

COUNCIL MEETING

MINUTES



For the Ordinary Meeting of Council held on

15 October 2025



PUBLIC QUESTION TIME – RULES AND PROCEDURES

The Shire of Cranbrook provides the public with the opportunity to raise questions (as per Section 5.24 of the Local Government Act 1995), or to make a brief statement on issues of concern at all Ordinary Meetings, Special Meetings and Standing Committee Meetings of Council.

The Local Government (Administration) Regulations 1996 requires that a minimum of 15 minutes is to be provided at the beginning of the meeting for question time (where members of the public wish to ask questions).

Question time is the first item on the agenda and the following procedures apply:

1. A member of the public who raises a question during question time is to state his or her name and address. Questions should be directed to the Shire President (or Chairman at Committee Meetings).
2. A question may be taken on notice by the Council or committee for later response.
3. When a question is taken on notice under sub-clause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or committee as the case requires.
4. Council encourages input from the public but will not debate any issue with those in attendance at meetings.
5. The President (or Chairman) has the right to determine any address, question or statement made by a member of the public to be out of order if it is considered to be:
 - (i) a personal attack or adverse reflection on the integrity of Elected Members or Employees;
 - (ii) inappropriate behaviour and use of public question time. **Such behaviour will not be permitted or tolerated.**
6. Prevention of Disturbance (refer to Standing Order Local Law clause 8.6)
 - a) Any member of the public addressing the Council or a committee is to extend due courtesy and respect to the Council or committee and the processes under which they operate and must take direction from the person presiding whenever called upon to do so. (Penalty \$1,000)
 - b) No person observing a meeting is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means. (Penalty \$1,000)
7. Copies of “Public Question Time – Rules and Procedures” will be distributed at each Council/Committee Meetings where members of the public are in attendance.

Recording Of Proceedings

1. No person is to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council.
2. Subclause (1) does not apply if the record is taken by or at the direction of the CEO, with the permission of the Council or committee.

ATTENTION/DISCLAIMER

These minutes will be confirmed at the next Ordinary Council Meeting. The minutes should be read to ascertain the decision of the Council.

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

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

The Shire of Cranbrook disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement of intimation occurring during Council or Committee meetings.

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

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or Officer of the Shire of Cranbrook during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Cranbrook.

The Shire of Cranbrook advises that anyone who has any application lodged with the Shire of Cranbrook must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Cranbrook in respect of the application.

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

Recording of Meetings

- All Council Meetings are digitally recorded, for audio only, and uploaded to the Shire website following the meeting, except for Confidential Agenda Items (in accordance with Section 5.23(2) of the Local Government Act 1995) which will not be uploaded to the website, in accordance with Reg 14I(10) of the Local Government Administration Regulations 1996.

Defamation – cl 14K Local Government (Administration) Regulations 1996

- (1) A local government is not liable to an action for defamation in relation to any of the following done by the local government as required or authorised under this Part —
- (a) publicly broadcasting a meeting;
 - (b) making a recording of a meeting;
 - (c) making a recording of a meeting publicly available;
 - (d) retaining a recording of a meeting or a copy of a recording;
 - (e) providing a copy of a recording of a meeting to the Departmental CEO.

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MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Pollard as Presiding Member declared the meeting open at 3.00pm. The Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

SUSPENDING STANDING ORDERS/COUNCIL DECISION

Motion 01102025

Moved Cr Quick, seconded Cr Denton that the Standing Orders be suspended for the duration of the Council Meeting to facilitate open debate on reports seen in this agenda.

CARRIED 5/0

FOR: Cr Pollard, Cr J Quick, Cr P Denton,
Cr Johnson, Cr P Mulcahy

AGAINST: Nil

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 ATTENDANCE

President
Councillors

Cr G (George) Pollard
Cr JA (Jennifer) Quick
Cr RW (Robert) Johnson
Cr P (Peter) Denton
Cr P (Perin) Mulcahy

Chief Executive Officer
Acting Manager of Finance
Acting Manager of Works
Community Development Manager
Executive Officer

Ms LA (Linda) Gray
Miss C (Chelsea) Paterson
Mrs S (Stevie) Egerton-Warburton
Mrs J (Jenny) Cristinelli
Miss JL (Jo) Scott

Members of the Public

Nil

2.2 APOLOGIES

Cr LM (Lee) Casson

2.3 APPROVED LEAVE OF ABSENCE

Deputy President

Cr DM (Daisy) Egerton-Warburton

Cr Egerton-Warburton has an approved leave of absence for the 15 October 2025 Ordinary Council Meeting.

3. APPLICATIONS FOR LEAVE OF ABSENCE

Motion 02102025

Moved Cr Denton, seconded Cr Johnson that Cr Pollard be granted a leave of absence for next three Ordinary Council Meetings, being 19 November 2025, 17 December 2025 and February 2026, date TBC.

CARRIED 5/0

FOR: Cr Pollard, Cr J Quick, Cr P Denton,
Cr Johnson, Cr P Mulcahy

AGAINST: Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Nil

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President, Cr Pollard announced that the following people who were either residents or past residents of the Shire had passed away since the last meeting:

Mr Tom Marshall

Mr Mark Quick

A moment's silence was observed as a mark of respect.

6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

7. DISCLOSURE OF INTEREST

Nil

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING – 17 September 2025

Motion 03102025

Moved Cr Denton, seconded Cr Quick that the minutes from the Ordinary Meeting of Council held on 17 September 2025, be confirmed as a true and correct record.

CARRIED 5/0

FOR: Cr Pollard, Cr J Quick, Cr P Denton,
Cr Johnson, Cr P Mulcahy

AGAINST: Nil

10. REPORTS OF OFFICERS

10.1 CORPORATE AND COMMUNITY SERVICES

10.1.1	LIST OF PAYMENTS
RESPONSIBLE OFFICER:	Chelsea Paterson - Acting Manager of Finance
REPORT AUTHOR:	Madeleine Hammond – Finance Officer
FILE REFERENCE:	FM2
APPLICANT:	N/A
DATE OF REPORT:	07/10/2025
ATTACHMENTS:	List of Payments – 1 September 2025 to 30 September 2025

Purpose

The purpose of this report is to advise the Council of payments made during the period 1 September 2025 to 30 September 2025.

Background

Nil

Officer's Comment

Nil

Statutory Environment

Local Government (Financial Management) Regulation 13 and 13A states:

13. List of accounts

(1) If the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the Chief Executive Officer is to be prepared each month showing for each account paid since the last such list was prepared:

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared — (a) the payee's name;

- (b) the amount of the payment;
- (c) the date of the payment;
- (d) sufficient information to identify the payment.

(2) A list prepared under sub regulation (1) must be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Policy Applicable – Implications

Council Policy 4.8 – 'Purchasing', states that:

"The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:

- a) *The payee's name*
- b) *The amount of the payment*
- c) *The date of the payment*
- d) *Sufficient information to identify the transaction.*

The list referred to above is to be presented to the Council at each ordinary meeting of the Council and is to be recorded in the minutes of the meeting at which it is presented.

It is considered appropriate to delegate this authority to the Chief Executive Officer as the payment of accounts is the final process after debts have been incurred through other processes and systems in place."

Financial Implications

There are no financial implications for this report.

Risk Implications

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Supplier/Contract Management

The **impacts** of the risk are: Financial, Non-Compliance and Reputational,

The **consequences** of these risks are considered to be: Major

The **likelihood** is: Rare

Hence the **risk rating** for this report is: Low

Risk mitigation includes the Council having strong financial policies and procedures in place and the requirement to report to the Council on a monthly basis.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation was not required for this report.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Motion 04102025

Moved Cr Mulcahy, seconded Cr Johnson that the payment of accounts totalling \$746,486.57 per the attachment be noted:

- **Electronic Funds Transfers EFT 16918 to EFT 16998 - \$552,910.86 including fuel card purchases of \$912.97.**
- **Internal Account Transfers (Payroll) - \$155,871.65; and**
- **Direct Debit - \$37,704.06 including credit card purchases of \$7925.81**

CARRIED 5/0

FOR: Cr Pollard, Cr J Quick, Cr P Denton,
Cr Johnson, Cr P Mulcahy

AGAINST: Nil

10.1.2 MONTHLY FINANCIAL REPORT – SEPTEMBER 2025

RESPONSIBLE OFFICER:	Chelsea Paterson – Acting Manager of Finance
REPORT AUTHOR:	Chelsea Paterson – Acting Manager of Finance
FILE REFERENCE:	FM12
APPLICANT:	N/A
DATE OF REPORT:	07 October 2025
ATTACHMENTS:	Financial Statements for September 2025

Purpose

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 30 September 2025.

Background

The Local Government (Financial Management) Regulations 1996 require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an ordinary meeting of the Council within two months after the end of the month to which the report relates.

Officer’s Comment

In the Local Government (Financial Management) Regulations 1996, part 4, which outlines the monthly financial reporting requirements, has recently been amended with changes effective from 1 July 2023. The statement of financial activity in the monthly report is now required to be structured in the same way as the annual budget and is to be shown according to nature classification. The monthly report must also include a statement of financial position as at the last day of the previous month. These reports must be presented within 2 months after the end of the previous month and be recorded in the minutes of the meeting at which it is presented.

The template for the Monthly Financial Report has been updated to comply with industry standards and all statutory reporting requirements are contained within the report.

The attached September 2025 Monthly Financial Report represents three (3) months of the financial year. The following items are worthy of noting on the September 2025 report:

- Closing surplus position of \$4,731,525 (shown on page 2).
- Cash and cash equivalents of \$6,939,200 of which \$3,666,875 is held in cash backed reserve accounts (shown on page 10)
- Outstanding rates of \$1,973,972 equates to 58.4% of the 2025/2026 rates levied and arrears from previous years (shown on page 15); and
- Explanation of material variances is shown by nature on page 6.

Statutory Environment

The *Local Government (Financial Management) Regulations 1996* define the requirements for monthly financial reporting (Regulations 34 and 35).

Policy Applicable – Implications

Council Policy 4.1 Defining Material Variances

Financial Implications

The attached report represents the financial position of the Council at the end of the previous month and the adoption of the recommendation below does not have a financial impact.

Risk Implications

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Supplier/Contract Management

The **impact** of the risk is Financial, Non-Compliance and Reputational

The **consequences** of these risks are considered to be Major

The **likelihood** is Rare

Hence the **risk rating** for this item is Medium

Risk mitigation includes the Council having strong financial policies and procedures in place and the requirement to report to the Council on a monthly basis.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation was not required for this report.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Motion 05102025

Moved Cr Quick, seconded Cr Johnson that the attached Monthly Financial Report (containing the Statement of Financial Activity) for the period ending 30 September 2025 be received.

CARRIED 5/0

FOR: Cr Pollard, Cr J Quick, Cr P Denton,
Cr Johnson, Cr P Mulcahy

AGAINST: Nil

10.1.3	BUDGET AMENDMENT - CRANBROOK TOWN RURAL BUSH FIRE BRIGADE SHED, CRANBROOK, WA
RESPONSIBLE OFFICER:	Jenny Cristinelli – A/Chief Executive Officer
REPORT AUTHOR:	Stevie Egerton-Warburton – A/Manager of Works
FILE REFERENCE:	CP406
APPLICANT:	N/A
DATE OF REPORT:	8 October 2025
ATTACHMENTS:	Nil

Purpose

The purpose of this report is for the Council to consider an amendment to the 2025/2026 adopted budget.

Background

Through the Department of Fire and Emergency Services 2024/25 Local Government Grants Scheme, the Shire of Cranbrook were successful with a grant application to invest into the design and construction of a Cranbrook Town Bush Fire Brigade Two Bay Facility and Amenities at 99 (Lot 50) Climie Street, Cranbrook.

The original tender excluded works relating to the crossover and the subsequent realignment of the footpath along the Climie Street verge at the frontage of the building. It also did not include any additional drainage works at the rear (Glover Street), other than the culvert beneath the crossover and associated headwalls.

Officer's Comment

This area of the townsite is known to be prone to flooding; therefore, it has been identified that drainage upgrades should be undertaken prior to the crossover being constructed. Completing the drainage works beforehand will prevent the need for future rework and ensure the infrastructure remains effective during high rainfall events. The total cost for the additional drainage and crossover is \$50,182.55 (excluding GST).

The Depot Upgrade project budget of \$140,000, which included the completion of the female toilet block and the installation of a second male toilet block, will come in under budget. This is due to the reduction in connecting footpaths, as well as contractor invoices coming in under budget. Of the Depot Upgrades budget an amount of \$33,000 was funded directly from Council funds (not from the Reserve Account) and can be reallocated to the Fire Shed project. A further \$12,182.55 is available from Operating Expense – Transport Planning & Professional Services, and the remaining \$5,000 can be sourced from Operating Expense – Waste Site Maintenance, which is currently under budget this quarter.

Given these available savings projected, it is recommended that the surplus funds be reallocated to cover the drainage upgrade and crossover construction at the new Cranbrook Fire Shed.

Statutory Environment

Local Government Act 1995, Part 6 Financial Management, Division 4 General Financial Provisions.

Section 6.8 - Expenditure from municipal fund not included in annual budget.

- “(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government.
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.”

* *Absolute majority required.*

Local Government (Financial Management) Regulations 1996 Part 2 General financial management – s. 6.10

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

Increase to capital expenditure for construction of infrastructure of \$17,182.55 and a decrease to operating expenditure materials and contracts of \$17,182.55. With nil impact onto the surplus deficit.

Risk Implications

The risks associated with matters in this report are: Misconduct

- Business and Community Disruption
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Asset Sustainability Practices
- Inadequate Supplier/Contract Management
- Ineffective Management of Facilities/Venues/Events

The **impacts** of the risk are: Financial, Service Interruption, Non-Compliance, Reputational

The **consequences** of these risks are considered to be: Major

The **likelihood** is: Likely

Hence the **risk rating** for this report is: High

Risk mitigation includes close monitoring of the project and consultation with relevant contactors including drainage specialists.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

Consultation for this report included Chief Executive Officer and Acting Manager of Works.

Cr Mulcahy queried if the additional work required was part of the scope in the Drought Resilience Grant. And if the Grant is successful, will it cover this work.

The Acting Manager of Works clarified that the additional work was not part of the grants scope but will marry the two lots of work together at completion.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Motion 06102025

Moved Cr Denton, seconded Cr Johnson that Council approve an amend the current 2025/2026 budget by:

- 1. Decrease Capital Expense – Depot Upgrade Cranbrook – Buildings by an amount of \$33,000.**
- 2. Increase Capital Expenses – Buildings (Cranbrook Fire Shed) by an amount of \$33,000.**
- 3. Decrease Expense – Transport Planning & Professional Services by an amount of \$12,182.55.**
- 4. Increase Capital Expenses – Buildings (Cranbrook Fire Shed) by an amount of \$12,182.55.**
- 5. Decrease Expense – Waste Site Maintenance by an amount of \$5,000.**
- 6. Increase Capital Expenses – Buildings (Cranbrook Fire Shed) by an amount of \$5,000.**

CARRIED 5/0

FOR: Cr Pollard, Cr J Quick, Cr P Denton,
Cr Johnson, Cr P Mulcahy

AGAINST: Nil

By Absolute Majority

10.2 GOVERNANCE AND EXECUTIVE SERVICES

10.2.1 PROPOSED SUBDIVISION – LOT 12168 (No 977) BOKERUP ROAD, FRANKLAND RIVER (WAPC REFERENCE: 202243)

RESPONSIBLE OFFICER:	Jenny Cristinelli – A/Chief Executive Officer
REPORT AUTHOR:	Liz Bushby – Consultant Planner (Town Planning Innovations)
FILE REFERENCE:	A80
APPLICANT:	Harley Dykstra
DATE OF REPORT:	7 October 2025
ATTACHMENTS:	1. Subdivision Plan

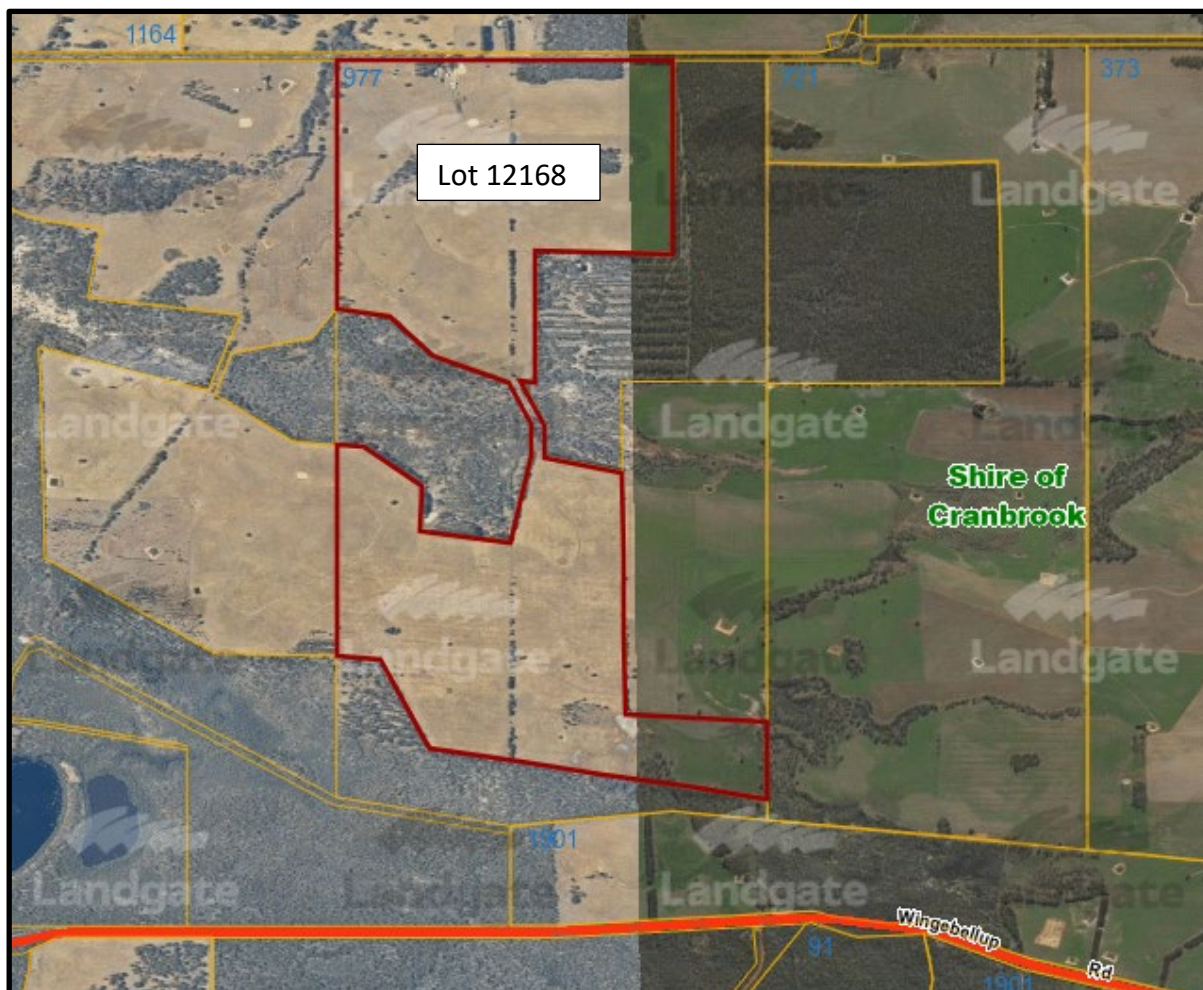
Purpose

The purpose of this report is for Council to consider an application lodged to the Western Australian Planning Commission (WAPC) seeking to subdivide Lot 12168 into two lots. One of the proposed lots will be a homestead lot, orientated around an existing house and associated infrastructure.

The Western Australian Planning Commission is the determining authority for all subdivision applications. The WAPC has requested comments from the Shire.

Background

The existing lot has an area of 350.4 hectares. A location plan is below.



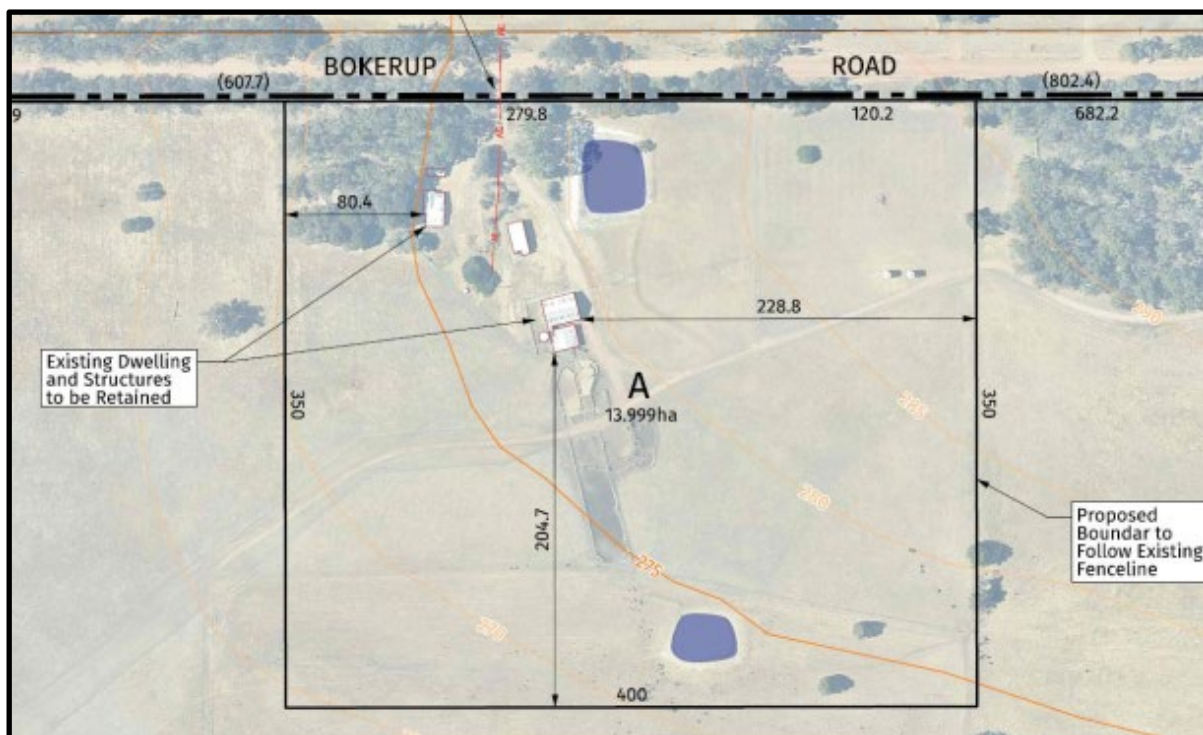
An application for a plantation on Lot 1 (No 1053) and Lot 12168 (No 977) Bokerup Road, Frankland River was considered by Council at the Ordinary Meeting held on the 21 August 2024. The application was refused.

Lot 12168 has been purchased and is under the ownership of the Forest Products Commission (FPC). It is known that FPC is of the view that no planning approval is required for them to undertake plantations as they consider it to be a public work, exempt from the need for planning approval.

Officer’s Comment

- **Description of Subdivision**

The application proposes to create a homestead lot with an area of 13.999 hectares. The balance (second) lot will have an area of 336.4082 hectares – refer Attachment 1.



Above: Proposed Homestead Lot

The applicant has advised that the application will allow for the former owners, Mr and Mrs Knox, to remain on the property without the burden of managing a large agricultural property, which was recently purchased by the Forest Products Commission.

- **State Development Control Policy 3.4 – Subdivision of Rural land**

Development Control Policy 3.4 (DC3.4) sets out the principles that will be used by the Western Australian Planning Commission (WAPC) in determining applications for the subdivision of Rural land.

The Shire has a statutory obligation to have due regard for all state planning policies, as explained in the ‘statutory environment’ section of this report.

Subdivision can only be considered under exceptional circumstances including:

- a) to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses;
- b) Creation of homestead lots to allow for the continued occupation of existing homesteads.

The application complies with the homestead lot requirements as summarised below:

	WAPC Policy Requirement	Officer Comment
A	The land is in the WAPC homestead lot policy area	Complies. Cranbrook is identified in the policy area.
B	The homestead lot has an area between 1-4 hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water sources;	Complies. The homestead lot area is proposed to be 13.999 hectares to accommodate a house, sheds and dams.
C	There is adequate water supply for domestic, land management and fire management purposes	It is assumed there is water supply to the existing house, and both lots include dams for land management.
D	The dwelling is connected to reticulated electricity	It is assumed there is electricity supply to the existing house.
E	The homestead lot has access to a constructed public road	Complies.
F	The homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses	Complies. The house has adequate setbacks to the proposed lot boundaries.
G	A homestead lot has not been excised from the farm in the past	Complies.
H	The balance lot is suitable for continuation of the rural landuse, and generally consistent with the prevailing lot sizes, where it can be shown that this is consistent with the current farming practices on the property.	Complies.
I	The dwelling on the homestead lot is of a habitable standard and may be required by the local government to be certified as habitable	Complies.

The proposed subdivision complies with Development Control Policy 3.4 and conditional approval is recommended.

Statutory Environment

Planning and Development (Local Planning Schemes) Regulations 2015 - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

Regulation 67 outlines ‘matters to be considered by Council’ including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state planning policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, and traffic.

Shire of Cranbrook Town Planning Scheme No 4 – The lot is zoned Rural.

Clause 5.20.4 relates to subdivision and requires the local government to have due regard for;

- a) the potential impact on continuation of existing uses on adjoining lots;
- b) evidence of a sustainable water supply that does not rely on catchment outside the proposed lot or lots, or the damming of a stream that will impact on the water availability for another lot or lots; and
- c) whether effluent disposal systems can be set back 100 metres (conventional septic system) or 50 metres (alternative system) from any stream. (The buffer distances may be reduced depending on the size and nature of the stream and the soil types).

Policy Applicable – Implications

There is no Council policy applicable to this report.

Financial Implications

The Shire pays consultancy fees to TPI for general planning advice.

Risk Implications

There are no known risks for the local government associated with matters in this report. The WAPC is the determining authority for the application.

Strategic Community Plan Reference

The 2021-2031 Shire of Cranbrook, Strategic Community Plan states that:

Key Pillar: Connect

Outcome 16 – High Performing Shire: An accountable and respected Shire, investing in its people and structures.

Deliverable 16.1: A Shire and supporting entities are well-governed with delineated roles and accountabilities.

Consultation

The Western Australian Planning Commission has referred the application to the Shire of Cranbrook, Western Power, Water Corporation, the Department of Biodiversity, Conservation and Attraction and the Department of Water and Environmental Regulations.

Comments on the application are required within 42 days, by the 28 October 2025.

Cr Mulchay made a statement regarding Forest Products Commission's ownership of this land and raised concerns over potential future issues that may arise, seeking clarity from the Chief Executive Officer. The statement follows.

I think it is a positive outcome that Mr and Mrs Knox are able to remain on the property, with a manageable portion of land that suits their requirements.

With due regard to compliance against the planning policies, I am satisfied that the house lot complies with Policy 3.4 .

However, I do have questions relating to the larger portion of land, owned by Forest Products Commission (FPC).

I have noted the view that *FPC plantations are considered 'public work' and therefore they are exempt from the need for planning approval.*

I have two questions about this aspect of the agenda item –to go on notice if required. In our Shire we have a Plantations Policy. Plantations like, most other industries usually go through a planning process to provide quality assurance to our communities that they are operating within Code, with due diligence and transparency and in partnership with the Shire and neighbours to maintain infrastructure, land management, good relations.

For plantations, the minimal requirement and standards are Management Plans and Environmental Plans. These assist our Shire to facilitate actions for building and maintaining road infrastructure for heavy haulage, maintaining fire and waste management, notice of vermin control and spray registers.

My first question is...***If they are exempt from this process, do we still receive copies of these documents and a relationship with a FPC team, to allow our Shire to adequately work with this company in understanding workplans, timeframes and managing the expectations of neighbouring properties and community?***

Secondly, it has recently been communicated by FPC that they have found an exemption in the Act that allows them to ***also be exempt from paying rates on a plantation property***. This money going back into State Treasury not the Local Government rate base.

With this in mind, this subdivision will see the rate base to this property severely depleted. Plus, there will be a heavier industry operating on this site.

My second question is...***How do we as a Shire cover this portion of funds, to maintain the current services in that area? And the added cost of a heavier industry operating on the roads? Can we find out if this revenue gets reallocated from Treasury back into FPC for this Plantation? (or services associated with this Plantation. ie. road upgrades).***

And going back to the Management Plans, ***how do we know when this road will need to be upgraded to heavy haulage, pre-harvesting and who pays this cost if there is no rate base?***

Whilst these issues do not pertain to the subdivision, I do believe we still need to identify these issues that relate to the larger portion of subdivision land owned by FPC and ***I would like clarification while this process is in the system as these exemptions will also impact other parcels of land owned by FPC in our Shire.***

The Chief Executive Officer noted that the questions will be taken on notice.

Cr Johnson also raised concerns relating to cost of services such as fire calls and road maintenance to FPC when exempt from rates.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL DECISION

Motion 07102025

Moved Cr Mulcahy, seconded Cr Denton that Council recommend that the Western Australian Planning Commission unconditionally approve the subdivision application (No 202243) seeking approval for a homestead lot and one balance lot on Lot 12168 Bokerup Road, Frankland River.

CARRIED 3/2

FOR: Cr Pollard, Cr J Quick, Cr P Mulcahy

AGAINST: Cr P Denton, Cr Johnson,

10.3 WORKS

Nil

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

There being no further business to discuss, the Shire President, Cr Pollard declared the meeting closed at 3.20pm.