care

- (1) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of –*
 - workers engaged, or caused to be engaged by the person; and*
 - workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.*
- (2) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.*

Section 27 – Duty of officers

An officer of a person conducting a business or undertaking must exercise due diligence to ensure that the person conducting the business or undertaking complies with that duty or obligation.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	Deliver a high standard of governance and administration
Outcome:	4.1
Reference:	4.1f

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Short term non-compliance but with significant regulatory requirements imposed
Consequence Rating	Major (4)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Moderate (8)
Key Controls (in place)	
Action (Treatment)	
Risk Rating (after treatment)	Effective

Financial Implications

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 12.4

Moved Cr Graffin

Seconded: Cr Jones

1304

That Council, by Simple Majority pursuant to Sections 2.7(2)(b) and 5.41 of the *Local Government Act 1995*, resolves to adopt the revised Policy 7.9 - Work Health and Safety Policy with the amendments as noted in the Council report, and presented in Attachment 12.4A.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

12.5 Proposed Renaming of Dowall Street, Minnivale to McDowall Street - Community Consultation

Governance & Compliance



Date:	22 April 2026
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Manisha Barthakur, Chief Executive Officer
Legislation:	<i>Nil</i>
SharePoint Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Summary

To seek Council endorsement to initiate community and stakeholder consultation regarding the proposed renaming of **Dowall Street, Minnivale** to **McDowall Street**, in recognition of Private Stewart McDowall.

Background

Seeking Council's endorsement to commence public consultation on the proposed renaming of Dowall Street, Minnivale to McDowall Street.

The proposal has been raised by two members of community to correct an apparent historical variation in spelling and to appropriately recognise Private Stewart McDowall, a soldier commemorated on the Dowerin War Memorial.

No formal renaming is proposed at this stage. The purpose of this report is to seek approval to consult with affected stakeholders in accordance with the requirements of the Landgate Geographic Naming Policies.

Historical records indicate:

- Stewart McDowall was born in New Zealand and migrated to Western Australia prior to 1912.
- He enlisted in the 16th Battalion, Australian Imperial Force, serving under the command structure associated with Colonel Sir John Monash.
- He served in campaigns including Belgium and the Western Front during World War I.
- Private McDowall was killed in action on 26 September 1917 during the Battle of Passchendaele, a campaign widely recognised for extreme conditions and high casualty rates.
- His burial location was not recovered; however, his name is commemorated on the Menin Gate Memorial to the Missing, which honours soldiers of the British Empire who were killed in the region and have no known grave. He is also commemorated on the Dowerin War Memorial.

The proposed renaming is intended to ensure historical accuracy and proper recognition of his service.

Comment

The renaming is proposed to:

- Correct an apparent historical spelling inconsistency (“Dowall” → “McDowall”)
- Honour a fallen soldier commemorated within the Shire
- Strengthen local heritage recognition and community identity
- Align the street name with documented historical records

Consultation

Di Hatwell, Member of Community
Joan Metcalf, Member of Community
Match Council Workshop
Manisha Barthakur, CEO

Policy Implications

Nil

Statutory Implications

Landgate Geographic Names Committee Policies
AS/NZS 4819 (Rural and Urban Addressing Standard)
Local Government Act 1995 (WA)

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	Deliver a high standard of governance and administration
Outcome:	4.1
Reference:	4.1f

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Asset Management Practices
Risk Category	People
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	
Action (Treatment)	
Risk Rating (after treatment)	Not Rated

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 12.5

Moved Cr Graffin

Seconded: Cr Sewell

1305 That Council:

1. Endorses the commencement of community and stakeholder consultation on the proposed renaming of Dowall Street, Minnivale to McDowall Street;
2. Authorises the Chief Executive Officer to undertake consultation in accordance with the Geographic Naming Policies of Landgate;
3. Notes the historical context of the proposal, including the service of Stewart McDowall, a soldier of 16th Battalion AIF, and his commemoration on the Menin Gate Memorial to the Missing and the Dowerin War Memorial; and
4. Requests a further report be presented to Council following completion of consultation, including a summary of submissions and officer recommendation, for consideration of whether to proceed with the proposed renaming.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

12.6 Establishment of the Dowerin Home Care Subcommittee

Governance & Compliance



Date:	22 April 2026
Location:	Not Applicable
Responsible Officer:	Manisha Barthakur, Chief Executive Officer
Author:	Manisha Barthakur, Chief Executive Officer
Legislation:	
SharePoint Reference:	
Disclosure of Interest:	
Attachments:	Attachment 12.6A - Homecare (Aged Care) Subcommittee - Terms of Reference

Purpose of Report

Executive Decision

Legislative Requirement

Summary

To seek Council approval to establish a Home Care Subcommittee to provide strategic oversight, advice, and governance support for the Shire's Home Care services.

Background

The Shire of Dowerin delivers Home Care services, including Commonwealth Home Support Programme (CHSP) and Home Care Packages (HCP), which have experienced growth in recent months.

To support effective governance, service quality, and future planning, it is proposed that Council establish a Home Care Subcommittee.

The Subcommittee will provide a structured forum for oversight, performance monitoring, and strategic input, while maintaining Council's overall decision-making authority.

Comment

The Shire's Home Care service:

- Supports approximately 43 clients
- Has expanded in scope and capacity in recent months
- Operates within a regulated environment with funding and compliance obligations

As the service continues to grow, there is a need for:

- More focused oversight
- Regular review of financial and service level performance and compliance
- Strategic input into service development

Establishing a Subcommittee aligns with good governance practices and supports sustainable service delivery.

Nominations will be called at the meeting.

Consultation

March Council Workshop
 Lisa Begley, Homecare Coordinator
 Manisha Barthakur, CEO
 Vitish Guddoy, Consultant , QCI Consulting

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Strategic Community Plan

Community Priority:	Our Organisation
Objective:	Deliver a high standard of governance and administration
Outcome:	4.1
Reference:	4.1a

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Engagement Practices
Risk Category	People
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (3)
Key Controls (in place)	
Action (Treatment)	
Risk Rating (after treatment)	Not Rated

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation/Resolution - 12.6

Moved Cr Trepp

Seconded: Cr Graffin

1306 That Council, by Absolute Majority, pursuant to sections 5.8, 5.9 and 5.10 of the Local Government Act 1995 (WA):

1. Establishes the Dowerin Home Care Subcommittee as a committee of Council to provide strategic oversight, advice and governance support for the Shire's Home Care services.
2. Adopts the Terms of Reference for the Dowerin Home Care Subcommittee, as attached as Attachment 12.6A - Homecare (Aged Care) Subcommittee - Terms of Reference.
3. Declares vacant the following positions on the Dowerin Home Care Subcommittee and calls for nominations from elected members present at the meeting:

Committee / Body	Position
Dowerin Homecare Services Committee	Chair
Dowerin Homecare Services Committee	Deputy
Dowerin Homecare Services Committee	Member

4. Appoints the following elected members to the Dowerin Home Care Subcommittee until the next Local Government ordinary elections, or until otherwise determined by Council:

Homecare Committee Members	Position
Cr Hudson	Chair
Cr Sewell	Deputy
Cr Graffin	Member

5. Requests the Chief Executive Officer provide administrative support to the Subcommittee and facilitate meetings in accordance with the adopted Terms of Reference.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

13. OFFICER'S REPORTS - ASSET & WORKS

Nil

14. Urgent Business Approved by the Person Presiding or by Decision

14.1 Development Application – CBH Group – Dowerin Site 2

Governance & Compliance



Date:	24 April 2026
Location:	Lot 25 Goomalling-Wyalkatchem Road, Dowerin
Responsible Officer:	Manisha Barthakur - CEO
Author:	Paul Bashall, Planwest (WA) Pty Ltd
Legislation:	<i>Planning and Development Act 2005</i>
Sharepoint Reference:	Compliance > Development & Building > Development Applications
Disclosure of Interest:	Nil
Attachments:	Attachment 14.1A – Certificate of Title Attachment 14.1B – Development Application Attachment 14.1C – Neighbouring Properties Submissions

Purpose of Report

Executive Decision

Legislative Requirement

Summary

CBH has applied for a Development Approval (DA) for upgrades to its existing grain handling and storage facility on Lot 25 and the abutting railway reserve on Goomalling-Wyalkatchem Road, Dowerin, to add new fixed rail loading infrastructure and a new rail siding.

Background

The subject lot is nearly over 100 hectares in area and is already substantially developed as a grain receipt and storage facility. The north-east corner of the site abuts the southwest corner of the Dowerin Townsite boundary as shown in **Figure 1**.

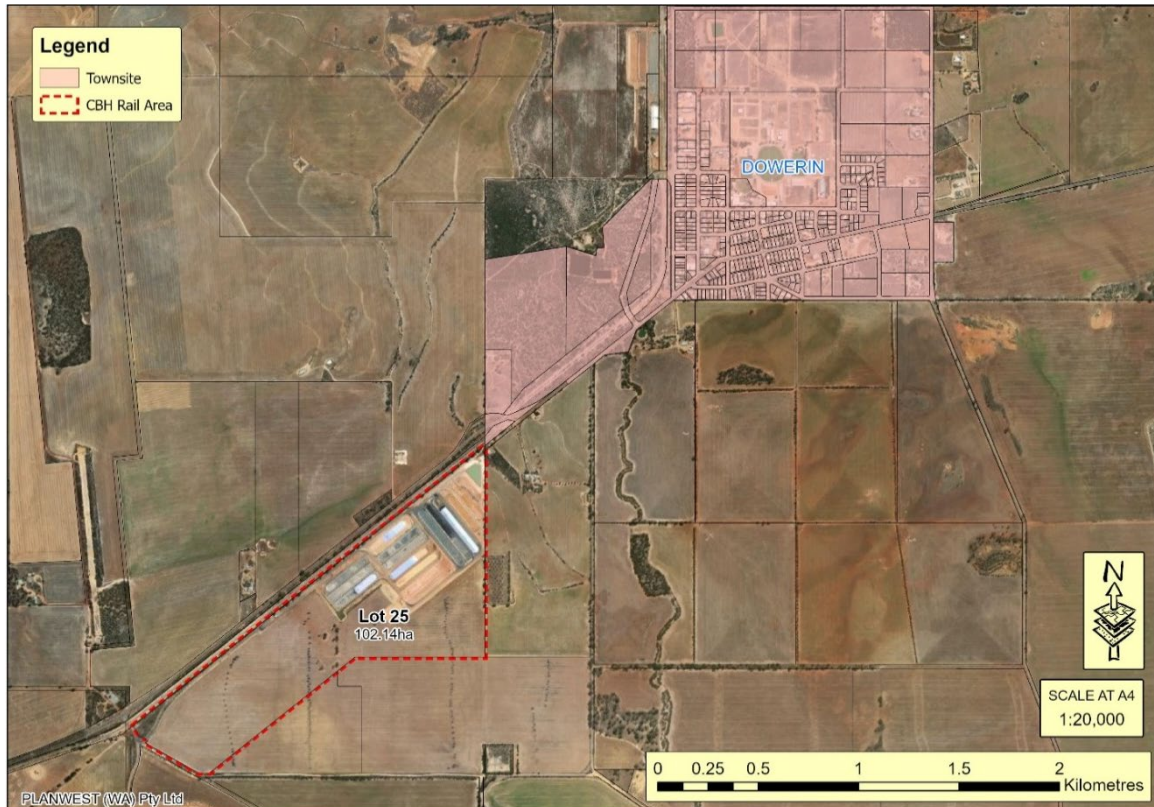
The applicant states that there has not been any rail out-loading from Dowerin for more than 5 years and currently all outloading occurs via road. Most tonnes from Dowerin are transported to Avon via road and loaded onto rail at Avon to transport to port. The current road to rail outloading does not represent the most efficient method of transporting grain from Dowerin to Port.

This DA proposes to upgrade the subject site by constructing a new rail siding and rail loading facility, which will introduce new rail outloading capability at the site, improve grain outloading efficiency and significantly reduce the number of truck movements to/from the site.

applicant points out that the rail project at Dowerin is one of the projects within the first package of the WA Agricultural Supply Chain Improvements (ASCI) funding program which is part of the Infrastructure Priority List (IPL). Along with other rail siding and outloading upgrades this proposal aims to maximise efficiencies to deliver more tonnes to port. The increased use of rail to deliver tonnes to port further reduces reliance on road transport which has benefits to road users and the community.

Advice indicates that most of the development cost in this project will be Government sourced with government agencies (like Arc Infrastructure) owning and maintained the facility.

FIGURE 1 - LOCATION PLAN



Source: ArcMap, Landgate, Planwest

The Sites

The DA involves development over two landholdings. The **first** is the CBH-owned Lot 25 that current is partially developed with open bulkheads, loading facilities and drainage works. (**Attachment A** provides a copy of the certificate of title). CBH has signed the DA form for this lot.

Lot 25 is 102.1849 hectares in area and, as shown in the figures, is about half used for grain storage. The site has very little vegetation remaining and is used for grain growing in areas not used for storage.

The **second** site involves the railway Crown Reserve adjacent to Lot 25. CBH has obtained the approval of the Public Transport Authority (PTA) to lodge the DA for construction works to install new rail siding and rail outloading facility. (**Attachment B** provides a copy of the first page of the PTA DA form signed by the Executive Director of IPLS).

The railway reserve is a Crown Reserve 35 wide with some vegetation remaining. CBH has provided a brief assessment of the vegetation condition and is seeking DWER's approval to clear areas required for the new siding.

The length of the reserve between road intersections is about 2.4 kilometres. Adjacent to the railway reserve is a road reserve (Goomalling-Wyalkatchem Road) that is also 35 metres wide. The carriageway appears to be in good condition and is about 7.2 metres wide.

Figure 2 provides an oblique view of the site (Google) showing the extent of the existing development, the proximity of the railway and a residence shown in the bottom left of the Figure.

FIGURE 2 - OBLIQUE GOOGLE VIEW OF SITE



Source: Google, Planwest

Proposed Development

The main thrust of this DA is to seek approval for the upgrade of the existing CBH Dowerin grain handling and receival site by constructing a new rail siding and new loading facility. Other proposed developments include temporary amenities, crib room, store and parking.

The DA is supported by signed DA forms, a traffic statement, an acoustic assessment, a video simulating the siding activity, a dust study, a CBH assessment of vegetation, an application fee and several more detailed drawings and perspectives of the proposals.

It is noted that CBH has, in the past, requested urgent attention to DA applications on the basis of unexpectedly high harvests. This places unnecessary pressure on Council officers and councillors to consider proposals as late items or special meetings. It has been recommended that CBH prioritises the preparation of concept/overall site plans for its grain terminals to include possible ultimate layouts for hardstand areas, drainage, access roads, internal circulation, bulkhead locations and administration areas. Forward planning for drainage may avoid the need to relocate or redesign drainage areas and sumps. This overall plan could form the basis of a DA and not require the need for subsequent DAs - unless the ultimate layout changes, in which case a new DA would be required.

For example, if the current layout was seen as the ultimate layout, perhaps the over-rail infrastructure could be relocated between the bulkhead rows further towards Dowerin creating a larger distance from the sensitive use on Lot 340. Not having information about train lengths makes these suggestions difficult.

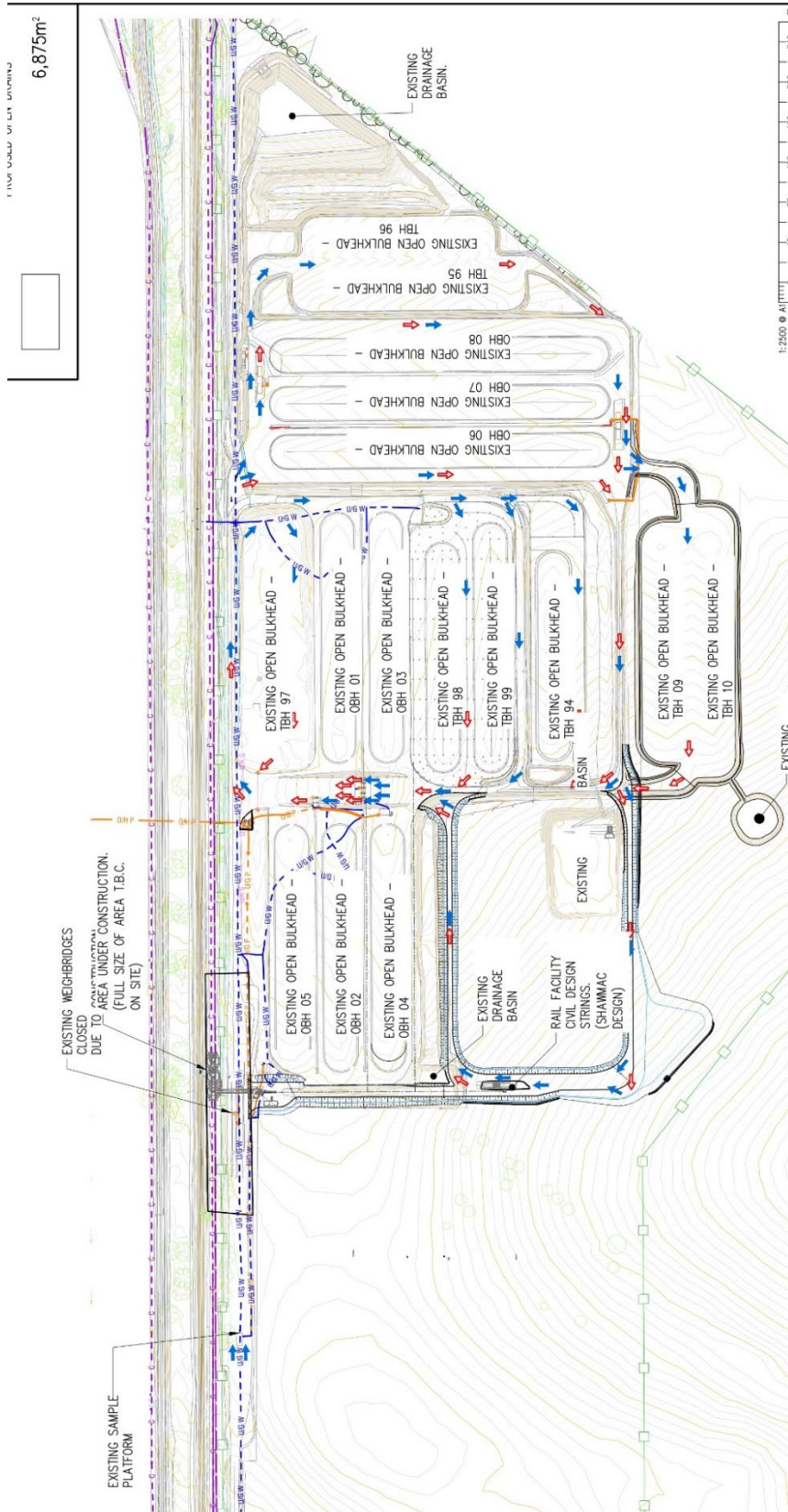
It is not suggested that all terminals be subject to ultimate concept/layout plans immediately, however it is recommended that this approach be progressively adopted.

The current proposal includes the following:

- Three (3) Over Rail Bins (ORB); approximately 1,710 tonne storage capacity each, with overhead drag conveyor
- One grain elevator with belt transfer conveyor
- Installation of new combined Switch Room and Control Room
- Construction of new rail siding catering for a maximum train length of 80-wagons and three locomotives (locos), noting that current standard train length is 60-wagons and two locos.
- Temporary amenities, crib room, store and associated parking for construction crew

Figure 3 provides the layout of these proposed features.

FIGURE 3 - PROPOSED SITE PLAN



Source: CBH

CBH has provided an image (Figure 4) of how the over-rail bins will appear on the railway reserve.

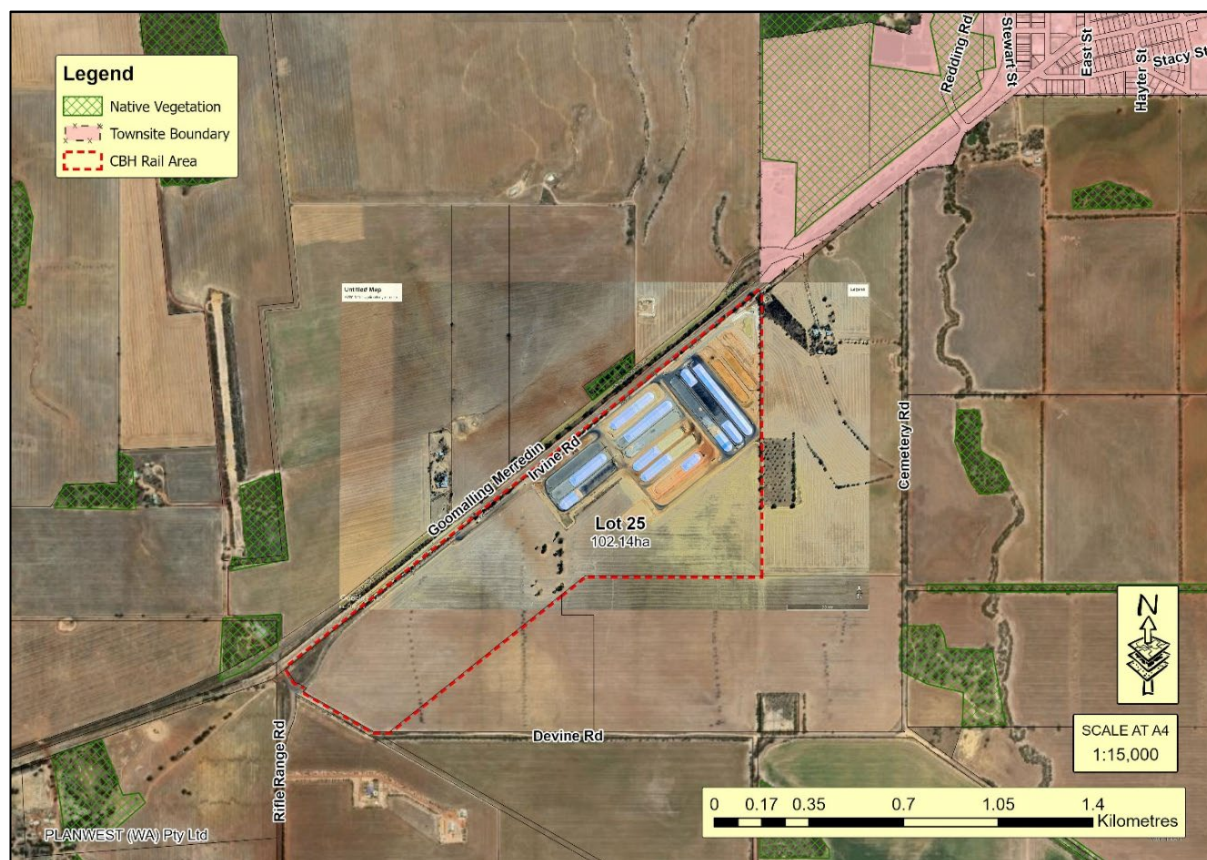
FIGURE 4 - PROPOSED OVER-RAIL BIN INFRASTRUCTURE



Source: CBH

Figure 5 provides an aerial photograph of the site clearly showing the existing infrastructure

FIGURE 5 - AERIAL PHOTOGRAPH OF SITE



Source: ArcMap, Planwest

The aerial photo uses a montage of most recent available photographs. The figure also shows the site's proximity to Dowerin townsite boundary and how the site is not affected by mapped native vegetation areas.

Figure 6 provides an enlargement of the proposed development area demonstrating its proximity to the dwelling on Lot 340. It is evident from aerial photographs in 2006 that the dwelling was well established before there was any CBH activity at the current site.

FIGURE 6 - DEVELOPMENT SITE ENLARGEMENT



Source: CBH, Landgate, Google, Planwest

Statutory Implications

Statewide Provisions

There are several relevant State Planning Policies (SPP), buffers guidance and other provisions that need to be adhered to. There appears to be the term 'corridor' used in these policies that may be subject to interpretation.

SPP5.4 – Road and rail noise this policy provides for exemptions as specified in 4.3 as follows;

4.3 Policy exemptions SPP 5.4 does not apply: f) to freight handling facilities;

SPP 4.1 – Industrial Interface provides Policy exemption as specified in Part 4.2 as follows.

4.2 This policy does not apply to land use conflict associated with impacts generated by the following, as these are specifically addressed in separate planning policies and guidance documents:.... c) infrastructure corridors such as road and rail or gas pipelines

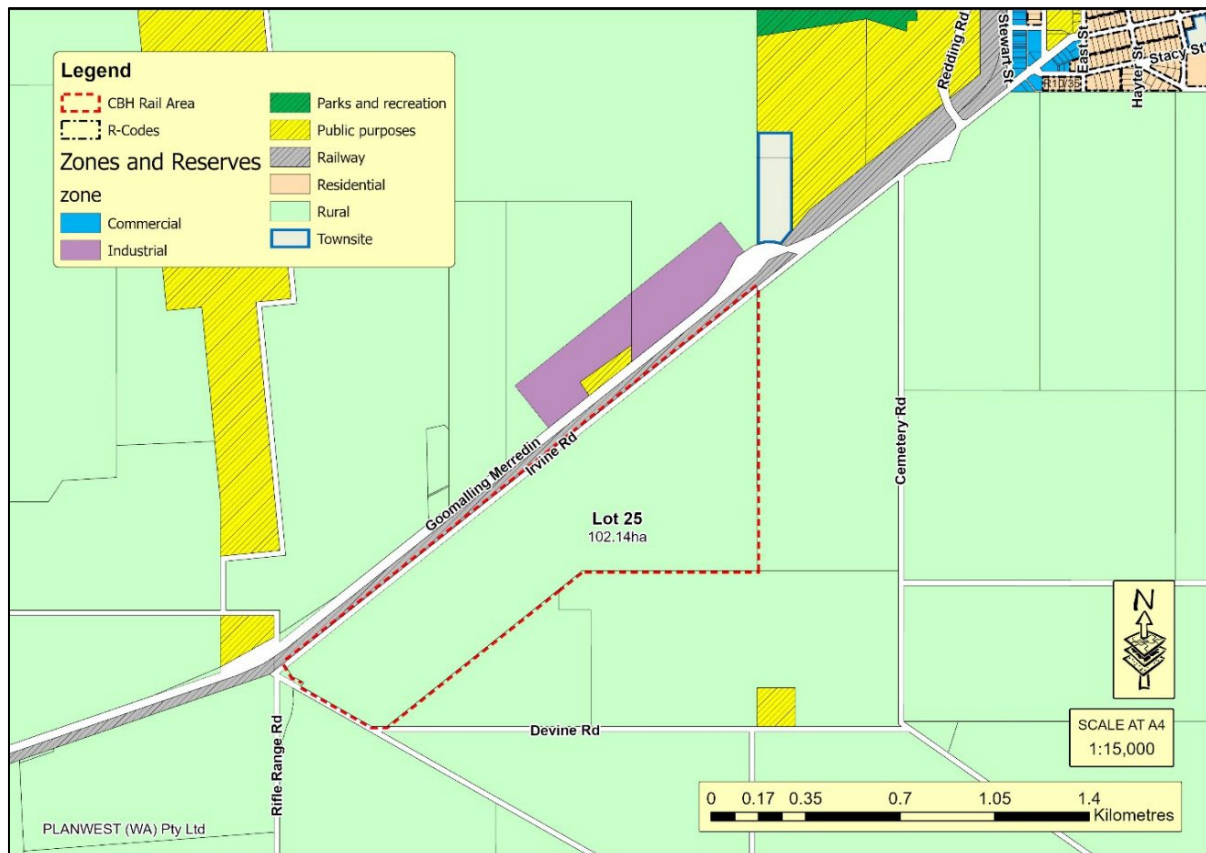
Notwithstanding these exemptions, there is a requirement, as acknowledged by CBH, in the EPA Regulations that requires compliance with the EPA Act. One of these documents is the Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Uses.

Local Planning Scheme

The majority of the land is zoned 'Rural' in the Shire of Dowerin Local Planning Scheme No 2 (Scheme) with the railway area designated as a local scheme reserve for Railway (shown grey with horizontal stripes).

Figure 7 provides an extract from the Scheme Map. There is a 20m strip of land in Lot 25 abutting the railway that evidently used to be a road reserve called Irvine Road; however, this strip now forms part of Lot 25. The Scheme can be updated when the next review takes place.

FIGURE 7 - EXTRACT FROM LOCAL PLANNING SCHEME



Source: DPLH, Planwest

The Scheme provides for Primary production uses in the Rural zone as a 'P' use ('P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme).

Development on a railway reserve is subject to a DA and requires consultation with the relevant public authority - in this case the PTA.

Consultation

The On 12 March 2026 the Council requested advice from various agencies including Main Roads WA (MRWA), Department of Water and Environmental Regulation (DWER) and Environmental Protection Authority (EPA).

DWER advice was sought for clearing of the railway reserve, EPA was contacted regarding the proximity of a sensitive use within a 500-metre distance from a potential noise and dust source, and MRWA regarding a traffic assessment.

Responses were requested from each agency within 28 days. On the 23 April it will be 42 days since comment was requested.

MRWA acknowledged receipt of the referral immediately, however no formal response has been received at the time of writing.

DWER responded saying that no clearing permit or groundwater usage has been issued at the time of writing

There has no response from the EPA at the time of writing.

The neighbour at Lot 340 has responded by email stating that 'over the past several months, operations at this site have increasingly impacted the quality of life for nearby residents.'

A copy of this full response is contained in **Attachment C** emphasising the increasing disturbance of early morning noise, grain dust, night-time truck noise and excessive lighting.

Policy Implications

There are no Council policies that are impacted by this proposal.

Strategic Implications

Local Planning Strategy

The WAPC endorsed the Council's Local Planning Strategy (Strategy) on 11 June 2013. The strategy promotes the sustainable use of agricultural land within the Shire and puts forward several strategies to achieve this objective.

The relevant strategies are to:

- Recognise the agricultural industry as having economic and social significance to the Shire.
- Ensure the protection of agricultural resources by restricting subdivision of agricultural land that would remove it from being used for agricultural purposes.

Strategic Community Plan

Community Priority: Our Economy

Objective: Facilitate the growth of the local economy

Outcome: 2.2

Reference: 2.2

Asset Management Plan

Long Term Financial Plan

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Short term non-compliance but with significant regulatory requirements imposed
Consequence Rating	Major (4)
Likelihood Rating	Possible (3)
Risk Matrix Rating	High (12)
Key Controls (in place)	Development application assessed under the Planning and Development Act 2005; referral to relevant agencies including Main Roads WA, DWER and EPA; public consultation undertaken with neighbouring landowners; technical supporting reports submitted by applicant (traffic, acoustic, dust, lighting, drainage).
Action (Treatment)	Impose approval conditions requiring Noise Management Strategy, Dust Management Strategy, traffic safety measures, drainage compliance, vegetation/groundwater permits, and lighting controls. Ongoing compliance monitoring and complaint response process to be implemented following commencement.
Residual Risk Rating	Effective

Financial Implications

Nil, other than the payment of the DA application fee. The proposal may see a slight reduction in the use of the road system (therefore maintenance costs) by providing an alternative to transporting grain to the port by road.

Comment

CBH provides a valuable service to many rural producers in the region and is supported by local government and most residents, however there is an ongoing potential for dust and noise to impact nearby sensitive uses.

Local support for CBH operations is important for the livelihood of many shire residents and ratepayers and props up many local businesses and industries. Agricultural industries are seen as the mainstay of many rural communities and these need to be supported.

There are two nearby residences (considered to be sensitive uses). The easternmost residence is nearly 200 metres east of the CBH drainage dam with the nearest bulkheads located at a distance of about 300 metres. The proposed development is less likely to impact this residence as it will be over 1 kilometre from the main infrastructure works positioned on the railway reserve.

The second residence, at Lot 340 Goomalling-Wyalkatchem Road, is only about 300 metres northwest of the main proposed infrastructure and is more likely to be impacted by the new works.

The main potential impacts of the type of development proposed include dust, noise, light spill and traffic. Several of these potential impacts can be successfully managed by design. These include drainage, traffic and light spill.

Drainage

The site is large with significant areas that cannot absorb rainfall due to bulkhead covers and roadway seals. Shawmac engineers have prepared a drainage plan that will ensure drainage is managed and maintained on site. Although this is seen as a solution, the drainage must remain as a condition on any approval.

Traffic

Although traffic to and from the site may be reduced with the use of rail in place of trucks, the capacity of the site will increase over time. It is important that the traffic management is appropriately maintained to reduce risk. Again, Shawmac engineers have prepared a traffic statement that confirms that the operations are to acceptable standards, however it is recommended that MRWA confirmation is imposed as a condition of approval.

Light spill

CBH has commissioned Momo Solar to assess the likely impact of proposed lighting on nearby uses. The study has evidently designed proposed lighting to minimise interference with external users. Again, a condition is recommended to ensure that existing and proposed lighting is not impacting users outside the land the subject of this DA.

Other potential impacts may be more difficult to manage and will, no doubt, require on-going monitoring. If there are complaints, the local government is the first port of call for contact. It is therefore important to establish sound ground rules for performance levels in all areas of potential impact.

Other impacts that may be more difficult to manage include noise and dust.

Noise

It is evident that there will be an increase in noise levels associated with the proposed development. The three new bins over the rail line are required to be filled via conveyors and lifts that will create a new noise. In addition, the line of carriages (to be filled) that will need to be shunted, presumably one at a time, to be filled with grain from the hoppers. This shunting will be conducted by a diesel train (engine) that will not be turned off - possibly throughout the night-time if operations continue through the evening.

The nature of the seasonal harvest business often requires 24/7 activities that are not necessarily compatible with sensitive uses.

The noise study prepared by Herring Storer Acoustics suggests the current noise is within acceptable limits. However, it appears as though the monitoring equipment may be located over 550 metres from the sensitive premises and therefore may not include all the noise emanating from the facility. In addition, the forecast for the new infrastructure may not comply with acceptable standards for the sensitive use on Lot 340 Goomalling-Wyalkatchem Road (R1). Tables 7.3 and 7.4 of the assessment refer.

It is recommended that a condition be imposed for the applicant to prepare a Noise Management Strategy (NMS). This NMS may need to include a complaints management system, operational hours, sound mitigation measures (barriers or insulation) and rail shunting schedule that reduces the impact of the operations. Some of these may be weather dependent.

Dust

CBH has prepared a paper on dust management acknowledging the requirement of the Environmental Protection Act 1986 and the 2004 Regulations. It is evident that dust, not unlike noise, can be affected by climatic conditions. Winds, temperature and rainfall can significantly affect the impact of dust on nearby activities and uses.

It is recommended that a condition be imposed for the applicant to prepare a Dust Management Strategy (DMS). This DMS may need to include a complaints management system, operational hours, dust mitigation measures (dampening or insulation) and pavement sealing that help reduce the impact of the operations. As mentioned, some of these will be weather dependent.

Clearing and Groundwater

Where necessary clearance (permits) must be issued by DWER for clearing and groundwater.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 14.1

Moved Cr Sewell

Seconded: Cr Meakins

1307 That Council, by Simple Majority, approves the Development Approval application as lodged on 25 February 2026, subject to the following conditions, these conditions require clearance by the agency named in brackets after each condition.

CONDITIONS

1. The stormwater drainage works being implemented in accordance with Shawmac Stormwater Management Plan (SMP) dated 28 November 2026. Any alterations to this SMP will require a subsequent Development Approval application. (*Local government*).
2. Prior to commencement of "use", the applicant shall prepare a Noise Management Strategy to minimise the impact of the facility operations and activities associated with the development on the nearby neighbours. The Strategy shall demonstrate how noise impacts on surrounding sensitive land uses will be minimised during construction and ongoing operation of the development. (*Local government and Environmental Protection Authority*).
3. Prior to commencement of "use", the applicant shall prepare a Dust Management Strategy to minimise the impact of the facility operations and activities associated with the development on the nearby neighbours. (*Local government and Environmental Protection Authority*).
4. External lighting associated with the development shall be designed, installed, and operated to minimise light spill, glare, and impact on adjoining sensitive land uses and road users, in accordance with relevant Australian Standards.. (*Local government*).
5. Permits for the clearing of vegetation and groundwater use issued by the respective authority. (*Department of Water and Environmental Regulation*).
6. Satisfactory measures to ensure traffic management safety is maintained (*Main Roads WA*).

ADVICE NOTES

Note 1: This Development Approval is subject to conditions that are required to be satisfied prior to the development being *used*. As such, evidence must be provided to the local government by the respective authority for clearing each condition - as shown in brackets after the text of each condition.

Note 2: This approval does not include the mentioned temporary facilities mentioned in the applicant's covering letter. This will need to be part of a subsequent Development Approval application.

Note 3: If the development the subject of this approval is not substantially commenced within a period of 2 years after the date of the determination, the approval will lapse and be of no further effect.

Note 4: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 5: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

CARRIED 6/0

For: Cr Hudson, Cr Trepp, Cr Graffin, Cr Jones, Cr Meakins, Cr Sewell

15. Elected Members' Motions

Nil

16. Matters Behind Closed Doors

Nil

17. Closure

The President thanked those in attendance, and closed the meeting at 4:25pm