



CONFIRMED

MINUTES

ORDINARY MEETING

Held

5 June 2019

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:

- ~ Large Print
- ~ Electronic Format [disk or emailed]
Upon request.

TABLE OF CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	2
2.1	Attendance.....	2
2.2	Apologies.....	2
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
3.1	Title: Response to Public Question – Mrs Stacey Gillespie – Regarding Fenced Dog Exercise Area	2
4	PUBLIC QUESTION TIME.....	5
4.1	Mrs Fiona Moriarty - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)	5
4.2	Mrs Ellen Lilly - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)	5
4.3	Mrs Ellen Lilly - Regarding Banksia Road Waste Site Applications	6
4.4	Ms Linda Davies - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)	6
5	APPLICATIONS FOR LEAVE OF ABSENCE	7
6	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	7
6.1	Mr Craig Carbone - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)	7
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	8
7.1	Special Meeting Held 16 April 2019	8
7.2	Ordinary Meeting Held 15 May 2019	8
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	9
9	ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED	9
10	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	9
11	DECLARATION OF INTEREST	9
12	REPORTS OF OFFICERS AND COMMITTEES.....	11
12.5	Title: 2019/20 Draft Annual Budget.....	11
12.8	Title: New Policy – Pensioner/Senior Rebate Entitlement on Properties with Non-Residential (Commercial/Farming) Use	26
12.12	Bushfire Advisory Committee Meeting Minutes Held 21/05/2019	33

12.1	Title: Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)	40
12.2	Title: Heritage Trail Draft Financial Assistance	48
12.3	Title: Application for Development Approval – Lot 4577 (148) Depiazzi Road, Dardanup – Gravel Extractive Industry (Gravel Processing) - (Lundstrom Environmental on behalf of B&J Catalano Pty Ltd)	54
12.4	Title: Mobile Traders on Eaton Foreshore – 1 July 2019 to 30 June 2020	69
12.5	Title: 2019/20 Draft Annual Budget.....	81
12.6	Title: 2019/20 to 2022/23 Corporate Business Plan.....	82
12.7	Title: ITEM – WITHDRAWN - Provision of Banking and Bill Payment Services	87
12.8	Title: New Policy – Pensioner/Senior Rebate Entitlement on Properties with Non-Residential (Commercial/Farming) Use	93
12.9	Title: Monthly Statement of Financial Activity for the Period Ended 30 April 2019	95
12.10	Title: Schedule of Paid Accounts as at 5 June 2019.....	98
12.11	Local Emergency Management Committee Meeting Minutes Held 02/05/2019.....	122
12.12	Bushfire Advisory Committee Meeting Minutes Held 21/05/2019	122
13	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	123
14	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	123
14.1	Title: WALGA Motions – WALGA Convention 7 August 2019	123
15	PUBLIC QUESTION TIME	128
15.1	Mrs Fiona Moriarty – Sale of Lot 1 Banksia Road.....	128
16	MATTERS BEHIND CLOSED DOORS	130
17	CLOSURE OF MEETING	130

COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council eg. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	<p>When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

DISCLAIMER

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

SHIRE OF DARDANUP

MINUTES THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 5 JUNE 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr. M T Bennett declared the meeting open at 5.00pm welcomed those in attendance and referred to the Disclaimer, Acknowledgement of Country, Emergency Procedure and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

Acknowledgement of Country

The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region by recognising the strength, resilience and capacity of Wardandi people in this land.

Affirmation of Civic Duty and Responsibility

Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

Emergency Procedure

In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, please proceed to the Assembly Area points located to the western side of the front office car park near the skate park and gazebo where we will meet (and complete a roll call).

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

2.1 Attendance

Cr. Michael Bennett	-	Shire President (Chairperson)
Cr. Peter Robinson	-	Deputy Shire President
Cr. Luke Davies	-	Elected Member
Cr. Tyrrell Gardiner	-	Elected Member
Cr. James Lee	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Luke Botica	-	Director Engineering & Development Services
Mr Phil Anastasakis	-	Director Corporate & Community Services
Ms Cathy Lee	-	Manager Governance & HR
Mr Brenton Scambler	-	Manager Development Services
Mrs Natalie Hopkins	-	Manager Financial Services
Mr Ray Pryce	-	Accountant
Mr Neil Nicholson	-	Principal Environmental Health Officer
Mr Mick Saunders	-	Manager Assets

2.2 Apologies

Cr. J Dow	-	Elected Member [LEAVE OF ABSENCE -112/19]
Cr. C N Boyce	-	Elected Member [LEAVE OF ABSENCE -112/19]

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Title: Response to Public Question – Mrs Stacey Gillespie – Regarding Fenced Dog Exercise Area

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Luke Botica - Director Engineering & Development Services
Legislation: Local Government Act 1995

Background

The following questions were asked during 'Petitions/Deputations/Presentations' at the Ordinary Council meeting held 17 April 2019. The questions were in relation to Item 12.1 Fenced Dog Exercise Area – Community Consultation Outcomes.

Officer Response

QUESTION	OFFICER RESPONSE
<i>And WHY would you want <u>TWO</u> off lead dog facilities (Watsons Reserve) along the same stretch of land which is furthest from dog locations?</i>	Watson Reserve is an existing off-lead dog exercise area. A community survey in 2018 highlighted the importance to the community of keeping Watson Reserve as an unfenced dog exercise area, for dogs who are reasonably well trained (for instance, responsive to recall commands by their owner) to be able to socialise and exercise – including access to the river for swimming. Dog owners are required to share the space with others and to have control of their dog at all times. From a practical perspective Watson Reserve is not a satisfactory location for a fenced dog exercise area. A fenced dog exercise area fulfils a slightly different function and is a designated area where people can bring their dogs to exercise and socialise in a secure environment.
<i>How are Council going to justify the financial output on Council and ultimately ratepayers?</i>	Council considers a number of services and facilities within its strategic planning, asset management planning and annual budget processes to meet the needs of the whole of community. The fenced dog exercise area, along with other services and facilities will be presented to Council for consideration once the project planning process (including community consultation) has been completed and concept designs and costings are available.
<i>Why couldn't the survey be set up with more parameters, structure and proof of residence? Meaning Council are basing the 'need' for the dog park on a survey where anyone with internet connection could partake and that only 138 people voted on the foreshore (not specifically the Eastern End).</i>	As stated in the Report to Council the survey collected IP Addresses of all responses. This allowed staff to examine whether there are multiple surveys being completed by one person (i.e. from one internet connection). Although this does not identify whether one person has completed multiple responses from multiple locations, it is the opinion of staff that the information collected does not indicate any activities that may have had any significant impact on the validity of the results.
<i>It's mentioned in the report and also in previous minutes – that Council received objections from 3 separate Eaton residents – I'd like to know why the 47 objections from residents that were sent</i>	At the time staff prepared the Agenda item to Council, three objections had been received by Council. In the meantime, and prior to the Council meeting on 23 January 2019, the 47 objections were received and forwarded to all

QUESTION	OFFICER RESPONSE
<p><i>to Council around the same time, are not ever mentioned? Have these been noted and seen by all members of Council and the CEO and taken into consideration or just 'filed' directly away? Especially when in other Council items – only 20 or so people have objected and that seems like enough to deter Council!!</i></p>	<p>Councillors on 21 January 2019 for consideration. The minutes of the Council meeting of 23 January 2019 states that Council acknowledged the large number of community objections received and decided to conduct a survey.</p>
<p><i>How can certain members of Council – the ones that are pushing for this foreshore location – be members of all the working groups and committees that are involved in the decision making for this proposal? Being on the “fenced dog exercise Area working group” and members of the “Eaton townscape committee” and members of Council seems like a ‘stacked parliament’ to me. How can they still be making “neutral” decisions and suggestions? – How can it be a fair and impartial? Its become almost ‘vindictive’ of a certain two Council members that are determined to have the Eastern End of the foreshore as the location for the dog park! Especially with the Western End being the most viable and less disruptive to community!!! With one of the Council members even going so far as to write on their Facebook Page “Yippee “ about her motion to Council getting through !</i></p>	<p>The Working Groups, Committees and Council meetings operate in accordance with the Local Government Act 1995 and with a hierarchy of decision making responsibilities.</p> <p>The Fenced Dog Exercise Area Working Group is a working group of Council that is made up of three elected members and Council staff and reports to the Chief Executive Officer. In simple terms the working group is responsible for researching and developing projects however does not have decision making powers.</p> <p>The Eaton Townscape Committee is made up of four Councillors, five community members and Shire staff. This Committee is responsible for considering items, such as the fenced dog exercise area, and then making recommendations to Council as required.</p> <p>The abovementioned groups meet as required and notes and minutes are taken for record keeping purposes and for transparency.</p> <p>The ultimate decision about any project is made by the full Council at their Council meetings.</p> <p>With regard to this particular project we confirm that the full Council has been provided with extensive information and briefings to assist with the decision making process.</p>

RECEIVED

4 PUBLIC QUESTION TIME

Note: Public Question Time Commenced: 5.02pm.

4.1 Mrs Fiona Moriarty - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)

Mrs Moriarty asked the Council: Are the Council considering approval of either increasing the hours of, or access to the Banksia Road Site; or, increasing the size of truck size allowable?

I see this as a precedent being set for Cleanaway and their lithium tailing application and should not be approved at this time.

Response:

Shire President, Cr. M T Bennett advised that Council is not intending to change the operating hours at the waste site. The size of vehicles being discussed at today's meeting, that we have a recommendation to approve, has nothing to do with the application for the disposal of lithium tailings.

Mrs Moriarty noted that the people of Dardanup, the public needed to be considered due to the safety aspects. We have recently had a truck come off Ferguson Road. The roads are not suitable for extra length vehicles. It is a safety issue.

4.2 Mrs Ellen Lilly - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)

Mrs Lilly referred to the condition in the application from MGM to being at 5.30am. Does that mean that they can be enroute from Cristal at that time, or does it mean they can be at Cleanaway at 5.30am? Cleanaway do not open until 6.00am, so why do they need to begin at 5.30am?

Response:

Shire President, Cr. M T Bennett advised that the trucks can be on the Shire roads at 5.30am, but not at the tip site.

Mrs Lilly – We do not want the trucks banking up on the roadside. Currently Cleanaway have been letting the trucks in to get them off the road, but not to work. I am concerned that with the 5.30am start that they will be coming down earlier.

Response:

Shire President, Cr. M T Bennett advised that this was not the intention to have the trucks at the site at 5.30am. Council could look at clarifying the resolution at the time it is discussed.

4.3 Mrs Ellen Lilly - Regarding Banksia Road Waste Site Applications

Mrs Lilly – I refer to previous discussions and questions put to Council at the Special Electors meeting regarding the having environmental impact assessments carried out. Has the Council given consideration on getting a full environmental impact study carried out on Lot 1?

Response:

Shire President, Cr. M T Bennett advised that Council would need an application to be put forward to the Council prior to there being any requirements being placed.

Mrs Lilly – There was a motion put forward to Council at the electors meeting requesting an Environmental Impact Assessment to be carried out on Lot 1 as well as Lot 2.

Response:

Chief Executive Officer, Mr André Schönfeldt - there has been a request received from the Dardanup Landfill Community Reference Group on a range of things. There is currently a report being prepared to explain how we can or cannot deal with the matters. The works approval applications proposals by Cleanaway have been referred to the Department of Water Environmental Regulation (DWER). With regard to the request from the community to engage an independent environmental consultancy, I would have to refer back to the report in the minutes and respond to you at a later time. I do not have that information right now.

4.4 Ms Linda Davies - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)

Ms Davies – I am concerned about the safety aspects of having larger trucks on the roads. Are the road up to being able to carry those larger trucks?

Response:

Director Engineering & Development Services, Mr Luke Botica - Director Engineering & Development Services, the officer recommended resolution in the

agenda does talk about the permit being valid until 6 March 2020. We will carry out an assessment of the roads to see if they are coping with that stress at that time.

Shire President, Cr. M T Bennett advised that Council wants to ensure the roads are kept to a good standard. We will be handling this matter diligently.

Ms Davies – I request that Council consider the tourism aspect on that area when it is making those decisions.

Note: Public Question Time Ended: 5.11pm.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

Note: Deputation/Presentation Commenced: 5.11pm.

6.1 Mr Craig Carbone - Regarding Item 12.1 - Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)

Mr Carbone – Firstly, MGM Bulk have looked at the officer recommendation and are happy with the proposed resolution.

With regard to the hours of operations, basically the trucks leave the yard at 5.30am and then travel to Cristal in Australind and then to Dardanup. We are happy for the recommendation to be amended so that there are no banking of trucks on Banksia Road before 6.00am.

Mr Carbone discussed the truck sizes, tonnages and permits associated with MGM Bulk and Main Roads WA requirements.

Council issued KTrans a permit. You can't issue a permit for one and not for another. Shire staff have obtained legal advice that states it should be the same for all applicants. You can't have it both ways. You either want investment in the Shire or not. The waste facility is a facility of state federal and national importance.

I can understand the community concern with that tip. Sometimes if Council refuses things, the JDAP will pass it anyway. I have agreed, contrary to your report, to pay the annual fee. We don't see why the contractors should get hit with the fees. I believe that the road or maintenance levy or fee should be attached to the end user, not the messenger or truck carter.

If the option is to refuse it, we will go through to the Minister and Main Roads WA who is ultimately and determining body and can override the Council.

In regard to the concerns from the public gallery about the trucks, the trailers are brand new with state of the art equipment. The trucks are no older than two years. All trucks are fitted with DSI cameras on drivers. Maintenance is regularly carried out and the trucks are accredited yearly by Main Roads. The truck drivers have yearly medicals too. There was general discussion regarding the routes of travel the trucks take, development approval process at the Shire of Harvey and the tonnage increase on the road trains.

Note: Deputation/Presentation Ended: 5.17pm.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Special Meeting Held 16 April 2019

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

144-19 MOVED - Cr. L Davies SECONDED - Cr. P R Perks

THAT the Minutes of the Special Meeting of Council held on the 16 April 2019, be confirmed as true and correct subject to no corrections.

CARRIED
6/0

7.2 Ordinary Meeting Held 15 May 2019

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

145-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT the Minutes of the Ordinary Meeting of Council held on 15 May 2019, be confirmed as true and correct subject to no corrections.

CARRIED
6/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Shire President, Cr. M T Bennett advised that items:

- 12.5 2019/20 Draft Annual Budget (Part 2);
- 12.8 Policy on Seniors/ Pensioner Rebates; and
- 12.12 Bushfire Advisory Committee Meeting Minutes Held 21/05/2019.

would be brought forward and dealt with prior to item 12.1 to ensure that there was a quorum in attendance.

Cr. P S Robinson will be leaving the room for both of these items and Cr. P R Perks will be leaving the meeting shortly thereafter.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

Discussion:

Shire President, Cr. M T Bennett asked Councillors and staff if there were any Declarations of Interest to be made.

The following Declarations of Interest were made:

- *Cr. M T Bennett advised he had an Impartiality Interest in Items “12.5 - 2019/20 Draft Annual Budget” and “12.6 - 2019/20 to 2022/23 Corporate Business Plan”. I am a patron of the Eaton Bowling Club. The Club is affected by the adoption of the Draft Budget and Corporate Business Plan. As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.*
- *Cr. M T Bennett advised that he had a Financial Interest in “Item 12.7 – Provision of Banking and Bill Payment Services” as I own Commonwealth Bank Shares. Cr. M T Bennett advised he would leave the room at the time of the item.*
- *Cr. P S Robinson made the following declarations of Interest:*
 1. *Financial Interest with regard to Item “12.5 - 2019/20 Draft Annual Budget” as I am the FCO of the Joshua/Crooked Brook Fire Brigade and receive an honorarium for that role. As the Brigade is affected by the adoption of the Draft Budget, I declare a financial interest and will leave the chamber when the item is discussed.*
 2. *Cr. P S Robinson advised that he had a Financial Interest in “Item 12.7 – Provision of Banking and Bill Payment Services” as I own Commonwealth Bank Shares. Cr. P S Robinson advised he would leave the room at the time of the item.*
 3. *Financial Interest - With regard to Item “12.8 – Pensioner/Senior Rebate Entitlement on Properties” as I am a person that receives a Senior Rebate Entitlement that will be affected by the adoption of this policy. As a consequence I have a financial interest in the matter. I will leave the chamber when the item is discussed.*
 4. *Financial Interest - With regard to Item “12.12 – Bushfire Advisory Committee Meeting Minutes” as I am the FCO of the Joshua/Crooked Brook Fire Brigade and receive an honorarium for that role, I declare a financial interest and will leave the chamber when the item is discussed.*
- *Cr. T G Gardiner advised he had an Impartiality Interest in Item “12.5 - 2019/20 Draft Annual Budget”. I am a Member of the Ferguson Valley Hall Committee. The committee is affected by the adoption of the Draft Budget. As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.*

Discussion:

Chief Executive Officer, Mr André Schönfeldt advised that as both Cr. M T Bennett and Cr. P S Robinson had declared financial interests in item 12.7 there would be a lack of quorum at that time. The item would be withdrawn from this agenda and presented to the next meeting of Council on 26 June 2019.

12 REPORTS OF OFFICERS AND COMMITTEES

Note: Refer to announcements at Part 8 (Page9) of these minutes regarding the change to the order of items to be discussed.

12.5 Title: 2019/20 Draft Annual Budget

Reporting Department: Corporate & Community Services

*Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services
Mrs Natalie Hopkins – Manager Financial Services*

Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. M T Bennett declared he had an Impartiality Interest in this Item as he is a patron of the Eaton Bowling Club. The Club is affected by the adoption of the Draft Budget. As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

Cr. M T Bennett remained in the room.

DECLARATION OF INTEREST

Cr. T G Gardiner declared he had an Impartiality Interest in this Item as he is a member of the Ferguson Hall Committee. The Committee is affected by the adoption of the Draft Budget. As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

Cr. T G Gardiner remained in the room.

DECLARATION OF INTEREST

Cr. P S Robinson declared a Financial Interest in part of this Item as he is the FCO of the Joshua Joshua/Crooked Brook Fire Brigade and receives an honorarium for that role. As the Brigade is affected by the adoption of the Draft Budget, I declare a financial interest in that part of the budget adoption.

PROCESS

Chief Executive Officer, Mr André Schönfeldt advised that as Cr. P S Robinson's interest was only pertaining to the FCO honorariums, that the resolution would be split to allow Cr. P S Robinson to remain in the room.

Overview

This report presents the draft 2019/20 Annual Budget for Council consideration, deliberation and endorsement. Following the endorsement of the draft Budget, the final 2019/20 Annual Budget papers will be formulated and presented to Council in the statutory format for final adoption at the 26 June 2019 Ordinary Council meeting.

Background

As part of the Integrated Planning and Reporting cycle, Council has recently reviewed and updated its four year Corporate Business Plan 2019/20 – 2022/23, and ten year Long Term Financial Plan.

The Corporate Business Plan is reviewed annually, with the first year of the Corporate Business Plan being 'sliced off' to form the basis of the draft annual budget.

The draft 2019/20 Annual Budget has therefore been prepared taking into consideration the preceding reviews and incorporates relevant elements of the various strategies, plans and resolutions adopted by Council.

This report recommends Council endorse the draft Shire of Dardanup 2019/20 Annual Budget, inclusive of the proposed 4.0% rate increase, Reserve transfers, workforce increases, loans, capital works and operational expenditure, (refer to Appendix ORD: 12.5 – Under Separate Cover).

Legal Implications

Local Government Act 1995

Division 2 — Annual budget

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.
* Absolute majority required.*
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government; and*
 - (b) the revenue and income, independent of general rates, of the local government; and*
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.**
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.*
- (4) The annual budget is to incorporate —
 - (a) particulars of the estimated expenditure proposed to be incurred by the local government; and*
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including —**

- (i) *the amount it is estimated will be yielded by the general rate; and*
- (ii) *the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;*
and
- (c) *the fees and charges proposed to be imposed by the local government; and*
- (d) *the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
- (e) *details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
- (f) *particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
- (g) *such other matters as are prescribed.*
- (5) *Regulations may provide for —*
 - (a) *the form of the annual budget; and*
 - (b) *the contents of the annual budget; and*
 - (c) *the information to be contained in or to accompany the annual budget.*

Strategic Community Plan

- Strategy 1.3.1- Implement the Integrated Planning and Reporting Framework including the Long Term Financial Plan, Workforce Plan, Asset Management Plans and Corporate Business Plan. (Service Priority: High)
- Strategy 1.3.2- Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations. (Service Priority: High)

Environment - None.

Precedents

Each year Council prepares an annual budget for the forthcoming financial year. The annual budget is formed from year one of the Shire of Dardanup Corporate Business Plan 2019/20 – 2022/23.

Budget Implications

The budget outlines planned expenditure and revenue and determines the financial parameters for the Council to operate within for the 2019/20 financial year.

The draft budget for the year has been prepared on the basis of a 4.0% rate increase, which produces a small end of year surplus of \$133,526. This small surplus enables Council to withstand any unforeseen financial costs or revenue reductions that may occur during the year.

The current forecast end of year surplus for 2018/19 is \$305,183, which is reflected in the opening surplus at the start of the 2019/20 financial year. This forecast will vary when the final annual financial report is produced for 2018/19, with the final result reflected in the financial statements when the 2019/20 mid-year budget review is conducted in February/March 2020.

The fees and charges when adopted will determine the amount of revenue to be received during the 2019/20 financial year for certain areas. The income has been forecast in the draft budget income projections.

After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure. However, it is allowed to adopt a budget that has a deficit that does not exceed 10% of its rate revenue.

For the 2019/20 budget it is proposed a total of \$13,278,132 be raised from general property rates, \$244,800 for the Eaton Landscaping Specified Area Rate, and \$100,000 for the Annual Bulk Waste Collection Specified Area Rate. In addition, Council forecast Interim Rate revenue of \$124,249 for the 2019/20 financial year. The expected yield from rates will be sufficient to balance the 2019/20 budget after some adjustments have been made to increase other sources of revenue, reduce operating expenditure and to adjust the amount transferred to or from reserves.

Budget – Whole of Life Cost

While the budget contains new assets and infrastructure, this report does not deal directly with the whole of life costs of those items. Consideration of the whole of life costs relevant to those items forms part of the individual project or asset evaluation and justification.

Council Policy Compliance

Council Policy CP018 – Corporate Business Plan & Long Term Financial Plan notes that each year with the best endeavours Council aims to consider a draft budget for adoption by the end of June. To achieve this aim the draft Corporate Business Plan (budget) needs to be compiled within the last weeks of May or early June.

Risk Assessment - Low.

Officer Comment

The draft budget document follows a similar format to that intended for the final document and includes the following information:

- Financial statements including the Statement of Comprehensive Income (by Nature or Type) and (by Program), Budget Summary and Rate Setting Statement;
- Notes to and forming part of the budget including notes on operating expenditure and revenue, loan borrowings, transfers to and from reserves, rating information and grants (to be provided with the final budget document); and
- Detailed Financial Information for each Schedule at account level, with Sundry Notes providing a greater level of detail for each account. This information is formatted with the account number, description and totals for the 2019/20 Budget.

The 2019/20 draft budget has been prepared utilising the various elements that Council has previously resolved to adopt. These include:

- Strategic Community Plan;
- Long Term Financial Plan;
 - Debt Management Plan;
 - Reserve Funds;
 - Rating Strategy;
- Corporate Business Plan;
- Workforce Plan;
- Asset Management Plans;
 - Pathways;
 - Roads;
 - Parks & Reserves;
 - Buildings;
 - Stormwater Drainage;
 - Engineering Services Vehicles
 - Compliance & Executive Vehicles;
 - Information Technology;
 - Recreation Centre Equipment;
 - Small Plant & Equipment;\

- Elected Member Fees, Expenses & Allowances;
- Community Budget Requests;
- Events, Festivals & Community Services Programs;
- Community Funding Applications;
- Minor & Community Grants;
- Elected Member Budget Requests; and
- Fees & Charges Schedule.

While the 2018/19 financial year has not yet ended, the draft 2019/20 Budget document presented to Council represents the current forecast to the 30 June 2019.

The final 2019/20 Budget document is scheduled to be presented to Council and adopted at the Ordinary Council Meeting on 26 June 2019. It is not anticipated that the final budget document will vary from the current draft budget, unless Council resolves to vary any of the revenue or expenditure items presented in the draft budget.

- *Rate Setting Statement*

This statement shows the proposed financial position for the year, after including all operating revenue and expenditure, capital expenditure, loan repayments, transfers to and from reserves, income from sale of assets and rates (refer to page 2 of the draft budget). The statement is designed to show how much must be raised from rates to record a breakeven result.

The draft Budget for 2019/20 as presented produces a small surplus of \$133,526 at the end of the financial year. There is effectively a small deficit of \$171,657 for the 12

month period, as the forecast opening surplus of \$305,183 is taken into consideration when calculating the end of year position.

If grants, revenue and the estimated brought forward surplus do not meet expectations or there are requests to increase or add expenditure items, this position will not be achievable. The other factor to be taken into account is the value of projects and items that have not been completed in 2018/19 and need to be brought forward to 2019/20 through the Carried Forward Projects Reserve. These projects are identified in the budget working papers as Carried Forward Projects.

- *Rates*

The draft 2019/20 Budget includes a forecast increase in general and minimum rates of 4.0%. This in accordance with Council's previous resolution through the adoption of the Long Term Financial Plan and draft Corporate Business Plan.

Based on a 4.0% increase, the GRV, UV and minimum rates will increase as follows:

	Unimproved Value Rate in Dollar	Gross Rental Value Rate in in Dollar	Minimum Rate
2018/19 – current	\$0.006019	\$0.09679	\$1,488.00
2019/20 – 4.0% increase	\$0.006259	\$0.10066	\$1,547.50

	Specified Area Rate Bulk Waste	Specified Area Rate Eaton Landscaping
2018/19 – current	\$0.001454	\$0.002895
2019/20 – Approx 9.55% decrease for bulk waste and 1.03% increase for landscaping	\$0.001315	\$0.002925

This 4.0% increase results in an average residential rate increasing by \$65 to \$1,695. This average rate includes vacant lots, but excludes specified area rates and waste collection charges.

Specified Area Rates have decreased or only marginally increased due to limited cost increases, while receiving some growth in the total number of properties. This effectively results in the same or similar costs being spread over more properties.

- *Brought Forward Position*

The draft 2019/20 Budget includes an estimated brought forward surplus from 30 June 2019 of \$305,183. The surplus compares favourably with the revised budget position of \$272,599. This is primarily attributed to some revenue items exceeding budget forecasts, some expenditure items being lower than budget and the carrying forward of some capital works projects which were not able to be completed during 2018/19.

- *Staffing*

A concerted effort has been made in this budget to contain staff costs in the 2019/20 budget and future years, however the Council is growing and additional staff are required to maintain and develop Council's facilities and services to the community.

At the Strategic Planning Committee meeting held on the 1 May 2019, Council endorsed the Workforce Plan for the 2019/20 – 2028/29. Based on the Workforce Plan, the total number of full-time equivalent staff at the end of 2019/20 will be 118.97.

Total Employee costs have increased from \$10,405,885 in 2018/19 to \$10,989,595 or 5.6% in 2019/20. Employee costs consist of direct salary and wages, annual and long service leave provisions, workers compensation insurance, training costs, superannuation contributions, uniforms and protective clothing, professional development, fringe benefits tax and any other costs related to the employment of staff.

The total salaries and wages cost (including superannuation) associated with the employment of 118.97 FTE's is \$10,431,243, which is an increase of \$583,350 or 5.9% compared to 2018/19 budget.

Total insurance costs for Council, incorporating Workers Compensation and General Insurances has increased from the 2018/19 forecast of \$435,442 to \$450,294 in 2019/20.

Fringe Benefits Tax is incurred by Council for benefits provided to Council employees. The primary area of benefit provided is the private use of Council motor vehicles, with very minor costs for phone and entertainment. Fringe benefits tax is estimated to reduce from the forecast 2018/19 cost of \$183,784 to \$151,000 in 2019/20.

It should be noted that Council requested the CEO to review the organisational structure. This is ongoing and an updated Workforce Plan will be presented to Council on 26 June 2019. The Workforce Plan will work within the parameters of the Shire of Dardanup budget.

- *(Profit)/Loss on Asset Disposals*

A profit on disposal of assets of \$1,165,000 has been included which relates to the sale of land - Lot 501 to Citygate Properties, which forms part of the overall development of the Eaton Fair Shopping Centre.

Proceeds from this sale, together with the \$1,000,000 donation by Citygate Properties, will be transferred to the Sale of Lands Reserve as previously noted in the Long Term Financial Plan.

- *Capital Works Programme*

\$8,455,588 is to be spent in 2019/20 on the acquisition and/or construction of furniture, equipment, vehicles, plant, buildings and infrastructure assets, including carried forward projects and employee costs. Council will allocate \$6,036,256 from Reserves to fund this expenditure, with the balance of funding sourced from external grants and contributions, and proceeds from the sale of assets. Refer to pages 84 to 112 of the draft budget for a detailed list of asset acquisitions, works and disposal.

Council has established Asset Management Plans for its various classes of assets, which project over a 10+ year period the required capital upgrade, expansion and renewal requirements. These Asset Management Plans include the regular transfer of funds to Reserves to ensure the Council's cashflow requirements can be met each year.

These Asset Management Plans were considered and adopted by Council at the Strategic Planning Committee meeting on the 1 May 2019, and subsequent Council meeting on the 15 May 2019.

Of the \$8,455,588 capital expenditure budget, the following is the breakdown based on Asset Category:

- Asset Renewal \$3,822,445 (45%);
- Asset Upgrade \$3,412,330 (40%); and
- New Assets \$1,220,813 (15%).

Within the total funds allocated towards Asset Renewal and Upgrade, the target is to allocate 60% towards asset renewal and 40% towards asset upgrades.

The 2019/20 budget allocates the total asset renewal/upgrade expenditure on the basis of 45% towards asset renewal and 55% towards upgraded and new assets.

- *Loan Borrowings*

The 2019/20 budget includes the raising of one new loan during the year of \$750,000 (refer to page 81 of the draft budget). These funds are to be utilised over a three year period to pay for the creation and management of the WANJU Developer Contribution Plan. Funds are to be utilised to pay for a Project Management, consultancy and administrative costs directly attributed to the Developer Contribution Plan.

Council will continue to repay existing loans during the year, with total Principal payments of \$279,748 and Interest/Govt Guarantee Fee payments of \$113,943. The new loan taken out during 2019/20 will require future payments in 2020/21 and subsequent years totalling \$91,966 per annum.

- *Reserves*

Transfers to reserves are expected to total \$6,142,469 for the 2019/20 year. \$312,957 in interest is forecast to be earned on cash backed reserves during 2019/20, with 50% returned to the municipal fund. This compares with the forecast interest for 2018/19 of \$370,000. This reduced earnings forecast is attributed to lower interest rates and reduced cash reserves.

Transfers from reserves (including carried forward projects) totalling \$6,036,256 are primarily used for capital projects.

Reserve transfers are detailed in the explanatory information of the draft budget document (refer to page 97 to 102 of the draft budget), together with the various Reserve balances.

The expected balance of reserves at 30 June 2020 will be \$14,331,517 which is an increase on the expected balance at the start of the year of \$14,225,304.

- *Revenue and Expenditure Explanatory Information*

This area of the budget primarily represents the operating expenditure and revenue for the coming year.

- *Schedule 3 - General Purpose Funding*

In accordance with Council's previous resolution through the adoption of the Long Term Financial Plan and draft Corporate Business Plan, the draft budget has allowed for an increase of 4.0% to rates in the dollar and an 4.0% increase to all minimum rates so that minimum rate for all properties will be \$1,547.50.

The WA Local Government Grants Commission (WALGGC) has not yet finalised the grants for 2019/20. Interim advice received from the Department Local Government, Sport and Cultural Industries (DLGSCI) indicate that the 2019/20 grant allocation will reflect the 2018/19 grant funds received. Management has undertaken a conservative approach and forecast a 2.5% increase in the Financial Assistance Grants revenue as per the actual 2018/19 figures.

It is expected that Council will receive General Purpose Grant revenue of \$894,876 and Local Roads Grant revenue of \$499,109, noting that 50% of these grant funds are expected to be received in June 2019, and will be transferred to the Unspent Grants Reserve. At this time it is not forecast to receive any advance payment in 2019/20. There is a \$228,000 provision for Special Projects Revenue (predominantly capital bridge works) for the 2019/20 financial year.

The Commonwealth Roads to Recovery (R2R) Grant program was allocated over 5 years to all local governments in Australia; the program was completed in 2018/19 financial year. During this time Council has received \$2,020,891 in R2R grant funding which is the full amount that Council is entitled to under the program. A new round of Roads to Recovery funding is scheduled to commence in 2019/20 with a stronger focus on road safety for Roads to Recovery projects. \$252,813 is allocated in 2019/20 from this funding program.

Interest earned on investments is expected to be as per 2019/20 budget estimates. Investments are placed in accordance with Council's investment policy and are limited to secure and liquid investment options such as term deposits. The 2019/20 budget forecasts Municipal Fund interest of \$60,000, and Reserve Fund interest of \$312,957. Reserve Fund interest is accumulated throughout the year with 50% distributed across all of Council's Reserve Accounts at year end, and the balance returned to the municipal fund.

Total interest earnings for the Council, inclusive of interest charge on instalments and overdue rates, is budgeted to be \$507,656, which is an improvement on the estimate for 2018/19 of \$461,485.

- *Schedule 4 - Governance*

Schedule 4 contains the provision for Members of Council expenditure which includes the President/Councillor Meeting Attendance Fees combined budget of \$109,395. In addition, Councillors are entitled to an annual Telecommunications allowance of \$2,450

per Councillor as adopted by Council. Councillor training and conference expenditure is budgeted at \$20,808.

Forecast expenditure of \$36,000 is budgeted for Council Refreshments/Receptions which Council meeting meals, regional meetings plus general refreshments (sundry items for both Council and staff kitchen areas). Audit Fees expenditure is forecast at \$23,242 comprises of Council's audit contract \$20,000. This is an increase from \$9,162 in 2018/19 due to the audit function being undertaken by the Auditor General. An allocation of \$3,242 is provided for grant acquittals that require audit certification.

- *Schedule 5 – Law, Order & Public Safety*

Emergency Services Levy (ESL) expenditure and revenue is recorded in the Fire Prevention section of the draft annual budget. Council estimates ESL expenditure across all eight brigades of \$130,000 which is funded through DFES's (Department Fire Emergency Services) ESL program. ESL levies are raised through Council's rating system and subsequently the funds collected are remitted to DFES.

The draft budget includes the carried forward project Waterloo Bushfire Brigade Shed budgeted at \$426,107 of which \$393,909 is funded through the DFES grant revenue (forecast to be received in 2019/20) with the balance of \$32,198 in the Carried Forward Projects Reserve (this amount was a budgeted reserve transfer in 2018/19 annual budget).

Ranger Services are contained within Law, Order & Public Safety. Budgeted salaries and wages are spread over Animal Control and Other Law, Order and Public Safety to a combined salaries budget of \$430,020. Animal Management Program expenditure includes a budget allocation of \$5,250 in the draft budget. Dog and Cat Registration revenue is budgeted at \$52,000 and \$6,500 respectively, whilst Animal Infringements fines is forecast at \$25,000 for 2019/20.

- *Schedule 7 - Health*

The Health program covers maternal and infant health expenditure which incorporates Council's building maintenance costs for the Eaton Family Centre.

Preventative Services contains all expenditure relating to Health Administration and Inspections. Health fees and charges are forecast at \$20,000, the majority being health inspections and licences.

Pest Control expenditure is budgeted at \$5,000 for Mosquito Control, and \$5,000 contribution towards the 2019/20 Leschenault CLAG contribution scheme administered by the City of Bunbury.

- *Schedule 8 – Education & Welfare*

Education and Welfare comprises of operational expenditure and revenue attributed to Education, Aged & Disabled Care, and Other Welfare. Annual School Awards are a budgeted donation totalling \$1,350 whereby Council contributes towards both primary and secondary school awards. In addition Council donates \$5,722 towards the Chaplaincy Program at Eaton Community College and Eaton Primary School.

Aged and Disabled expenditure includes a budgeted maintenance costs of \$8,211 for the Eaton Senior Citizens Centre are also reported in this area.

Other Welfare expenditure and revenues pertains to costs relating to Culture & Community Services. The Community Services Programs expenditure, as listed on page 29 of the draft budget, is forecast at \$43,000 and includes the annual Leeuwin Scholarships, Skateboard Competitions, Minor and Community Event Assistance, and Minor Community Activities.

Donation expenses is budgeted at \$41,200 which includes donations to various community groups and projects, Seniors Christmas Dinners, and Council's Personal Development Scheme.

- *Schedule 10 – Community Amenities*

Community Amenities encompasses Sanitation, Refuse, Protection of Environment, Town Planning and Regional Development, and Other Community Amenities expenditure and revenue.

The provision for all Sanitation Household expenditure including kerbside refuse and recycling removal and disposal, processing and operational Refuse Site expenditure is budgeted at \$1,463,322.

Domestic Refuse and Recycling levies are budgeted at a combined \$1,247,521 in the 2019/20 draft budget. In addition to the rubbish and recycling levies, Council has forecast Specified Area Rate (SAR) - Bulk Waste Collection revenue of \$100,000 of which \$70,000 is allocated to the Bulk Waste Collection, and \$30,000 contribution to the Transfer Station.

Revenue for Refuse Site Fees and Charges is budgeted at \$79,373 for 2019/20 financial year, which is a small increase on the previous year.

Environmental Expenditure is budgeted at \$66,000 and incorporates expenditures on projects including declared weeds management, revegetation projects, grant seed funding (match funding grant expenditure) and other projects as determined by management. This allocation was increased from \$50,000 in the previous year, based on the outcome of Council's deliberations at the Councillor Budget Request workshop.

Town Planning expenditure items include \$201,250 for Consultancy, consisting of \$35,000 for TPS#9 Studies, \$105,000 for Wanju consultancy services, \$30,000 for the Banksia Road planning study, \$5,000 for the local heritage survey, \$10,000 for Burekup Community Facilities Plan and \$16,250 for demographic data reports. An additional \$10,000 is allocated for Land Development Expenses as detailed on page 43 of the draft budget (refer Note 106.1 and 106.2). Town Planning Application revenue is budgeted at \$55,000 in 2019/20, which is a reduction from the previous year's forecast of \$96,000; due primarily to slower economy and reduced planning activity.

Other Community Amenities includes operational expenditure on Dardanup and Ferguson cemeteries' maintenance, disability services expenditure, public toilets maintenance and street furniture maintenance.

The draft budget includes the capital carried forward projects totalling \$52,765 for the Watson Street Reserve Toilets (\$4,262), Wellington Mill Toilets (\$36,606) and the Banksia Road Transfer Station (\$11,897). These projects are funded from the Carried Forward Projects Reserve.

- *Schedule 11 – Recreation & Culture*

Recreation and Culture includes Public Halls, Parks Gardens and Reserves, Eaton Recreation Centre, Eaton and Dardanup Libraries and Other Culture.

As detailed on page 106 of the draft budget, Appendix C – Building Maintenance Program includes public hall budget maintenance of \$159,030. Included in this figure is the estimated 2019/20 operational expenditure of \$53,282 on the Dardanup Hall, which is partly offset by budgeted Dardanup Hall hire revenue of \$10,000.

The adopted 10 year Building Asset Management Plan 2019/20 – 2028/29 includes building capital expenditure projects that are carried over including the Eaton Bowling Club Rooms, Eaton Oval Club Rooms, Wells Recreation Reserve Hard Courts, and design of the soon to be relocated Skate Park.

Parks, Gardens and Reserves operational expenditure is budgeted at \$3,535,970 for Reserves detailed on page 108 'Appendix E – Parks & Reserves Maintenance Expenditure', and \$55,535 for Sporting Buildings page 106 'Appendix C – Building Maintenance Expenditure'. There are also several carried forward capital park projects which are listed in the Parks and Reserves Construction budget on page 91.

Operating Revenue includes a budget provision of \$244,800 for the Specified Area Rate for Eaton Landscaping allocated to Millbridge Public Open Space Maintenance \$155,800 and Eaton Parks and Reserves Upgrades of \$89,000. The \$89,000 portion is allocated to the SAR Reserve until it is utilised in future year's works programme. The Citygate donation is forecast to be received in 2019/20; these funds will then be returned to the Sale of Land Reserve.

Council resolved at the 15 May 2019 Council meeting [OCM 134-19] that Council:

1. *Endorses the 10 year Parks & Reserves Asset Management Plan 2019/20-2028/29 program of works presented to the Strategic Planning Committee on 1 May 2019 – (Records System Link R0000632926 & (Electronic Appendix ORD: 12.14E).*
2. *Requests the Chief Executive Officer to undertake a review of how the Eaton Landscaping Specified Area Rate is applied based on the ovals and Eaton Foreshore being considered as regional open space, with improvements and maintenance of regional open space to be funded out of General Revenue.*
3. *Requests the Chief Executive Officer to include consideration of the Eaton Landscaping Specified Area Rate in the 2019/20 Rating Strategy Review, with this review process to include community engagement prior to the final report being presented to Council for consideration.*
4. *Request the Chief Executive Officer to review the Parks and Gardens Asset Management Plan with an intent to ensure a consistent standard throughout the Shire.*

These future reviews will be conducted after the 2019/20 budget is adopted, and may have an impact on future budget years.

The Eaton Recreation Centre (ERC) operating deficit for 2019/20 is forecast to be \$113,098. Operational expenditure including building maintenance, but excluding administration overheads, profit/loss on disposal and depreciation, is budgeted \$1,556,098 partially offset by budget revenue of \$1,443,000. A full breakdown of ERC 2019/20 draft budget is included on pages 47 and 48, and by cost centre on page 57.

- *Schedule 12 - Transport*

Road Maintenance expenditure is budgeted at \$1,322,147, Bridges Maintenance \$121,700 and Ancillary Maintenance of \$429,560. During 2018/19 a new Job Ledger structure has been created to capture Road Maintenance costs by Road name, which will enable management to predict and implement strategies to calculate accurate forecasts in future Road Maintenance Plans. Transport Grant Revenue is budgeted at \$661,200 in Black Spot Funding, \$1,324,000 Regional Road Group Funding, \$228,000 Special Projects, \$252,813 Roads to Recovery, \$228,443 Pathways, and \$120,261 in Main Roads Direct Grants.

Several changes were made to the Transport Capital Upgrades and Renewal Program in the Draft Budget, following estimations of the projects and calculations associated with the plant and labour balances. The following adjustments were made to ensure the program meets the financial parameters of the Strategic Financial Plan:

- Pratt Road Streetscaping – This project was removed from the program to reduce the net cost to Council by \$40,000
- Golding Crescent Street Lighting – This project was removed from the program to reduce the net cost to Council by \$50,000.
- Collie River Road – Final seal of repairs - this project was added to complete repairs that were undertaken several years ago. The primerseal life has reached its maximum and now requires final sealing. This was confirmed during recent road network inspections.
- Shoulder Renewals – This project has been added to ensure utilisation of labour and plant in accordance with the Shires Strategic Financial Plan targets. This work would have otherwise been undertaken as maintenance, but due to its nature, should be included in the renewal program.

It should be noted that both the Pratt Road Streetscaping and Golding Crescent Street Lighting Projects will be rescheduled in the Shire's Forward Plans during the next revision.

Transport Construction Expenditure also includes several carried forward capital road upgrade and renewal projects which are funded from the Carried Forward Projects reserve.

- *Schedule 13 – Economic Services*

Economic Services contains expenditures and revenues for Tourism and Area Promotion, Building Control and Other Economic Services. Budgeted Tourism

donations of \$62,000 and Economic Development contributions of \$29,730 are included in the draft annual budget.

Building Licence revenue is budgeted at \$80,000 for 2019/20 financial year. No revenue is forecast to be received for Swimming Pool levies in 2019/20.

- *Schedule 14 – Other Property & Services*

Administration Overheads, Public Works Overheads, Plant Operation and Salaries and Wages are reported in the Other Property & Services Function. Significant budget forecasts include workers compensation insurance budget of \$172,116, Equipment Leasing Expenditure of \$272,745 which includes IT Equipment leased as per IT Asset Management Plan, and Software Licencing Expenses \$416,894.

- *Summary*

The draft budget for 2019/20 is balanced and Councillors are encouraged to examine the document thoroughly. Councillors are welcome to contact the Director Corporate & Community Services or Manager Financial Services prior to the Special Council meeting to discuss any questions.

Council Role - Executive/Strategic.

Voting Requirements -

Simple Majority/Absolute Majority for final adoption.

OFFICER RECOMMENDED RESOLUTION

THAT Council adopt the Shire of Dardanup Draft 2019/20 Budget (Appendix ORD: 12.5 – Under Separate Cover) inclusive of the following:

- *An increase in general and minimum rates of 4.0%;*
- *Revenue generated from the adopted Schedule of Fees and Charges for 2019/20;*
- *Elected members Fees, Expenses and Allowances;*
- *Reserve transfers;*
- *Current and proposed loans;*
- *Capital expenditure in accordance with the various Asset Management Plans; and*
- *Operating income and Expenditure as presented in Schedules 3 to 14.*

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

- *To allow the attendance of Cr. P S Robinson in the meeting and voting on the adoption of the draft budget, the resolution was separated into two parts – to exclude and then include the Fire Control Honorariums.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

146-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council adopt the Shire of Dardanup Draft 2019/20 Budget (Appendix ORD: 12.5 – Under Separate Cover) exclusive of the Fire Control Officer Honorariums and inclusive of the following:

- **An increase in general and minimum rates of 4.0%;**
- **Revenue generated from the adopted Schedule of Fees and Charges for 2019/20;**
- **Elected members Fees, Expenses and Allowances;**
- **Reserve transfers;**
- **Current and proposed loans;**
- **Capital expenditure in accordance with the various Asset Management Plans; and**
- **Operating income and Expenditure as presented in Schedules 3 to 14.**

CARRIED
6/0

DECLARATION OF INTEREST

Having declared a Financial Interest, Cr. P S Robinson left the room
[5.32pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

147-19 MOVED - Cr. J Lee SECONDED - Cr. P R Perks

THAT Council adopt the Fire Control Officer Honorariums contained within the Shire of Dardanup Draft 2019/20 Budget (Appendix ORD: 12.5 – Under Separate Cover).

CARRIED
5/0

12.8 Title: New Policy – Pensioner/Senior Rebate Entitlement on Properties with Non-Residential (Commercial/Farming) Use

Reporting Department: Corporate & Community Services

Reporting Officer: Mr Ray Pryce - Accountant

Legislation: Rates and Charges (Rebates and Deferments) Act 1992

DECLARATION OF INTEREST

Cr. P S Robinson declared a Financial Interest in this Item as he is a person that receives a Senior Rebate Entitlement that will be affected by the adoption of the policy.

Cr. P S Robinson had left the room at 5.32pm and remained outside the room for this item.

Overview

This report considers the options available to Council for determining the entitlement of applicants to a State Government pensioner/senior rates rebate on land with residential and any other use in the Shire of Dardanup.

A recommended approach is presented for Council's consideration through a new Council Policy.

Background

Rebates for Council Land Rates and DFES Emergency Services Levy are provided by the State Government to eligible pensioners and seniors in accordance with the Rates and Charges (Rebates and Deferments) Act 1992 (The Act). Although the rebate concessions are paid by the State Government, the local government authority has responsibility for determining concessions in accordance with the legislation and procedural instructions.

The Council currently has no policy to guide staff with respect to the assessment of Pensioner/Senior rebate applications where the rateable land in question has a commercial use component (including farming).

The Act does not contain a definition of commercial use.

Past practice in determining the assessment process by Council staff has varied depending on the nature of the commercial use and the valuation basis used for rating of the land.

- *Gross Rental Valuation (GRV)*

These usually occur in urban areas and are relatively straightforward to assess. Common examples are the shop/residence combination in a commercial area or a workshop/residence in an industrial area. Generally, Landgate will provide "sub-values"

for each distinct land use and these are used to determine the extent of any rates concession. Where there is no sub-value available, a simple floor area of the residence divided by the total floor area is used to determine the concession entitlement.

- *Unimproved Valuation (UV)*

Determining entitlement to rebates on farming properties is somewhat more complex and varied. Historically, it has been based on the assessment of the individual known or obtained circumstances of each case and applying the most appropriate option allowed by the legislation.

Where the landowner declared there is no commercial activity, the whole of the property was taken as being residential and a full concession applied. The most common method used in apportioning the rates between commercial (farming) and residential use has been to apply an arbitrary allocation of 2ha to the residential use for properties that are over 2ha in size. This has resulted in inequity in the amount of rebates granted to pensioners and seniors in similar circumstances – especially those involved in what is commonly known as hobby farming.

In April to June 2018, rates staff conducted reviews of all existing pensioner and senior rates concession holders to review their eligibility for rebates of rates on land that we classify as rural or farming properties. The reviews were conducted in accordance with the Act and at the request of the Department of Finance (Office of State Revenue).

The results of that review found many of the concessions provided on farm properties had not previously been assessed for the existence of non-residential use and the pensioners and seniors were granted the maximum rebate. For farming properties reported in the review as generating income, the concessions were re-assessed to allow a curtilage area of 2ha for the residential use and the remaining land was assessed as ineligible for concession. The reduced entitlements were applied to 2018/19 rates, with many of the pensioners receiving a significant reduction in their concession.

Several ratepayers have expressed dissatisfaction with the substantial reduction in their concession and although generating some income from rural activities, most are operating on a very low scale on relatively small acreage.

Council support is now requested to adopt a policy that will provide more consistency and equity to pensioner/senior rates concessions and gives guidance to Officers for assessment of rebates entitlement claims in the future.

Legal Implications

The Rates and Charges (Rebates and Deferrals) Act 1992

Part 2 – Eligibility and entitlement

Division 2 – Entitlement

S.28 Proportionate interests

- (2) *Where although land is used as the ordinary place of residence of an applicant or registered person it is not the sole use of that land, the administrative authority may apportion the prescribed charge, and any rebate allowable, according to –*

- (a) *the extent to which the land is so used as a place of residence; and*
- (b) *any other use,*

on a basis proportionate to the respective uses.

Part 1 – Administration

Division 4 – Administration

S. 9 Ministerial directions and procedural manuals

- (1) *The Minister may provide advice, make recommendations, or give written directions to administrative authorities as to the implementation of this Act.*
- (2) *The Minister may issue, and amend, a procedural manual for the guidance of administrative authorities as to the implementation of this Act.*
- (3) *All employees, officers and members of an administrative authority must comply with a procedural manual.*
- (4) *The Minister may give written directions to an administrative authority with respect to the performance of its functions under this Act, either generally or as to a particular matter.*
- (5) *An administrative officer must comply with a direction given to it under subsection (4).*

The Procedure Manual (updated as at March 2019)

Extract – pages 31 – 32

“Concessions on commercial and farming properties occupied by pensioners/seniors”

The concessional arrangements are targeted at pensioner owned and occupied residential property.

It follows that commercial properties, including farms, do not qualify for concessional arrangements unless circumstances dictate otherwise.

Commercial property is generally excluded from the concessional arrangements because:

- *rate charges are tax deductible for commercial operations;*
- *the rating value reflects the non-residential use of the property;*
- *in respect of farm properties, the annual and volumetric charge, in the case of water, is levied at a discount to that which would apply to residential land; and*
- *the owner/occupier of a commercial farm property may receive a double benefit if a pensioner rate concession is made available in addition to the above.*

Notwithstanding the general exclusion of a commercial property from the concessional arrangements, section 28(2) of the Act as mentioned earlier, provides an option to apportion a prescribed charge on the basis of the respective residential and commercial uses.

This provision enables an administrative authority to allow a concession, in an equitable way, to that part of the rates account relating to the residential use of a commercial property. The following five options have been identified, to provide either:

1. *no concession;*
2. *a proportionate rebate, based on the area used for residential purposes against that used for commercial or farm (income generating) purposes;*
3. *a proportionate rebate, by applying an arbitrary curtilage of 2 hectares (ha) in respect to the residential component of the rated property;*

4. a minimum rate or valuation based rate, for example, in the case of hobby farms or where the residence is situated on a distinct identifiable parcel of land that has no commercial use, irrespective of the property size; or
5. a concession based on the total rates levied against the property, notwithstanding that all or part of the property may have some commercial/farm use.

In all cases, it should be remembered that local governments are not obliged under the Act to provide a concession to persons residing on a property used to generate income.

However, if the circumstances justify the provision of a concession, then section 28(2) is the means by which the authority may provide assistance. It is important that local governments adopt a consistent approach to ensure pensioners and seniors in similar circumstances in the municipality are treated the same.

Strategic Community Plan

- Strategy 1.1.1 – To be equitable, inclusive and transparent in decision making. (Service Priority: High).
- Strategy 1.1.2 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High).
- Strategy 1.1.3 - Maintain best practice governance systems and practices. (Service Priority: Moderate).

Environment - None.

Precedents

An evaluation of other Councils has been undertaken to assess if there is an industry standard.

Budget Implications

Rates and ESL rebates are funded by the State Government, therefore there is zero net effect on Council's rates income through a change in the rebate application.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Council does not currently have a Policy on this matter.

Risk Assessment - Low.

Officer Comment

In preparing this report, the author has consulted with the Department of Finance (Office of State Revenue) and rates officers from various local governments including Shires of Harvey, Capel, Nannup, Bridgetown-Greenbushes, Murray, Gingin, Denmark, Serpentine-Jarrahdale, Chittering, Cities of Busselton, Albany and Wanneroo.

The purposes of the consultation was to:

1. Seek further guidance from the State Government on how to determine whether a property is used for a “commercial” purpose, what is the definition of a hobby farm and the most appropriate method to use when dealing with relatively small acreage properties; and
2. Find out from other local governments that have a substantial number of hobby farm type properties, if there was a consistent approach and choice from the five options in granting rebate concessions.

The Office of State Revenue was unable to advise which method is more acceptable but their only concern was that we adopt a consistent approach to ensure pensioners and seniors in similar circumstances are treated the same.

For properties valued on the basis of Gross Rental Value, the current method of apportionment between residential and commercial use by use of “sub-values” when available from Landgate, or otherwise on the floor area basis is straightforward and widely used. It is not proposed to change from this formula.

A survey of the other local governments as to the option chosen to apportion the rates for concession on farming properties found that the majority of Councils used Option 3 (arbitrary 2ha allocation for residential use, three Council’s used their minimum rate as per Option 4, and two Councils applied a rebate on the full rates as per Option 5.

The following tables and comments are provided to give an insight into the administration issues and financial impact on pensioner and senior ratepayers under each option for apportioning the rates for concession purposes.

It uses a comparison of 2018/19 rates for three sample properties of varying sizes from 5ha up to 70ha.

- *Pensioner Concession*

Property Size (ha)	Annual Rates	Option 1 Rebate	Option 2 Rebate	Option 3 Rebate	Option 4 Rebate *	Option 5 Rebate
5	\$1,625	\$0.00	N/A	\$343	\$781	\$791
10	\$1,836	\$0.00	N/A	\$183	\$777	\$791
30	\$2,287	\$0.00	N/A	\$68	\$771	\$791
70	\$3,743	\$0.00	N/A	\$48	\$755	\$791

- *Senior Concession*

Property Size (ha)	Annual Rates	Option 1 Rebate	Option 2 Rebate	Option 3 Rebate	Option 4 Rebate *	Option 5 Rebate
5	\$1,625	\$0.00	N/A	\$116	\$119	\$120
10	\$1,836	\$0.00	N/A	\$92	\$117	\$120
30	\$2,287	\$0.00	N/A	\$34	\$113	\$120
70	\$3,743	\$0.00	N/A	\$24	\$108	\$120

Note * Option 4 rebate calculation is based on the Council’s minimum rates of \$1,488 for 2018/19.

- Option 1 – This option is not supported as it is considered to be inequitable because it does not give otherwise eligible pensioners and seniors any concession, regardless of the extent of the commercial or farming use.
- Option 2 – Although this is a preferred method to use for properties on GRV where no “sub-value” is available, it is difficult to administer for UV rural properties, as in many cases, the residential use is not easily distinguishable from the farming use.
- Option 3 – Offers a consistent method to apportion land area but does not account equitably between pensioners who are generally all on lower incomes and living on what would mostly be classified as hobby farms due to the size.
- Option 4 – For GRV properties where “sub-values” are available, this valuation based rate is the preferred option. For UV properties, while not apportioning by way of land area, the use of Council’s minimum rate offers a consistent and equitable rebate to eligible pensioners and seniors on generally smaller holdings than would be commercially viable. This also gives the same concession amount as a pensioner and senior on a single minimum rated residential lot in urban areas. Using this option requires a slightly greater administrative effort due to the need for manual adjustment annually to each affected property for any change to valuation, minimum rate or rate in the dollar.
- Option 5 - While the difference between Option 4 and 5 seems minimal from the table data, it is only because the current capped rates rebate limit of \$750 for pensioners is only slightly higher than the \$744 from using the Council’s current minimum rate. Should the capped amount be removed by a State Government in future, using this option could create an inequitably high concession amount on larger properties.

Council Role - Legislative.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

148-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council adopt new policy “CP013 – Pensioner And Senior Rebate Concession Entitlement On Land With Commercial Use” as follows:

CP013 – PENSIONER AND SENIOR REBATE CONCESSION ENTITLEMENT ON LAND WITH COMMERCIAL USE

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION			
History:	New	OCM 05/06/2019 Res: 148-19	Synopsis: Policy created.
Version:	New		Synopsis:

1. RESPONSIBLE DIRECTORATE

Corporate & Community Services

2. PURPOSE OR OBJECTIVE

To determine, in an equitable manner, the extent of entitlement to a State Government Rebate on Council Rates and the State Government Emergency Services Levy, in accordance with Section 28(2) of the Rates and Charges (Rebates and Deferments) Act 1992, where the rateable land is used for residential as well as commercial or farming (non-residential) use.

3. DEFINITIONS

Commercial use – any income producing activity, but not where the income or activity is incidental to the main residential use of a property (e.g. hobby, home occupation).

4. POLICY

In accordance with the Rates and Charges (Rebates and Deferments) Act 1992 and the Procedural Manual issued in accordance with section 9(3) of that Act, the following methods shall be used to determine the extent of a State Government rebate concession to eligible and registered pensioners and seniors, on prescribed charges on rateable land that has residential use as well as another use including commercial and farming activities.

Where the basis of rating is Gross Rental Valuation:

Where a sub-value for the residential portion can be provided by Landgate (at no cost to the Council), the entitlement percentage shall be determined by dividing the residential sub-value by the total value of the land; or

Where a sub-value is not available, the entitlement percentage shall be determined by dividing the floor area of the residential building component by the total area of buildings on the land.

Where the basis of rating is Unimproved Valuation, the entitlement shall be calculated on the basis of the Council's Unimproved Valuation minimum rate for the relevant year as set in its annual budget.

These methods are included in the Procedural Manual as acceptable options to allow a concession for the residential use of a property that also has commercial use.

The application of this policy will take effect from 1 July 2018.

5. REFERENCE DOCUMENTS

Rates and Charges (Rebates and Deferments) Act 1992

Procedure Manual – issued under Section 9 of the Rates and Charges (Rebates and Deferments) Act 1992, by the Government of Western Australia – Office of State Revenue.

CARRIED
5/0

12.12 Bushfire Advisory Committee Meeting Minutes Held 21/05/2019**MINUTES OF THE SHIRE OF DARDANUP BUSHFIRE ADVISORY COMMITTEE MEETING HELD ON TUESDAY 21 MAY 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 7.00PM.****DECLARATION OF INTEREST**

Cr. P S Robinson declared a Financial Interest in this Item as he is the FCO of the Joshua/Crooked Brook Fire Brigade and receives an honorarium for that role.

Cr. P S Robinson had left the room at 5.32pm and remained outside the room for this item.

Officer Comment

The minutes of the Bushfire Advisory Committee meeting are attached (Appendix ORD:12.12).

ADOPTION EN BLOC PROCESS

In accordance with Shire of Dardanup Standing Orders Local Law 2014, Part 9, s9.2, 'Adoption of Recommendations En Bloc'; A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any—

- (a) which require adoption by an absolute or special majority vote;*
- (b) in which an interest has been disclosed;*
- (c) that has been subject of a petition or deputation;*
- (d) which any member has indicated the wish to debate; and*
- (e) in which any member has indicated the wish to ask a question or to raise a point of clarification,*

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

Note: Cr. T G Gardiner and Cr. J Lee moved and seconded the committee resolutions en bloc.

OFFICER RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION

149-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council receives the minutes of the Bushfire Advisory Committee meeting held 2 May 2019.

CARRIED
5/0

**OFFICER RECOMMENDED RESOLUTION
& BUSHFIRE ADVISORY COMMITTEE
RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION "A"**

150-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council:

1. **Include a budget of \$500 in the 2019/20 financial year, to assist with expenses that are not eligible for funding under the Local Government Grant Scheme (LGGS).**
2. **Consider increasing the \$500 budget in future years.**

CARRIED
5/0

**OFFICER RECOMMENDED RESOLUTION
& BUSHFIRE ADVISORY COMMITTEE
RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION "B"**

151-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council endorse the following persons as Bushfire Control Officers for the period 30/06/2019 – 01/07/2020 pursuant to Section 38(1) of the Bush Fires Act 1954 and the persons to be advertised pursuant to Section 38(2a) of the Bush Fires Act 1954 : -

DISTRICT	OFFICER
Burekup District	Clay Rose
Dardanup Central District	Brendan Putt
Eaton Townsite/District	Chris Hynes
Ferguson District	Richard Stacey
Joshua/Crooked Brook District	Peter Robinson
Upper Ferguson District	Rod Bailey
Waterloo District	Robert Drennan
Wellington Mills District	Ian Bridge
West Dardanup District	Alan Charlton

CARRIED
5/0

**OFFICER RECOMMENDED RESOLUTION
& BUSHFIRE ADVISORY COMMITTEE
RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION "C"**

152-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT the Bushfire Advisory Committee recommend that Council endorse Chris Hynes as Chief Bushfire Control Officer for the period 30/06/2019 – 01/07/2020.

CARRIED
5/0

**OFFICER RECOMMENDED RESOLUTION
& BUSHFIRE ADVISORY COMMITTEE
RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION "D"**

153-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT the Bushfire Advisory Committee recommend that Council endorse Clay Rose as Deputy Chief Bushfire Control Officer (North) for the period 30/06/2019 – 01/07/2020.

CARRIED
5/0

**OFFICER RECOMMENDED RESOLUTION
& BUSHFIRE ADVISORY COMMITTEE
RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION "E"**

154-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT the Bushfire Advisory Committee recommend that Council endorse Alan Charlton as Deputy Chief Bushfire Control Officer (South) for the period 30/06/2019 – 01/07/2020.

CARRIED
5/0

BUSHFIRE ADVISORY COMMITTEE RECOMMENDED RESOLUTION "F"

THAT Council:

1. Approve the Chief Executive Officer to seek information and support from the Department of Fire & Emergency Services (DFES) for the creation of a CESM position at the Shire.
2. Consider a budget allocation as the Shire's contribution to support a CESM position.
3. Request that the CEO report back to Council with the information obtained from DFES in relation to a CESM.

Officer Comment

The Chief Executive Officer will be required to obtain information prior to any changes or budget recommendations being made. It is therefore proposed that the order of the Resolutions be amended to reflect the procedural process.

**OFFICER RECOMMENDED RESOLUTION &
ENBLOC COUNCIL RESOLUTION "F"**

155-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council:

1. **Approve the Chief Executive Officer to seek information and support from the Department of Fire & Emergency Services (DFES) for the creation of a Community Emergency Services Manager (CESM) position at the Shire.**
2. **Request that the Chief Executive Officer report back to Council with:**
 - a) **The information obtained from DFES in relation to a CESM; and.**
 - b) **Any recommended budget allocations to be made for the appointment of a CESM.**

CARRIED
5/0

**OFFICER RECOMMENDED RESOLUTION
& BUSHFIRE ADVISORY COMMITTEE
RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION "G"**

156-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Lee

THAT Council adopt and advertise the 2019/2020 Shire of Dardanup Fire Prevention Order pursuant to Section 33(1) of the Bush Fires Act 1954.



FIRE PREVENTION ORDER

FIRST AND FINAL NOTICE

With reference to Section 33 of the Bush Fires Act 1954, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

This order is valid for the period 1 July – 30 June annually.

Work **must** be completed by the **30 November annually** and maintained until the close of the **Restricted Burning Period**.

PLEASE READ THIS NOTICE CAREFULLY

If you do not fully understand this notice, please contact Emergency & Ranger Services during office hours on 9724 0000 or your local Fire Control Officer to discuss.

**PERSONS WHO FAIL TO COMPLY WITH THE
REQUIREMENTS OF THE ORDER MAY BE ISSUED
WITH AN INFRINGEMENT NOTICE PENALTY (\$250.00)
OR PROSECUTED WITH AN INCREASED PENALTY
(MAXIMUM PENALTY \$5,000).
ADDITIONALLY THE SHIRE OF DARDANUP MAY CARRY OUT THE
REQUIRED WORK AT COST TO THE OWNER/OCCUPIER.**

RESTRICTED BURNING PERIOD

Burning Permits Required

**1 November
to
13 December
annually**

PROHIBITED BURNING PERIOD
NO FIRES PERMITTED

14 December
to
15 March
annually
(subject to extension)

RESTRICTED BURNING PERIOD
Burning Permits Required

16 March
to
15 May
annually
(subject to extension)

RESIDENTIAL, INDUSTRIAL, DEVELOPMENT, RESTRICTED USE, MIXED BUSINESS AND COMMERCIAL ZONES*

- All flammable material/vegetation (except living trees) MUST be slashed or grazed to a height that does not exceed 50 millimetres and flammable material MUST be removed.

SMALL HOLDINGS ZONE*

- BARE EARTH firebreaks of 2 metres width and 4 metres in height must be maintained within and adjacent to the lot boundary and surrounding all haystacks.
- Fire hazards on properties must be slashed to a height of no more than 50 millimetres and flammable material MUST be removed from the property. Where slashing is not possible, material/vegetation must be burnt back or sprayed with suitable herbicide to prevent growth until the end of the restricted period.
- Burn piles can be kept and approved under the following conditions:
 - a burn pile is to be no closer than 10 metres to any structure; and
 - a 2 metre wide and 4m in height firebreak is to be placed around the perimeter of any burn pile.
- All wood piles during the restricted and prohibited burning period are to be stored securely away from the building.

GENERAL FARMING, RESTRICTED USE AND TOURIST ZONES*

- Irrigated land is defined as land that is watered, kept fully watered and is maintained in a non-flammable state for the whole of the restricted and prohibited burning periods.
- **Non Irrigated lots** – BARE EARTH firebreaks of 2 metres width and 4 metres in height must be maintained within and adjacent to the lot boundary where it adjoins a road and/or rail reserve.
- **Irrigated lots** – firebreaks are **NOT** required on that lot of land where the lot is being **actively and regularly irrigated throughout the restricted and prohibited burning periods.**
- Irrigation channels that are situated **WITHIN** and adjacent to a lot boundary will be accepted as a firebreak provided the irrigation channel is utilised on that property throughout the **restricted and prohibited burning periods.**

- Burn piles are approved under the following conditions:
 - a burn pile is to be no closer than 10 metres to any structure; and
 - a 2 metre wide and 4m in height firebreak is to be placed around the perimeter of any burn pile.
 - All wood piles during the restricted and prohibited burning period are to be stored securely away from the building.

PLANTATIONS

- BARE EARTH firebreaks of 15 metres width and 4 metres in height must be maintained within and adjacent to the perimeter of plantations with 6-10 metres wide internal firebreaks between compartments.
- Where power lines pass through plantation areas, firebreaks must be in accordance with Western Power specifications.

WHERE AND HOW TO OBTAIN BURNING PERMITS

Applications for burning permits are available from your local Bush Fire Control Officer at no cost.

The local Bush Fire Control Officer will note the relevant conditions you must comply with on your burning permit.

You are advised that Burning Permits are automatically invalidated on days of "very high" "severe", "extreme" or "catastrophic" fire danger.

Garden Refuse Urban Areas (town sites): No garden refuse is permitted to be burnt on the ground, in the open air or in outdoor incinerator within the urban areas of Dardanup, Eaton, Burekup town sites at any time of the year unless a permit to burn has first been obtained from a Fire Control Officer for special circumstances such as a large block that needs hazard reduction.

All Other Areas in Shire of Dardanup: Pursuant to section 24G(2) and section 25(1a) of the Bush Fires Act 1954, the burning of garden refuse and camp and cooking fires is prohibited in all areas within the Shire of Dardanup during the **Prohibited Burning Period**. Furthermore, pursuant to section 24G(2) the burning of garden refuse and camp and cooking fires are prohibited within the Shire of Dardanup during the **Restricted Burning Period** unless a permit to burn has first been obtained from a Fire Control Officer.

Solid Fuel Cooking Appliances (e.g.: pizza oven/outdoor barbeque or outdoor stove): The use of enclosed solid fuel cooking appliances is prohibited in all areas within the Shire of Dardanup during the **Prohibited and Restricted Burning Period** UNLESS;

- the fire rating is below VERY HIGH;
- is fitted with an effective spark arrestor;
- an area of 2m surrounding the appliance is cleared from flammable materials;
- running water is on site and is accessible;
- an responsible able body adult is in attendance throughout and;
- the fire is completely extinguished when cooking is complete.

FIREBREAK VARIATIONS/EXEMPTIONS

If it is considered impractical for any reason to clear firebreaks or remove flammable materials from any land as required by this Order, you should make written application to the Shire of Dardanup **no later than 30 September each year** and include a plan of your land detailing your fire prevention measures to abate fire hazards on the land. The prescribed Firebreak Variation/Exemption Forms are available from the Shire of Dardanup offices. If your request for a variation/exemption is not granted, you must comply with the requirements of this Order.

For further information please call the Shire of Dardanup 9724 0000 or your local Fire Control Officer.

For all fire emergencies, please dial "000"

*Zones defined by the Shire of Dardanup Town Planning Scheme No.3.

CARRIED
5/0

Note: Cr. P S Robinson returned to the room [5.34pm] and Cr. P R Perks left the meeting [5.34pm].

12.1 Title: Request to Operate a Tandem Drive Concessional Network 3.3 Vehicle on Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road (MGM Bulk)

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview

Council is requested to consider a multi-combination vehicle application by MGM Bulk.

The application relates to Waterloo Road (SLK 0.00 to 8.48), Ferguson Road (SLK 2.26 to 3.56), Depiazzi Road (SLK 0.00 to 2.14) and Banksia Road (SLK 1.63 to 3.15).

MGM Bulk are requesting to operate Tandem Drive Concessional Network 3 Category vehicles with Concessional Loading to AMMS Level 3.

Officers are recommending approval of the application.

Background

At the Ordinary Council Meeting on 6 March 2019, the following officer recommended resolution was resolved [34-19]:

THAT Council endorses the application by KtransWA to operate Tandem Drive RAV 3 Level 3 vehicles on Waterloo Road (SLK 0.00 to 8.48), Ferguson Road (SLK 2.26 to 3.56), Depiazzi Road (SLK 0.00 to 2.14) and Banksia Road (SLK 1.63 to 3.15) for the purpose of accessing the waste facility, subject to the following conditions:

- 1. The Permit is valid for a 12 month period, from 6 March 2019 to 6 March 2020;*
- 2. Any damage to any Shire road as a result of the operations shall be repaired at the cost of KtransWA;*
- 3. The Shire receives a contribution of \$2,000 (exclusive of GST) to be paid to the Shire for the Road Safety Programs Reserve;*
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval;*
- 5. A list of number plates for the four authorised vehicles to be provided to the Shire of Dardanup;*

6. *Hours of operation are restricted to 6.00am to 6.00pm on the roads subject of this application.*

CARRIED 7/1

Further discussion was held and an Elected Member resolution was resolved as follows [35-19]

Discussion:

Cr. T G Gardiner moved a further resolution to place a moratorium on allowing any further Accredited Mass Management Scheme (AMMS) trucks on Banksia Road for the next 12 months. This would allow the staff to monitor any impacts that the vehicles were having on the impacted roads.

ELECTED MEMBER RECOMMENDED RESOLUTION

THAT Council places a 12 month moratorium on any further Accredited Mass Management Scheme (AMMS) applications on trucks accessing Banksia Road.

*CARRIED
6/2*

Following on from Resolution [34-19], Main Roads Western Australia (MRWA) updated their RAV Map to reflect conditional access for RAV 3 AMMS Level 3. The condition stated on the MRWA RAV Map is "All operators must carry current written approval from the road asset owner permitting use of the road."

Accordingly, this application has come straight to the Shire of Dardanup, whereby the applicant is seeking written approval from the Shire.

The route described above enables operators to access the waste facility on Banksia Road from South Western Highway.

The application relates to a haulage operation between Australind, Kemerton and the waste facility. Trucks operate from 5:00am to 10:00pm, 7 days a week. The trucks are loaded in both directions, carting slurry to the waste facility and back loading water for process.

As with all multi-combination vehicle applications, the incremental cost impact is calculated using the WALGA guide. In this instance, the incremental cost is calculated as the difference between regulation mass limit vehicles (RAV 3), which is already unconditionally allowed and AMMS Level 3 vehicles (RAV 3.3). The incremental cost impact to operate in RAV 3.3 configuration is calculated to be \$5,907 over and above the incremental cost to operate in RAV 3 configuration.

It should be noted these calculations yield an estimated cost to Council that is based upon many assumptions. However, the WALGA guide is currently the only instrument Officers have by which to make the calculation and the resultant costs are considered to be reasonable estimates.

Legal Implications

The Road Traffic (Administration) Act Part 7 contains provision for the Road authority to recover expenses of damage caused by heavy traffic.

To better understand the legal implications of the resolutions made at the Ordinary Council Meeting of 6 March 2019, advice has been sought from the following –

- MRWA Heavy Vehicle Services;
- James McGovern – WALGA Manager Governance; and
- Andrew Roberts – McLeods Barristers & Solicitors, Managing Partner.

MRWA do not allow access for single operators. If a particular application is deemed acceptable, MRWA will include the route on their network for all operators. Even though details of Resolution [35-19] (the moratorium) were provided, MRWA are unable to reflect this on their RAV Map.

The advice from James McGovern suggests that the moratorium could potentially give rise to claims of anti-competitive behaviour by the Local Government. Further, it is advisable to obtain legal advice on any implications arising from the moratorium.

Advice from Andrew Roberts indicates that the Shire cannot impose a moratorium on itself stopping itself from considering requests for letters of agreement. The Shire should consider each request from operators for a letter of agreement on its merits and in the absence of a moratorium.

At the Ordinary Council meeting of 6 March 2019 it was stated in the discussion

“Approval of this application could potentially set a precedent, whereby other operators may apply for similar concessional loading.”

It is the Officer’s understanding that the Applicant is intent on challenging Council’s resolution should that resolution be that the Applicant is denied access. Further to this, the Applicant is challenging the imposition of fees.

- Revoking Motions

Section 10 of the Local Government Administration Regulations 1996 (LGA 5.25(1)(e)) state:

“10. Revoking or changing decisions (Act s. 5.25(1)(e))

- (1) *If a decision has been made at a Council or a committee meeting then any motion to revoke or change the decision must be supported –*
 - (a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*
 - (b) *in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the Council or committee,*
inclusive of the mover.

- (1a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the Council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the Council or committee, inclusive of the mover.*
- (2) *If a decision has been made at a Council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —*
 - (a) *in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*
 - (b) *in any other case, by an absolute majority.*
- (3) *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

If Councillors are intending considering revoking the whole of or part of a resolution, then under Standing Orders the Chief Executive Officer will need a Notice of Motion that is signed by at least 3 Councillors, one being the person that is to move the motion at the meeting.

In accordance with Shire of Dardanup Standing Orders Local Law 2014, S4.12(2)

“A notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 4 clear working days before the meeting at which the motion is to be moved.”

A motion can be revoked at any time after it is adopted providing that the action has not been initiated.

A formal notice of motion has been received by the Chief Executive Officer, signed by the intended mover, Cr Michael Bennett.

Strategic Community Plan

Strategy 4.1.4 - To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High).

Environment

The applicant has stated increasing the loading to AMMS Level 3 will enable approximately four less truck movements per week. This will reduce the overall truck movements and environmental impact of the haulage operation.

Precedents

The precedent of allowing concessional loading on the subject roads has occurred at the Ordinary Council Meeting of 6 March 2019.

Budget Implications

The funds requested would be held in reserve and held for use on the roads for which it was charged. The funds would be used in future budgets when renewal and/or upgrade works are undertaken on those roads.

Budget – Whole of Life Cost

In theory, the increased loading of RAV 3 vehicles will see the useful life of the road consumed earlier than if the increased loading was not permitted. However, due to reduced number of truck movements, this reduction in useful life would be lessened. Using the WALGA User Guide to Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks (The WALGA Guide), the incremental wear cost has been calculated to be \$5,907 per annum. This figure is the difference between operating at RAV 3 and operating at the increased loading of RAV 3.3.

Council Policy Compliance

The Director Engineering & Development Services and Manager Assets have delegated authority to approve network 2 and 3 vehicles on a select range of roads within the Shire. The MGM Bulk application is outside the extent of delegated authority due to the loading level (AMMS Level 3) applied for.

Risk Assessment - Low.

Increasing the load on already approved vehicle combinations will increase road wear. However, the increase in road wear is expected to be partially offset by fewer loaded vehicle movements. Also, the route that is subject of this application is recognised as a heavy haulage route and is gradually being upgraded to accommodate heavy haulage.

Any conditions imposed upon applicants can be challenged by the applicant. In the case of this application, it is seen as likely that conditions will be challenged.

Officer Comment

Discussions held with the applicant indicate that the applicant is willing to challenge Council on being restricted access and a calculated fee being applied to the application.

After receiving the advice detailed above, it would appear that access cannot be rightfully withheld from the applicant. Accordingly, a rescission of Resolution [35-19] (the moratorium) would be necessary.

Notwithstanding any foreseen challenges, Council still has the right to recover expenses related to particular haulage tasks on Shire roads. Exercising this right will become increasingly important as new industry develops and the waste facility attracts vastly increased heavy traffic.

It is recommended that approval be granted initially for a period of one year, in order to assess any impacts on the road asset. Further, it is recommended that the Shire imposes an amount of \$5,907, which is the calculated incremental wear cost as calculated using the WALGA User Guide – Estimating the incremental cost impact on sealed local roads from additional freight tasks..

- *Director Engineering & Development Services Comment*

It should be noted that the cartage of this particular waste material on this route is not new or additional. The current application relates to a new contractor that has been awarded the contract for this particular transport task. The new contractor is also

seeking to increase the loading on each truck through the AMMS which is also expected to reduce the number of truck movements to undertake the same transport task.

It should be noted that the previous contractor was operating RAV 3 vehicles for the same transport task. The contribution is therefore calculated as being the difference in wear cost between RAV3 vehicles and the proposed RAV 3 Level 3 (AMMS) vehicles using the WALGA guide to calculate the incremental wear cost.

It is suggested that if Council approves the application from MGM Bulk, the approval is aligned with the KTrans WA approval that was granted on 6 March 2019 [Resolution 34-19] such that both approvals expire on 6 March 2020. This will enable an assessment of the impact of both operations on the road network.

It is further suggested that the calculated incremental wear cost be reduced on a pro-rata basis due to the approval period being less than 12 months. The amount would therefore be \$3,840.

Council Role - Review.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

157-19 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council revokes Resolution [35-19], of the Ordinary Council Meeting of 6 March 2019 being:

THAT Council places a 12 month moratorium on any further Accredited Mass Management Scheme (AMMS) applications on trucks accessing Banksia Road.

CARRIED

5/0

By Absolute Majority

AND

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council endorses the application by MGM Bulk to operate Tandem Drive RAV 3 Level 3 vehicles on Waterloo Road (SLK 0.00 to 8.48), Ferguson Road (SLK 2.26 to 3.56), Depiazzi Road (SLK 0.00 to 2.14) and

Banksia Road (SLK 1.63 to 3.15) for the purpose of accessing the waste facility, subject to the following conditions:

1. The Permit is valid for a period from 5 June 2019 to 6 March 2020;
2. Any damage to any Shire road as a result of the operations shall be repaired at the cost of MGM Bulk;
3. The Shire receives a contribution of \$3,840 (exclusive of GST) to be paid to the Shire for the renewal and upgrade works on the subject roads;
4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval; and
5. Hours of operation be restricted to 5.30am to 10.00pm on the roads subject of this application.

Discussion:

Cr. M T Bennett moved the officer recommended resolution with the amendment of restricted hours of operation to commence from 6.00am instead of 5.30am, in line with the opening hours of Cleanaway. This was to ensure there were no banking of trucks as requested by the public.

Change to Officer Recommendation

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

- *Amendment Condition 5. Hours of operation to be restricted to a 6.00am start to be in line with the operating hours of Cleanaway.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

158-19 MOVED - Cr. M T Bennett SECONDED - Cr. J Lee

THAT Council endorses the application by MGM Bulk to operate Tandem Drive RAV 3 Level 3 vehicles on Waterloo Road (SLK 0.00 to 8.48), Ferguson Road (SLK 2.26 to 3.56), Depiazzi Road (SLK 0.00 to 2.14) and Banksia Road (SLK 1.63 to 3.15) for the purpose of accessing the waste facility, subject to the following conditions:

- 1. The Permit is valid for a period from 5 June 2019 to 6 March 2020;**
- 2. Any damage to any Shire road as a result of the operations shall be repaired at the cost of MGM Bulk;**

- 3. The Shire receives a contribution of \$3,840 (exclusive of GST) to be paid to the Shire for the renewal and upgrade works on the subject roads;**
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval; and**
- 5. Hours of operation be restricted to 6.00am to 10.00pm on the roads subject of this application.**

CARRIED
5/0

12.2 Title: Heritage Trail Draft Financial Assistance

Reporting Department: Engineering & Development Services

Reporting Officer: Ms Vicki Pretorius

Legislation: Local Government Act 1995

Overview

In regards to the 'Leschenault Historic Walk Trail' project which is identified in the Pathway Asset Management Plan for delivery in 2019-2020, Council is requested to:

1. Endorse the signing of a Financial Assistance Agreement for the project to allow for disbursement of funds from the State Government prior to the 7 June 2019 deadline;
2. Endorse the 'Leschenault Historic Walk Trail' project and request that the Chief Executive Officer proceed with the design for this project following receipt of State Government funding; and
3. Confirm the inclusion of the project in the 2019-2020 Budget.

Background

As part of the 2018/19 State budget, an election commitment was made by the State Labor Government to construct a heritage walk trail along the Collie River foreshore in Eaton and the Leschenault Estuary foreshore in Australind, connecting the two communities at the Old Coast Road bridge over the Collie River to provide increased recreational opportunities and to share local history with visitors by way of interpretive signage.

This project is named the 'Leschenault Historic Walk Trail' by the State Government but the section within the Shire of Dardanup, encompassing both the Eaton and Pratt Road foreshore, is referred to internally by the working title 'Eaton Heritage Trail.'

An amount of \$250,000 of funding was allocated to each of the Shire of Harvey and the Shire of Dardanup to allow the heritage trail to be designed and implemented. The Shire of Harvey received their share of the funding in 2018 and construction of their component of the project is now well underway.

The Shire of Dardanup was initially contacted by the South West Development Commission (SWDC) in October of 2018 regarding the State Government's election commitment. The SWDC are lending support to the Shire in the application process, which required a Royalties for Regions Summary Investment Proposal (SIP) to be lodged. This was completed by the Shire in December 2018. The SIP is attached at (Appendix ORD: 12.2).

The Department of Primary Industries and Regional Development (DPIRD) have been allocated responsibility by the State for developing the funding agreement with the Shire for the \$250,000, which will include the terms and conditions of the funding, and how the funds will be administered, used and acquitted.

Over the last seven months a series of meetings and discussions have been held involving representatives from the Shire of Dardanup, Shire of Harvey and the South West Development Commission, to assist with project steering including defining what the funds can be utilised for and guiding the funding application process.

The project was first introduced to the Eaton Townscape Committee as a project update at its meeting held on 5 December 2018. Following a consensus of verbal support within that meeting, the SIP was lodged to DPIRD by the Shire on 11 December 2018. No formal Eaton Townscape Committee resolution was sought at that time as it was decided to wait on the result from the SIP.

The draft Financial Assistance Agreement (FAA) was originally expected to be received from DPIRD in January 2019 however this process took longer than anticipated and at the time of the Eaton Townscape Meeting held on 3 April 2019 the draft Financial Assistance Agreement had not yet been received by the Shire from DPIRD.

The draft FAA was received by the Shire of Dardanup on 16 April 2019 and has been reviewed by Shire officers including both the Director Engineering & Development Services and the Director Corporate & Community Services. All were satisfied with the completed draft FAA which was submitted to DPIRD for review through the SWDC on 10 May 2019. The Shire is now awaiting delivery of the finalised FAA from DPIRD.

Legal Implications - None.

Strategic Community Plan

- Strategy 3.1.4 - To recognise and support the rich and varied heritage of the Shire. (Service Priority: Moderate).
- Strategy 4.2.4 - To enhance the Eaton Foreshore: Develop cafe and tourism opportunities. (Service Priority: Very High).
- Strategy 5.1.5 - A series of interconnected walkways, pathways and cycle ways that meets community needs and expectations. (Service Priority: High).
- Strategy 5.2.1- To encourage physical activity by providing services and recreational facilities that encourage our community towards an active and healthy lifestyle. (Service Priority: Very High).

Environment

The path is proposed to closely follow the alignment shown in the Eaton Foreshore and Boat Ramp Facility Master Plan. It will need to be set back sufficiently from the top of the Collie River bank to allow for any potential erosion and for revegetation and other erosion mitigation works to be implemented in accordance with the current Collie River Foreshore Stabilisation project. The path will work around existing trees and local native vegetation to ensure that these are preserved and protected throughout the works.

Precedents

The following works that were identified in the Eaton Foreshore and Boat Ramp Facility Master Plan have already been implemented:

- Colin Spragg nature based playground; and
- New car parking facility between the existing boat ramp and the nature based playground.

A compacted limestone path already exists along the river through the Pratt Road Foreshore.

Design for the upgrade of the jetty at the Eaton Foreshore boat ramp facility is underway. Further works according to the endorsed master plan will be undertaken as funding can be sourced.

Budget Implications

-

If the funds are accepted to be managed by the Shire of Dardanup, Council will be required to include the expenditure and income amounts in the 2019-2020 budget, noting that the expenditure will be fully covered by the grant.

The project has been included in the Pathway Asset Management Plan and the 10 Year Expansion & Upgrade Program contained within the Plan, which was recently adopted by Council. The project is included in the draft 2019-2020 Budget; however due to the Budget not yet being adopted by Council, the funding agreement is brought to Council for consideration and endorsement.

Budget – Whole of Life Cost

It is acknowledged that there will be ongoing maintenance costs associated with the project. This will need to be determined following confirmation of the path final alignment and detailed design.

Council Policy Compliance

The new path is intended to be a universally accessible dual use path in accordance with the Eaton Foreshore and Boat Ramp Facility Master Plan and should therefore adhere wherever possible to recommendations in the Shire's Disability Access and Inclusion Plan (DAIP.)

Risk Assessment

-

Low.

Officer Comment

- *Eaton Foreshore and Boat Ramp Facility Master Plan*

The Eaton Foreshore and Boat Ramp Facility Master Plan was endorsed by Council at its Ordinary Meeting held on 24 September 2014 [Resolution 316/14.]

This master plan proposes a sealed path to run in gently meandering fashion in close proximity to the top of the banks of the Collie River along the Eaton Foreshore, to allow for improved recreational access along the foreshore and to the water.

The heritage trail project is based on the path alignment proposed in the endorsed master plan but proposes to extend it further to connect with the existing lookout at the northern end of Hands Avenue. It is believed that this will provide a more accessible and inclusive recreational experience of the Collie River and surrounds to a broader sector of the community as well as encouraging use by tourists and other regional visitors, which would most likely provide additional economic benefit to businesses within the Shire.

- *PAMP*

The heritage trail pathway was first identified as a proposed project in the endorsed Eaton Foreshore and Boat Ramp Facility Master Plan. It was initially included as part of larger improvement works in accordance with the Master Plan, in the Parks & Reserves Asset Management Plan. Due to the pathway component being selected as a standalone project (i.e. pathway only) it was subsequently included in the 2019 Pathways Asset Management Plan (PAMP) under the project title 'Collie River Foreshore' to reflect its relationship with existing assets along the whole foreshore. The project appears across two lines within the PAMP with a different start-to-end for each.

The funding offered under the Royalties for Regions program will allow the Shire to extend the path beyond that which was proposed in the Eaton Foreshore and Boat Ramp Facility Master Plan, to provide a continuous journey to Watson Street lookout and so allow for improved accessibility and inclusion along the foreshore recreational pathway network in line with the Shire's revised Disability Access and Inclusion Plan.

For the purposes of the FAA, we are obliged to use the term Leschenault Historic Walk Trail in line with the project description on the website of the Member for Collie-Preston. It should be noted that in the Shire's Asset Management Plans, 10 Year Programs and draft Budget the project is referred as the Eaton Heritage Trail. Both project titles are actually referring to the same project and scope.

- *Bunbury-Wellington 2050 Cycling Strategy*

The Bunbury-Wellington 2050 Cycling Strategy sets out a long-term vision to create a comfortable, direct and integrated cycling network for the Bunbury-Wellington subregion. Shire staff have liaised with the Department of Transport regarding the possibility of creating the heritage trail as a sealed dual use path, in line with recommendations for the Eaton Foreshore identified in the endorsed Master Plan. The Department are supportive of the project.

- *Collie River Foreshore Stabilisation Project*

The Shire of Dardanup is part of a project working group which includes representatives from the Shire of Harvey, City of Bunbury and the Department of Biodiversity, Conservation and Attractions. The project commenced in May 2018 and is being coordinated through the Department of Water and Environmental Regulation.

As part of this project, the Shire has undertaken field assessments of the condition of the foreshore area within its management. The group will discuss various methods which could be used to address the different types of erosion identified and possible sources of funding to design and implement appropriate erosion mitigation works.

The proposed heritage trail path will be located along the river side of the Eaton Foreshore open space area so this project will need to ensure that environmental issues including those identified in the foreshore stabilisation project are taken into consideration at all stages of the design and implementation.

- *Project Proposal*

The Eaton Heritage Trail path is proposed to extend along the southern side of the Collie River from the existing path link at the Old Coast Road Bridge to the path near the existing lookout at the northern end of Watson Avenue in Eaton. The path is proposed to be constructed as a new sealed path through the Eaton Foreshore in accordance with the endorsed Master Plan for this area. It is proposed to continue the path by utilising the existing bowling club car park opposite the Eaton Bowling Club as well as the existing limestone path alignment along the Pratt Road foreshore. Further details will be confirmed through the consultation and design stages of the project.

It should be noted that the agreement refers to an asphalt surface which is generally accepted as providing the best ride quality. Shire staff are examining the durability of the surfacing and whether it can be substituted with a concrete pathway that utilises modified expansion and control joints that can assist in improving ride quality to that comparable to a continuous asphalt pathway. If required, changes can be made through a variation to the agreement.

- *Funding Disbursement*

The Financial Assistance Agreement for this project will need to be signed under seal by both the Shire Chief Executive Officer and the Shire President to enable the disbursement of funds prior to the State's deadline of 7 June 2019. If the document is not signed and lodged in time to allow for this to happen then funding for this project will be subject to a State budget review process in December 2019 which could significantly delay the project or compromise its implementation altogether.

The next meeting of the Eaton Townscape Committee will be held in July 2019 at which time a project update will be provided to members of this Committee.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

159-19 MOVED - Cr. P S Robinson SECONDED - Cr. L Davies

THAT Council:

1. Authorise the Chief Executive Officer and Shire President to sign the Financial Assistance Agreement for the 'Leschenault Historic Walk Trail' project to allow for disbursement of funds from the State Government prior to the 7 June 2019 Deadline;
2. Endorse the 'Leschenault Historic Walk Trail' project and request that the Chief Executive Officer proceed with the design for this project following receipt of State Government funding; and
3. Confirms the inclusion of the 'Leschenault Historic Walk Trail' project in the Capital Expansion – Dual Use Paths section of the Transport Capital Expansion program in the 2019-2020 Budget:

Project	Section	Total Expenditure	Total Income	Net Cost to Council
Collie River Foreshore	Bobin St - Boardwalk	\$114,411	\$114,411	\$0
Collie River Foreshore	Bowling Club – Old Coast Road	\$135,589	\$135,589	\$0

CARRIED
5/0

12.3

Title: Application for Development Approval – Lot 4577 (148) Depiazzi Road, Dardanup – Gravel Extractive Industry (Gravel Processing) - (Lundstrom Environmental on behalf of B&J Catalano Pty Ltd)

Reporting Department: Engineering & Development Services

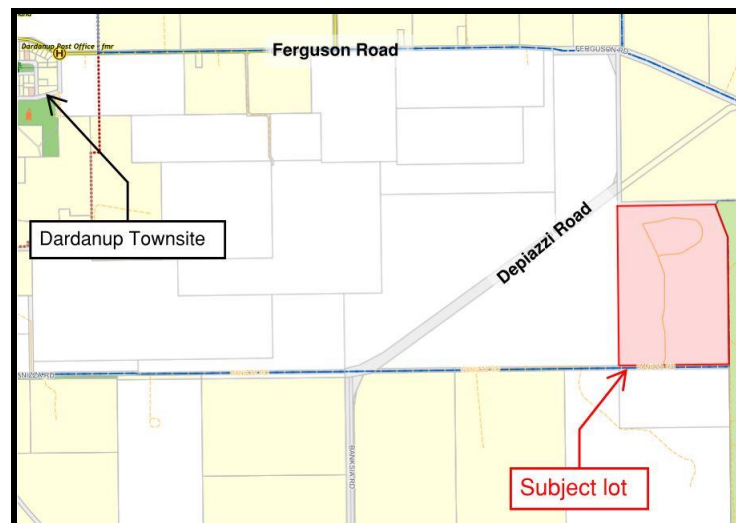
Reporting Officer: Mrs Cecilia Muller - Principal Planning Officer

Legislation: Planning and Development Act 2005

Overview

Council has received an Application for Development Approval for gravel extraction and gravel processing at Lot 4577 (148) Depiazzi Road, Dardanup (subject lot). Officers do not have delegated authority to determine applications for Extractive Industries. Therefore, the application is referred to Council for determination. Officers are recommending the proposal be approved subject to the appropriate conditions.

Location Plan



Site Plan



Background

Council has received:

- An Application for Development Approval under the Shire of Dardanup Town Planning Scheme No. 3 (TPS3);
- an Application for Planning Approval under the Greater Bunbury Region Scheme (GBRS); and
- An Application for an Extractive Industry Licence under the Shire of Dardanup Extractive Industries Local Law 2014;

for gravel extraction and gravel processing at Lot 4577 (148) Depiazzi Road, Dardanup. A copy of the application is contained in (Appendix ORD: 12.3A).

The subject lot is 54ha in area and is zoned 'General Farming' with an 'Additional Use' for 'Depot for Compositing Mill Waste' under TPS3. The property is surrounded on three sides by 'General farming' lots and abuts State Forest to the east.

The existing development on the subject lot has approval to compost up to 120,000 tonnes of raw material annually. The facility is a prescribed premise under Schedule 1 of the Environmental Protection Regulations 1987 and is required to be licensed in accordance with the Environmental Protection Act 1986. The subject lot has a current licence issued by the Department of Environmental Regulation (DER) which is valid until October 2019 for a 'Composting facility'.

An unconstructed portion of Panizza Road dissects the subject lot into a northern (39.5ha) and a southern (14.5ha) portion. The existing compost facility is approximately 20 hectares in area and is contained on the northern portion of the lot. The southern portion of the subject lot is largely undeveloped.

Several development approvals have been granted for the site as the land use has evolved:

- P31/2009 – DA granted for a shed with lean-to (18m x 24m), this approval was granted by a Shire officer under delegated authority. The structure is located in the north western corner of the property.
- P13/2010 – DA granted for the relocation of a transportable office, this approval was granted by a Shire officer under delegated authority. The building is located in the north western corner of the property close to the existing shed and lean-to.
- P36/2013 – DA granted for the construction of a lean-to to an existing shed, this approval was granted by a Shire officer under delegated authority. The lean-to is located in the north western corner of the property.
- P7/2016 – DA granted for a depot for composting mill waste (retrospective) and hardstand extension (proposed) subject to conditions, this approval was granted by Council [193/16]. A copy of the approval is contained in (Appendix ORD: 12.3B).

B&J Catalano are seeking approval to process and remove gravel from the subject lot over a three year period. Details of the proposed gravel extraction and processing are contained in the Environmental Management Plan prepared by Lundstrom Environmental Consultants dated February 2019 and are summarised below:

- The proposal seeks approval for the crushing and screening of an existing stockpile of approximately 30,000 tonnes of laterite gravel within a 1.6ha area on the subject lot.
- The gravel stockpile on the subject lot was created when excess gravel was excavated as part of the earth works for the adjacent mulching operations approved by Council in July 2016.
- The crushing and screening site has an average gradient of 7% and an elevation of 73 to 83 AHD.
- Drainage is to the north-west towards Ferguson River.
- The groundwater level at the site was found to be 12.5m below ground level. No further excavation is proposed, and groundwater will not be affected by the crushing and screening operation.
- No clearing of vegetation is proposed as standing trees will be avoided.
- Topsoil will be pushed back into stockpiles so that a trafficable surface can be created for the operation. The area from which topsoil is to be removed is 1ha. The entire footprint of the area to be used for processing and stockpiles is 1.6ha.
- Topsoil stockpiles will be located around the upslope perimeter of the gravel processing area. It is proposed to place topsoil stockpiles just north of the unmade section of Panizza Road. Since this road is unmade, a setback of 5m from it is needed to create enough space for the processing area and to ensure no damage to existing trees is incurred. These stockpiles will also be used for the purpose of preventing stormwater from entering the site.
- A mobile plant capable of crushing at 100 tonnes per hour will be used at the site to carry out a single crushing and screening campaign over a two to four week period.
- Screened material will be stacked in stockpiles to heights of 8m.
- Screened material will be loaded by Front-end Loader and trucked off-site over 24 months or as demand dictates.
- On completion of product transport, the area will be rehabilitated.
- A detention pond will be constructed to capture any sediment water that may be generated on the site.

- The site will operate Monday to Saturday, and no work will be conducted on Sundays and Public Holidays. Operating times will be Monday to Friday 7 am to 5.30pm and Saturday 7 am to 12noon.
 - Total annual gravel removal is estimated at 15,000 tonnes and the number of working days per month may be 22 days.
 - An average of 2 loaded truck movements is expected per day, dependent on demand. The split of expected vehicle movements is as follows - Standard rigid truck (14 tonnes) (10%); Standard semi- tipper truck (24 tonnes) (35%);
 - o Road Train (40 tonnes) (20%); Road Train (50 tonnes) (35%).
 - It is acknowledged that RAV 3 and RAV 4 vehicles will only use Depiazzi Road, Ferguson Road to Waterloo Road, and Waterloo Road. Ferguson Road from Waterloo Road to Boyanup Picton Road will be used by as of right heavy vehicles only.
 - The extraction site will be rehabilitated back to pasture once operation has completed and rehabilitation will occur during the first half of 2021 with monitoring and maintenance occurring during the last half of 2021.
- *Notification of Application*

Under the provisions of Town Planning Scheme No.3 an Extractive Industry is an "A" use in the "General farming" zone which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice.

The proposal was advertised in the following ways:

- Notice in the South Western Times on 28 March 2019;
- Letter correspondence sent to surrounding landowners within a 1km radius of the proposed development site (14 letters were sent out); and
- Notification of the following relevant agencies:
 - o Department of Mines, Industry Regulation and Safety (DMIRS);
 - o Department of Water and Environmental Regulations (DWER);
 - o Department of Biodiversity, Conservation and Attractions (DBCA); and
 - o Water Corporation.

As a result of the advertising period, submissions were received from all of the above agencies and one adjoining landowner. A summary of the submissions is provided in the below Schedule of Submissions. Full copies of all submissions are contained in (Appendix ORD: 12.3C).

	Submitter	Submitter Comment	Applicant's Comment
1.	Department of Mines, Industry Regulation and Safety <i>Full submission attached.</i>	No objection. 1. The Department of Mines, Industry Regulation and Safety has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy,	Noted.

	Submitter	Submitter Comment	Applicant's Comment
		and basic raw materials.	
2.	Water Corporation <i>Full submission attached.</i>	No objection. 1. The Corporation has no concerns with the application proceeding.	Noted.
3.	Department of Biodiversity, Conservation and Attractions <i>Full submission attached.</i>	Comment. 1. Advises that Parks and Wildlife Service's South West Region provides the following advice.	
		2. Advises that the DBCA-managed Boyanup State forest adjoins the Lot 4577 eastern boundary. This portion of the State forest is proposed to be a future Conservation Park under the current Forest Management Plan 2014-2013.	A Greater Bunbury Region Scheme Application for Planning Approval is being considered as part of this process due to Lot 4577 abutting State Forest. The Shire has delegation to determine the GBRS application if it accepts the advice from the advice agency. The advice agency is the Department of Biodiversity, Conservation and Environment.
		3. Section 4.7 refers to dust control measures associated with the proposed extraction site, stockpiles and unsealed road access. The purpose for dust control should also be to avoid dust accumulation on the native vegetation within the adjacent proposed conservation park.	Applicants comment: Noted and agreed. Officer comment: Should Council resolve to approve the application a condition is to be imposed that requires dust suppression measures to be implemented to prevent dust occurring off-site to the satisfaction of the Shire of Dardanup.
		4. Section 4.9 refers to bushfires and states that no specific bushfire management plan is required for this proposal. DBCA recommends that the proponent has some capacity to put out any potential bushfires which may be initiated in the gravel crushing operations.	Applicants comments: Noted and agreed. Officer comment: Should Council resolve to approve the application a condition is to be imposed that requires the provision and maintenance of a water supply for firefighting purposes. Further consideration of this matter is contained in the 'officer comment' section of the report.
		5. Recommends that a suitable water supply, such as a water tank, be kept on-site for the purpose of extinguishing bushfires	Applicants comments: Noted and agreed. Officer comment:

	Submitter	Submitter Comment	Applicant's Comment
		that may originate from the crushing operations.	As above.
		6. Notes that DBCA trusts that environmental planning issues, including those not specifically referred to in this letter will be appropriately managed through the planning system.	Noted.
4.	Department of Water and Environmental Regulation <i>Full submission attached.</i>	Comment. 1. Notes that the DA referral documentation includes: <i>'Planning Consent Application and Environmental Management Plan, 148 Depiazzi Road, Dardanup prepared for B&J Catalano Pty Ltd, Lundstrom Environmental Consultants, February 2019'.</i>	Noted.
		2. Lundstrom sets out details for the crushing and screening of a stockpile of approximately 30,000 tonnes of laterite gravel within a 1.6ha area on 148 Depiazzi Road, Dardanup (the subject site).	Noted.
		3. Noted that no excavation, other than the removal and stockpiling of topsoil is required.	Noted.
		4. Of primary importance for the assessment of this application is that the subject site is a prescribed premises - DWER Licence L7089/1997/11 TJ Depiazzi and Sons Composting Facility (Category 67A) - licensed under Part V of the <i>'Environmental Protection Act 1986'</i> (EP Act).	Noted.
		5. The proposed activity - crushing and screening of gravel - is not an authorised activity under the existing Part V licence and therefore is not currently permitted.	Noted.
		6. The proponent should seek an amendment to the existing licence, which will require referral to and assessment by DWER.	Applicants comment: An amendment to the existing DWER license will be submitted to DWER before 31 May 2019.

	Submitter	Submitter Comment	Applicant's Comment
		DWER has not received an application for an amendment to date.	Officer comment: The applicant is aware of the requirement from the Department of Water and Environmental Regulation requiring an amendment to the existing licence, and this information will be provided as an advice note on approval.
		7. It is recommended that the applicant be advised to make contact and seek advice on the approval requirements for crushing and screening activities.	Applicants comments: Noted and agreed. Officer comment: As above.
		8. Advises that whereas a DA can be issued, no activity can occur until the Part V matter is resolved.	Noted.
5.	Cristal Pigment Australia Ltd <i>Adjoining landowner</i>	No objection. 1. Advises that John Dally water, General Manager – Bunbury Pigments would like to advise that Millennium Inorganic Chemicals Ltd C/- Cristal Pigment Australia Ltd has no issues with the proposed Extractive Industry (Gravel Processing) on Lot 4577 (148) Depiazzi Road, Dardanup.	Noted.

Legal Implications

Appeal rights exist at the State Administrative Tribunal.

Shire of Dardanup Dust Local Law 2011 - Section 4.7 in the Planning Consent Application and Environmental Management Plan refers to dust control measures. The Department of Biodiversity, Conservation and Attractions has identified that dust suppression measures need to be implemented to prevent dust occurring off-site and the approval is to be conditioned accordingly.

Shire of Dardanup Extractive Industry Local Law 2014 – this Local Law provides the statutory requirements relevant to extractive industries within the Shire of Dardanup locality. It is a prerequisite that a Development Approval is considered and approved prior to Council granting an Extractive Industry Licence.

Strategic Community Plan -

Strategy 4.1.1 - To create connectivity; Support business success by efficient movement and exchange of people, business, goods, services and ideas.

Environment - None.

Precedents -

Council resolved [259/11] to approve an Application for Development Approval for an Extractive Industry directly south of the application site, on Lot 4580 (322) Panizza Road, Crooked Brook subject to the following conditions:

1. *All development being generally in accordance with the approved development plans which form part of this Development Approval.*
2. *The extractive operation being in compliance with the Shire of Dardanup Extractive Industries Local Law at all times.*
3. *The hereby approved development shall not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.*
4. *The approval is valid for a period of 5 years from the date of approval.*
5. *Adequate safety fencing and warning signs are to be placed around the perimeter of the site.*
6. *The hours of operation are from 7.00am to 7.00pm Monday to Saturday inclusive.*
7. *Dust suppression measures to be implemented to prevent dust occurring off site to the satisfaction of the Manager Technical Services.*
8. *Extraction area is to be rehabilitated and revegetated in accordance with the approved plan within 12 months of the completion of the operation to the satisfaction of the Manager Technical Services.*
9. *Trucks associated with this gravel extraction are not to use Panizza Road between Depiazzi Road and Crooked Brook Road, and Banksia Road (unsealed portions).*

Budget Implications -

The application fee already paid by the applicant was the standard application fee of \$739 for an extractive industry application.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP055 – *Extractive Industries – Site Rehabilitation* is relevant to the proposal. The requirements of this policy shall be applied to all extractive industry applications made under the Shire of Dardanup Extractive Industries Local Law. The proposal complies with this policy.

Risk Assessment - Low

The proposal is consistent with other similar approvals for Extractive Industries previously approved in the locality.

Officer Comment

The application has been assessed under the relevant planning requirements as follows:

- Greater Bunbury Town Planning Scheme (GBRS);
- Shire of Dardanup Town Planning Scheme No.3 (TPS3);
- CP055 – Extractive Industries – Site Rehabilitation;
- Shire of Dardanup Extractive Industries Local Law 2014 – bond/guarantee; and
- Planning in Bushfire Prone Areas

Each of these will be addressed individually:

- *Greater Bunbury Town Planning Scheme (GBRS)*

The GBRS Strategic Minerals and Basic Raw Materials Resource Policy apply to the subject lot and surrounding land, and the proposal was referred to the Department of Mines, Industry Regulation and Safety for comment. The Department of Mines, Industry Regulation and Safety (DMIRS) raised no objection to the proposal.

The subject lot abuts land reserved as 'State Forests' under the GBRS. The proposal was referred to the Department of Biodiversity, Conservation and Attractions (DBCA) for comment. The submission received from DBCA raised two concerns:

- Dust suppression measures to be implemented to prevent dust occurring off-site; and
- Provision and maintenance of a water supply for firefighting purposes.

Council has delegated authority from the Western Australian Planning Commission to approve the application for Planning Approval if it accepts the advice received from DMIRS and DBCA. Council also has delegated authority to refuse any application made under the GBRS. Shire Officers have considered the submission received from DBCA and have recommended conditions of approval consistent with the submission.

- *Shire of Dardanup Town Planning Scheme No.3 (TPS3)*

The subject lot is zoned "General farming" with an 'Additional Use' for 'Depot for Composting Mill Waste'. "Extractive Industry" is a use that is not permitted in the General Farming zone unless the local government has exercised its discretion by granting planning approval. Setbacks relevant to the "General farming" zone require 20m from primary streets, 20m from secondary streets, 20m from the rear and 20m from the side. A setback variation of 5m, in lieu of 20m, is proposed along the unmade road reserve of Panizza Road that dissects the subject lot into a northern and a southern portion. Officers support the variation on the basis that it is unlikely to affect any surrounding landowners.

- *CP055 – Extractive Industries – Site Rehabilitation*

The following requirements form the basis for conditions of approval, where applicable, on extractive industry applications:

1. Extractive Industry Licence applicants are required to submit a management plan for the site, which will include a plan for rehabilitation and monitoring. The management plan must be approved by the Director Engineering & Development Services prior to commencing operations on site.

Officer comment: Complies

The applicant submitted an Environmental Management Plan that contains a Rehabilitation Management Plan in Appendix 5 of the EMP. The EMP is approved as part of the Development Approval.

2. Wherever possible, new pits will be established on cleared land, not existing bushland. Clearing permits are required where native vegetation is required to be cleared.

Officer comment: Complies

Extraction occurred where an approved hardstand was constructed. The applicant has indicated that no clearing is proposed and works areas have been selected to avoid all mature trees.

3. Extractive sites will not be located on a road verge.

Officer comment: Complies

4. Where necessary, the visual impacts of an operating site will be minimised through the establishment of buffers between the pit and visual vantage point/s.

Officer comment: Complies

Extraction occurred where an approved hardstand was constructed. Visual impacts are very low due to the setback from the road.

5. Where necessary, the dust and noise impacts of an operating site will be minimised through the establishment of buffers between the pit and neighbours.

Officer comment: Complies

The applicant states that there is a 925m separation between the use and the nearest residence. Within this distance is a 525m state forest buffer between the nearest resident and the processing area. The applicant proposes the following mitigation measures to be implemented to limit the impact of operational noise:

- Hours of operation will be restricted to between 0700 and 1730 on weekdays and between 0700 and 1200 on Saturdays;
 - Late model equipment will be utilised with reduced noise level outputs;
 - The crushing and screening plant will be positioned such that the topsoil and product stockpiles will provide noise attenuation;
 - Only broad-band reversing warning devices (croakers) will be utilised; and
- B&J Catalano Pty Ltd will place a sign at the gate with the contact details of the quarry manager in case of complaints.

Dust control measures are contained in Table 2 on page 13 of the EMP and summarised as follows:

- Water cart application over the dust prone areas to reduce dust lift-off;
- Cover loads;
- Water cart application over the access road to reduce dust lift off;
- Site induction includes awareness of dust generation and management measures to be utilised by all personnel on site; and
- Undertake a review of potential complaints and implement appropriate action to reduce dust generation from the site.

6. Throughout the life of the pit, topsoil, overburden and vegetation will be stockpiled separately ready for respreading in the rehabilitation process.

Officer comment: Complies

7. If weeds have developed on the topsoil mounds, these should be removed prior to respreading the topsoil.

Officer comment: Complies

The Environmental Management Plan states that if a weed infestation is found to occur, a weed management contractor will be employed and will apply the appropriate method of control.

8. If necessary, drainage structures will be established within the pit, to alleviate any ponding and surface erosion.

Officer comment: Complies

Figure 3 demonstrates the location of a retention pond that would need to be constructed prior to the commencement of works associated with processing.

9. Rehabilitation will be done progressively throughout the life of the pit.

Officer comment: Complies

The applicant has provided a Rehabilitation Management Plan that demonstrates that rehabilitation will occur in line with Shire Policy CP055 – Extractive Industries – Site Rehabilitation policy requirements.

10. The site will be monitored every year and for three years after the closure of the pit. If rehabilitation is inadequate, appropriate measures will be taken by the pit operator to ensure success.

Officer comment: Complies.

The applicant has agreed to this, and the conditions reflect the policy provision that the rehabilitation bond is to be held for three years from the expiry of the extractive industry licence.

- *Shire of Dardanup Extractive Industries Local Law 2014 – bond/guarantee*

Pursuant to the Shire of Dardanup Extractive Industries Local Law 2014, the Council can ensure that an excavation site is properly restored or reinstated by requiring a bond or bank guarantee for a value determined by the Shire, prior to the issuance of an Extractive Industry Licence. At present, Council's calculation of the amount of guarantee is specified under the Local Law where it is recommended that the rate of \$17,500 per hectare be used to calculate the required rehabilitation bond for gravel material.

Using the above rate and based on the stockpile and processing site being 1.6ha, a rehabilitation bond/bank guarantee of \$28,500 would be required to be provided prior to the issuance of an Extractive Industry Licence.

- *Planning in Bushfire Prone Areas*

The proposed stockpiling and processing area is partially within a designated Bushfire Prone Area and is exempt under clause 78B of the *Regulations 2015* as the development does not involve the construction of a habitable building or any other structure. The application states that the threat of bushfire is considered to be low.

Notwithstanding this, the Department of Biodiversity, Conservation and Attractions (DBCA) raised concerns during the submission period and recommended that the proponent is to have some capacity to put out any potential bushfires which may be initiated in the gravel crushing operations. It is recommended that a condition be included on the approval that reads as follows:

“A dedicated water supply for firefighting purposes in close proximity to the gravel processing and stockpiling area prior to the commencement of the operation and shall be maintained until completion of the operation.”

It is recommended that the subject application for the gravel extraction and gravel stockpile and processing on Lot 4577 (148) Depiazzi Road, Dardanup is approved subject to appropriate conditions.

Council Role - Quasi-Judicial

Voting Requirements - Simple Majority

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

160-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council

1. Approves the Application for Development Approval under the Shire of Dardanup Town Planning Scheme No. 3 and the Application for Planning Approval under the Greater Bunbury Region Scheme for B & J Catalano Pty Ltd to conduct an extractive industry consisting of gravel extraction and gravel processing (crushing and screening) at Lot 4577 (148) Depiazzi Road, Dardanup subject to the following conditions:
 - a) The layout of the site and the size, design and location of the works permitted must always accord with the endorsed plans Figure 2 and Figure 3 contained in the approved Planning Consent Application & Environmental Management Plan dated February 2019 and must not be altered or modified without the further written consent of Council.
 - b) The extractive operation being in compliance with the *Shire of Dardanup Extractive Industries Local Law 2014* at all times.
 - c) The hereby approved development shall not prejudicially affect the amenity of the surrounding properties due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.
 - d) The approval is valid for a period of 3 years from the date of approval.
 - e) Adequate safety fencing and warning signs are to be placed around the perimeter of the gravel processing site.
 - f) The approved hours of operation are Monday to Friday 7am to 5.30pm and Saturday 7am to 12noon. No work will be conducted on Sundays and Public Holidays.
 - g) Dust suppression measures to be implemented to prevent dust occurring off-site to the satisfaction of the Shire of Dardanup.

- h) A dedicated water supply for firefighting purposes in close proximity to the gravel processing and stockpiling area prior to the commencement of the operation and shall be maintained until completion of the operation.**
- i) All stormwater from the proposed gravel processing and stockpile area shall be contained on site as indicated on the approved plan in accordance with the Shire's specifications and to the satisfaction of the Shire of Dardanup prior to commencement of works.**
- j) The gravel processing area is to be rehabilitated and revegetated in accordance with the approved plan within 12 months of the completion of the operation to the satisfaction of the Shire of Dardanup.**
- k) A current public liability insurance policy for the amount of \$10,000,000 indemnifying the licensee and the Shire of Dardanup of any one claim relating to any of the extraction and gravel processing operations prior to the issue of an Extractive Industry Licence.**
- l) Receipt of a cash bond or unconditional bank guarantee to the value of \$28,000 for rehabilitation and revegetation terminating three years from the expiry of the extractive industry licence, in the favour of Council prior to the issue of an Extractive Industry Licence.**

Advice Note:

- i. The applicant is advised of the following requirements of other legislation that require further consideration and ongoing compliance:**
 - a) The proponent is advised that the operation is to comply with the Environmental Protection (Noise) Regulations 1997.**
 - b) An amendment to the existing licence under Part V of the Environmental Protection Act 1986 is required prior to the commencement of the works and use.**
- 2. Authorises the Director Engineering & Development Services to issue an Extractive Industry Licence to B & J Catalano Pty Ltd for the extraction and gravel processing (crushing and screening) at Lot 4577 (148) Depiazzi Road, Dardanup subject to the following conditions:**

- a) **The layout of the site and the size, design and location of the works permitted must always accord with the endorsed plans and must not be altered or modified without the further written consent of Council.**
- b) **The extractive operation being in compliance with the *Shire of Dardanup Extractive Industries Local Law 2014* at all times.**
- c) **The hereby approved development shall not prejudicially affect the amenity of the surrounding properties due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.**
- d) **The approval is valid for a period of 3 years from the date of approval.**
- e) **Adequate safety fencing and warning signs are to be placed around the perimeter of the gravel processing site.**
- f) **The approved hours of operation are Monday to Friday 7am to 5.30pm and Saturday 7am to 12noon. No work will be conducted on Sundays and Public Holidays.**
- g) **Dust suppression measures to be implemented to prevent dust occurring off site to the satisfaction of the Shire of Dardanup.**
- h) **The gravel processing area is to be rehabilitated and revegetated in accordance with the approved plan within 12 months of the completion of the operation to the satisfaction of the Shire of Dardanup.**
- i) **The licensee shall pay to the Shire an annual extractive industry licence fee as determined by Council.**

CARRIED
5/0

12.4 Title: Mobile Traders on Eaton Foreshore – 1 July 2019 to 30 June 2020

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Neil Nicholson – Principal Environmental Health Officer
Legislation: Shire of Dardanup ‘Activities in Thoroughfares and Public Places and Trading Local Law 2007

Overview

Council is requested to approve three mobile traders, from the five applications received, to trade at Eaton Foreshore from 1 July 2019 to 30 June 2020.

Background

Under Council Policy CP033 – ‘Traders Shire Reserves and Road Verges’ the Shire is to advertise each year for expressions of interest, and appoint up to three (3) ‘Type A’ mobile traders (coffee vans, food vehicles and the like) to trade at Eaton Foreshore.

In April 2019, the Shire undertook advertising for three ‘Type A’ mobile traders to operate in the carpark of Eaton Foreshore (Reserve 24359). The deadline for applications was 4pm Friday 16 May 2019, and the following five people made application:

- Lana West – Bunsen’s Burgers (Appendix ORD: 12.4A)
- Manish Gupta – Funky Mexican Cantina Express (Appendix ORD: 12.4B)
- Kelvin Henderson – Frosty Boy Ice Cream Truck (Appendix ORD: 12.4C)
- Mark Fairweather – Kuza Coffee (mobile coffee van) (Appendix ORD: 12.4D)
- Ian Upton (applicant did not provide details on food operation) (Appendix ORD: 12.4E)

Of the above five applicants, Bunsen’s Burgers (Lana West) and Frosty Boy (Kelvin Henderson) were awarded trading locations at Eaton Foreshore last year (1 July 2018 to 30 June 2019). The other three traders are new applicants.

It must be noted that Ian Upton’s application was received at 4:01pm, on Friday 16 May 2019, one minute past the 4pm deadline. His application included a covering note, and did not address the selection criteria. To be fair to those applicants who submitted their applications before the deadline, it is Environmental Health Services position that Ian’s application be considered *as-received* at 4:01pm.

- *Advertising*

A Call for Applicants was undertaken on 30 April 2019 by advertising in local newspapers, and a post on the Shire’s Facebook page. Emails were also sent to food businesses registered with the Shire which have food vehicles, and mobile food operators who have a permit to trade within the Shire.

Applicants were requested to complete the Qualitative Criteria in the application package. Applicant's response to the qualitative criteria is provided in (Appendix ORD: 12.4F).

As mentioned, Ian Upton's application was received one minute past the closing time of 4pm Friday 16 May 2019. Therefore, the application from Ian Upton shall not be considered.

Legal Implications

All trade activities are to comply with the *Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law*, the *Environmental Protection (Noise) Regulations 1997*, and the *Shire of Dardanup Health Local Laws 2000*.

Strategic Community Plan

Strategy 4.2.4 - To enhance the Eaton Foreshore: Develop café and tourism opportunities (Very High)

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Council Policy - CP033 - *'Traders on Shire Reserves and Road Verges'*.

Risk Assessment - Low.

The proposed trade activities are determined to be low impact, and meet the requirements of the Policy.

Applicants will be requested to have a minimum public liability cover of \$10,000,000, if approved by Council (preferably \$20,000,000). They will also be expected to properly mitigate any safety risk pertaining to their operation.

Officer Comment

Bunsen's Burgers, Funky Mexican Cantina, Frosty Boy and Kuza Coffee are all experienced operators, who have the necessary systems and setup to comply with the *Food Act 2008*.

Bunsen's Burgers and Frosty Boy have both held trading positions at the Eaton Foreshore for the previous financial year (2018-19).

- *Location Of Traders*

Given the applicants are all food vehicle operators, it is envisaged that the Eaton Foreshore carpark will be a suitable location for trade (rather than the lawn area of the reserve).

The applicants have not specified exactly which location/s in carpark they prefer. Trading locations in the previous year were determined by amicable negotiation between applicants, with the process being facilitated by Environmental Health Services, in consultation with the Shire's Engineering Staff (for considerations of traffic flow and traffic safety). It is envisaged the same process of negotiation would be done this year. However, this year the three successful applicants will be presented the locations shown in Figure 1 below.

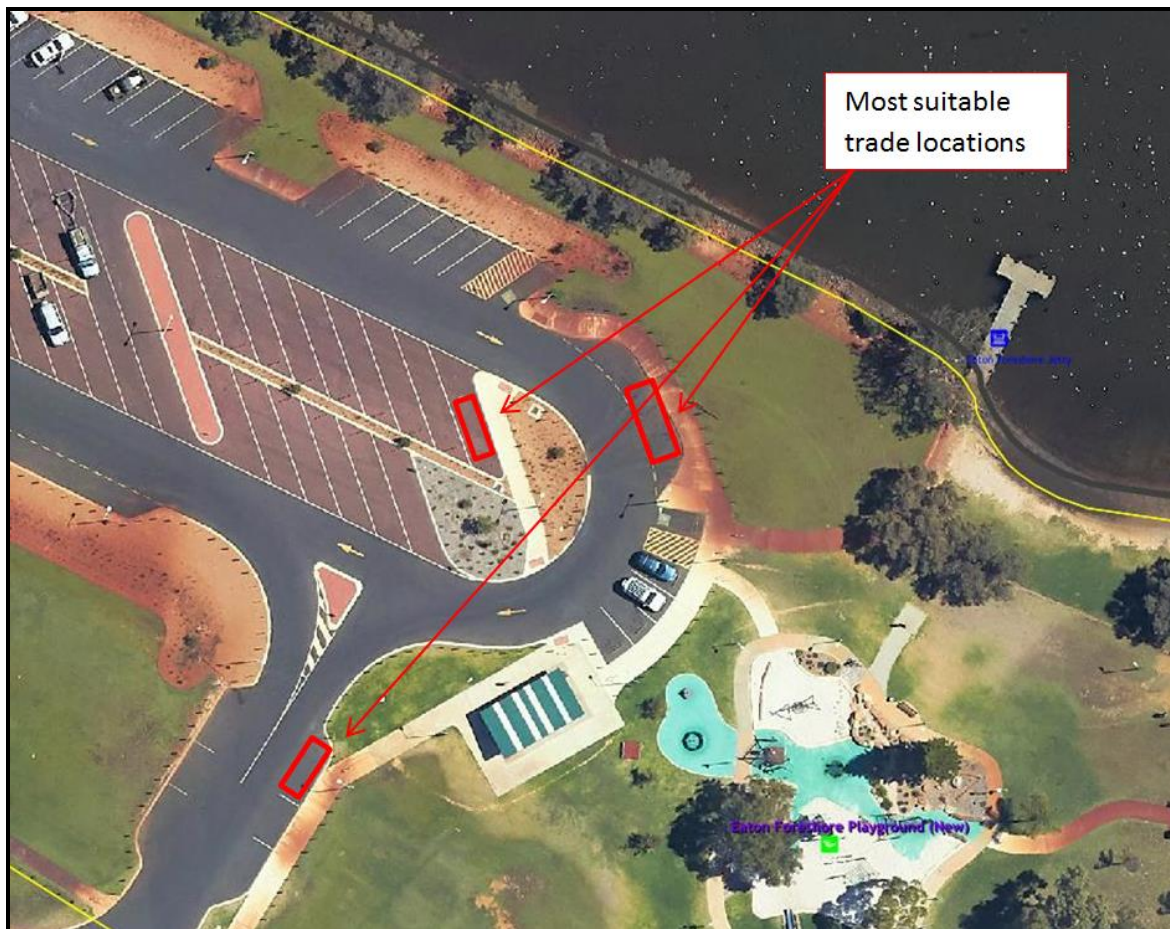


Figure 1: Most suitable locations for mobile food vehicles – Eaton Foreshore

These locations are considered to be the most suitable in terms of pedestrian and traffic access, and safety. It should be noted that the Bunsen's Burger's food trailer has the towing vehicle attached throughout trade, and if this applicant is chosen by Council, this will be a consideration when determining the most suitable trade location.

- *Desirability of Applicant or Trade Activity*

There is no indication that any of the applicants are not a suitable or desirable person to hold a Permit.

- *Competition Principles Agreement*

Clause 5.5 d) of the Shire of Dardanup *Activities in Thoroughfares and Public Places and Trading Local Law 2007* states that the local government is to have regard to the Competition Principles Agreement when determining an application for a permit to trade.

The Competition Principles Agreement deals with price oversight of Government Business Enterprises, competitive neutrality (the elimination of resource allocation distortions due to the public ownership of entities engaged in significant business activities), structural reform of public monopolies, legislation review (to ensure that legislation does not restrict competition unless it can be demonstrated that the benefits to the community of restricting competition outweigh the costs and that the objectives of the legislation can only be achieved by restricting competition), and to protect third party access to infrastructure required to permit competition.

While this Agreement must be followed by Local Government, the Principles do not appear to be relevant to this situation.

- *Events Officer's Comments*

- *Bunsen's Burgers*

Bunsen's Burgers have attended numerous of our events in the past and they are extremely reliable. They have efficient communication. They turn up early and come well prepared for our events. Their operation appears to be well organised, they cater sufficiently and there aren't extremely long wait times although they can get busy. Staff have received great feedback about their burgers. Another positive to their operation is that it is quiet; the noise does not impact things such as The Shires Movies By Moonlight events.

- *Frosty Boy:*

This operator has attended Shire events in the past and is pleasant to deal with. The operator has efficient communication, and has always given staff plenty of advanced warning if they cannot make it to a Shire event. An example of which is when this operator experienced van troubles, the operator let the Shire know weeks in advance of the event so there was sufficient time to find a replacement. Even though there was a good chance the van would be fixed in time, this was appreciated by staff. For family events the operator is always very busy, an ice-cream van is a great addition to every event the Shire does. The only negative to this operator is the noise of the van. It is very loud so the van has to be positioned at a distance from Shire movie events.

- *Australind Coffee Roasting/Kuza Coffee:*

This operator has attended our events in the past and has been pleasant to deal with, and communicates efficiently. The operator is known within the community and is very friendly and chatty with customers, which is nice to see. The operator is able to handle busy periods and brings extra staff with them. There have been no complaints about the quality of their coffee. Staff enjoys having this operator at Shire events as they are reliable, and interact well with the community.

- *History of Food Vehicle operator's usage of Eaton Foreshore*

- *Bunsen's Burgers*

This operator was granted a permit to trade at Eaton Foreshore for the financial year 2017-18. Environmental Health Staff do not have comprehensive evidence of their level of usage of the site. However, given the anecdotal evidence Environmental Health Officers have received, and the nature of the operation, staff believe that this operator would fully utilise this site at the times specified in their application.

- *Frosty Boy:*

This operator was also granted a permit to trade at Eaton Foreshore for financial year 2017-18. Environmental Health Staff do not have comprehensive evidence of this operators' level of usage of the site. However, based on Environmental Health Services' familiarity with this operator's trade activities, Environmental Health Services confirm that this operator is highly likely to utilise the site in the manner described in his application:

- Operate one to two days per week.
- During operation days, trade for 15 minutes (or more, so long as there are customers), leave the site to conduct street (roaming) trade for two hours, and then return to the site for another 15 minutes, and so on for the day.

- *Australind Coffee Roasting:*

This operator has never applied-for, or been granted a license to trade at Eaton Foreshore. Therefore, no comment can be made on the operator's trade history at the site. However, Environmental Health Officers have witnessed this operator at events in the Shire, and can confirm they are reliable and highly diligent about their attendance and operation in general. The operator has stated in their application that they will be present during Shire events (at the Foreshore), and 'occasional weekends' (Officers assume this to mean the operator will be trading at Eaton Foreshore on weekends, when not trading elsewhere).

- *Funky Mexican Cantina Express*

This operator has also never applied-for, or been granted a license to trade at Eaton Foreshore. Environmental Health Services can only confirm that the operator is an established and compliant operation, and the operators have only made a general statement in their application that they are available for 'extended periods of time' and 'availability extends to potential seven day weeks'.

- *Assessment Against CP033 and Final Comments*

It is considered that Bunsen's Burgers, Funky Mexican Cantina, Frosty Boy, and Kuza Coffee are all competent operators, and, overall, they meet the requirements of CP033 – *'Traders on Shire Reserves and Road Verges'*.

Assessment of the applicants against the applicable requirements of Policy CP033 is provided below.

Bunsen's Burgers – Lana West		
Criteria	Compliant	Officer's comment
Compliance with the <i>Food Act 2008</i> and the Food Standards Code	Yes	The food vehicle and setup is compliant with the <i>Food Act 2008</i> .
Compliance with the Environmental Protection (Noise) Regulations 1997.	Yes	The food vehicle is highly likely to comply with the <i>Environmental Protection (Noise) Regulations 1997</i> . There are no generators or other noisy equipment pertaining to this food vehicle.
Trader shall not operate during a Shire approved event, unless otherwise approved by the event organiser.	Yes	Staff have not received any complaints of this food vehicle operating at an event without the organiser's approval.
Applicant is recommended to have adequate levels of insurance cover for the trade activity.	No.	Applicant has not provided a copy of a current Certificate of Indemnity. However, if approved by Council, applicant will be required to provide an updated certificate.
Trader shall not deposit or store any item associated with their activity on any footpath, vehicle access way or thoroughfare so as to create an obstruction.	Yes	The applicant complied with this condition during the trading period of financial year 2018-19.
Trader is not to solicit to customers by use of a public address system.	Yes	This trader does not use a public address system.
Trader is to keep their area of operation clean and tidy at all times.	Yes	Staff have received no complaints about the cleanliness or tidiness of this trader's operations. There has been no evidence of cleanliness issues at the site.
Trader is to ensure no litter, debris, cleaning agents, detergents or waste of any kind result from their activities.	Yes	(As above)
Trader shall not request any member of the public using a trading area to relocate.	Yes	Staff have not received any complaints from the public about this matter.
Trader's wishing to install signs are to comply with the requirements of the Town Planning Scheme, and Engineering and Development Services.	Yes	Town Planning Services, and Engineering and Development Services have not raised any issues regarding this food operator and signage.
Trade activity is not to cause a nuisance to other users of the Reserve or nearby landowners	Yes	Staff did not receive any complaints about this operator during financial year 2018-19.

Frosty Boy – Kelvin Henderson		
Criteria	Compliant	Officer's comment
Compliance with the <i>Food Act 2008</i> and the Food Standards Code.	Yes	The food vehicle is compliant with the <i>Food Act 2008</i> .
Compliance with the Environmental Protection (Noise) Regulations 1997.	Yes	The food vehicle has a generator. However the trade location is far enough away from Noise Sensitive Premises that the noise would comply with the Regulations
Trader shall not operate during a Shire approved event, unless otherwise approved by the event organiser.	Yes	Staff have not received any complaints of this food vehicle operating at an event without the organiser's approval.
Applicant is recommended to have adequate levels of insurance cover for the trade activity.	No	Applicant Certificate of Currency for \$20 000 000 expired on 26/3/2019. If approved by Council, applicant will be required to provide an updated certificate.
Trader shall not deposit or store any item associated with their activity on any footpath, vehicle access way or thoroughfare so as to create an obstruction.	Yes	The applicant complied with this condition during the trading period of financial year 2018-19. The operation is self-contained within the food van.
Trader is not to solicit to customers by use of a public address system.	Yes	This trader does not use a public address system.
Trader is to keep their area of operation clean and tidy at all times.	Yes	Staff have received no complaints about the cleanliness of tidiness of this trader's operations. There has been no evidence of cleanliness issues at the site.
Trader is to ensure no litter, debris, cleaning agents, detergents or waste of any kind result from their activities.	Yes	(As above)
Trader shall not request any member of the public using a trading area to relocate.	Yes	Staff have not received any complaints from the public about this matter.
Trader's wishing to install signs are to comply with the requirements of the Town Planning Scheme, and Engineering and Development Services.	Yes	Town Planning Services, and Engineering and Development Services have not raised any issues regarding this food operator and their signage.
Trade activity is not to cause a nuisance to other users of the Reserve or nearby landowners	Yes	Staff did not receive any complaints about this operator during financial year 2018-19.

Kuza Coffee – Mark Fairweather		
Criteria	Compliant	Officer's comment
Compliance with the <i>Food Act 2008</i> and the Food Standards Code.	Yes	The food vehicle is compliant with the <i>Food Act 2008</i> .
Compliance with the Environmental Protection (Noise) Regulations 1997.	Yes	The food vehicle has a generator. However the trade location is far enough away from Noise Sensitive Premises that the noise would comply with the Regulations.
Trader shall not operate during a Shire approved event, unless otherwise approved by the event organizer.	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.
Applicant is recommended to have adequate levels of insurance cover for the trade activity.	No	Applicant has not provided a copy of Certificate of Indemnity. However, if approved by Council, applicant will be required to provide an updated certificate.
Trader shall not deposit or store any item associated with their activity on any footpath, vehicle access way or thoroughfare so as to create an obstruction.	Yes	Based on officer's observations of this operator at events, the operator's infrastructure requires only minimum area, and does not cause obstruction.
Trader is not to solicit to customers by use of a public address system.	Yes	This trader does not use a public address system.
Trader is to keep their area of operation clean and tidy at all times.	Yes	Based on staff observations of this trader at events, the trader always keeps the trade area clean and tidy. This also applies to the food vehicle.
Trader is to ensure no litter, debris, cleaning agents, detergents or waste of any kind result from their activities.	Yes	(As above)
Trader shall not request any member of the public using a trading area to relocate.	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.
Trader's wishing to install signs are to comply with the requirements of the Town Planning Scheme, and Engineering and Development Services.	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.

Kuza Coffee – Mark Fairweather		
Criteria	Compliant	Officer's comment
Trade activity is not to cause a nuisance to other users of the Reserve or nearby landowners	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.

Funky Mexican Cantina Express – Manish Gupta		
Criteria	Compliant	Officer's comment
Compliance with the <i>Food Act 2008</i> and the Food Standards Code.	Yes	The food vehicle is compliant with the <i>Food Act 2008</i> .
Compliance with the Environmental Protection (Noise) Regulations 1997.	Yes	The food vehicle is likely to have a generator. However the trade location is far enough away from Noise Sensitive Premises that the noise would comply with the Regulations.
Trader shall not operate during a Shire approved event, unless otherwise approved by the event organiser.	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.
Applicant is recommended to have adequate levels of insurance cover for the trade activity.	Yes	Applicant has provided a copy of Certificate of Indemnity for their food van for \$20 000 000, expiring on 30 June 2019.
Trader shall not deposit or store any item associated with their activity on any footpath, vehicle access way or thoroughfare so as to create an obstruction.	N/A	This food vehicle has not previously operated in the Shire of Dardanup. Officers can make no comment on this matter.
Trader is not to solicit to customers by use of a public address system.	Yes	This trader has not indicated they use a public address system.
Trader is to keep their area of operation clean and tidy at all times.	Yes	The food vehicle is fully self-container, and it is expected the applicant will have no trouble meeting this requirement.
Trader is to ensure no litter, debris, cleaning agents, detergents or waste of any kind result from their activities.	Yes	(As above)
Trader shall not request any member of the public using a trading area to relocate.	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this

Funky Mexican Cantina Express – Manish Gupta		
Criteria	Compliant	Officer's comment
		matter.
Trader's wishing to install signs are to comply with the requirements of the Town Planning Scheme, and Engineering and Development Services.	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.
Trade activity is not to cause a nuisance to other users of the Reserve or nearby landowners	N/A	This applicant has not previously been awarded a trade location at Eaton Foreshore. Therefore staff can make no comment about this matter.

Given the Funky Mexican Cantina Express is based in Mandurah, regular attendance at the Eaton Foreshore may be a logistical challenge for this operator, or even economically viable. Based only on this consideration (and no other), it is the officer's recommendation that Council approve the following three operators to trade at Eaton Foreshore (2019-2020):

- Bunsen's Burgers
- Frosty Boy
- Kuza Coffee

The reporting officer respects that it is ultimately Council's decision as to which three of these four traders they choose to operate at the Foreshore.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

161-19 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council approves the following three traders:

- i) Bunsen's Burgers – Lana West**
- ii) Frosty Boy – Kelvin Henderson**
- iii) Kuza Coffee – Mark Fairweather**

from the five applications received from the April 2019 'Call for Applicants', to trade at Eaton Foreshore carpark from 1 July 2019 to 30 June 2020 subject to the following conditions:

- a) **An Application for Trader's Permit is to be submitted to the Shire of Dardanup, and an application fee of \$207 is to be paid for the issuance of a trading permit prior to trading occurring.**
- b) **This trading permit is valid until 30 June 2020.**
- c) **Trading shall only occur within the approved trading location.**
- d) **Trading shall comply with the provisions of the *Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Local Law'* at all times.**
- e) **The trader shall only conduct trading of products and/or services as specified on the trader's permit.**
- f) **The trader shall not deposit or store any item associated with a trader's permit on any footpath, vehicle access way or thoroughfare so as to create an obstruction.**
- g) **The trader shall provide confirmation to the Shire of a valid public liability insurance policy to operate the subject trading activity, prior to commencement of the trading activity which is to be thereafter maintained. The Policy should indemnify both the trader and the Shire against any death or injury to a person or property arising from the approved trading for a minimum value of \$10 million.**
- h) **The solicitation of customers by touting or the use of public address systems shall not be permitted at any time.**
- i) **The trader shall keep their area of operation clean and tidy at all times to the satisfaction of the Shire.**
- j) **The trader shall ensure that no debris, litter, cleaning agents, detergents or waste of any kind result from their activities.**
- k) **The trader shall not conduct trade on Reserve 24359 or Reserve 25417 on any day there is a public event organised by the Shire, unless approved by the Shire.**
- l) **The trader shall make all reasonable attempts to utilise their trading permit to its full extent. If the Local Government determines that a trading permit is not being utilised sufficiently, the Local Government may revoke the trading permit.**
- m) **A trader shall not request any member of the public using the trading area to relocate from the designated trading area at any time.**

Advice Notes:

- i) The applicant is advised that a separate approval is required for any proposed signage on road reserves. The applicant is encouraged to contact the Shire's Engineering Department with any queries in this regard.**
- ii) Trade that involves the selling or distribution of food or drinks is to comply with the *Food Act 2008* and the Food Standards Code.**
- iii) Traders shall comply with the *Environmental Protection (Noise) Regulations 1997* at all times.**
- iv) The Shire may cancel a trader's permit pursuant to Clause 6.9 of the Local Law if the trader has not complied with a condition of the permit or a provision of any written law which may relate to the activity regulated by the permit.**

CARRIED
5/0

12.5 Title: 2019/20 Draft Annual Budget

Reporting Department: Corporate & Community Services

*Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services
Mrs Natalie Hopkins – Manager Financial Services*

Legislation: Local Government Act 1995

Note: Refer to Shire President comments at Part 8 (Page 9) of these minutes. This item was dealt with earlier in the meeting. See page 11 of these minutes.

12.6 Title: 2019/20 to 2022/23 Corporate Business Plan

Reporting Department: Executive

Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services

Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. M T Bennett declared he had an Impartiality Interest in this item as he is a patron of the Eaton Bowling Club. The Club is affected by the adoption of the Corporate Business Plan. As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

Cr. M T Bennett remained in the room.

Overview

Council has previously considered and endorsed on the 15 May 2019 [OCM 131-19] the draft Corporate Business Plan 2019/20 – 2022/23 through the Strategic Planning Committee. This report presents the final Corporate Business Plan 2019/20 – 2022/23 for Council adoption.

Background

Council adopted its reviewed and updated Strategic Community Plan 2018–2028 on the 28 March 2018, which runs for a 10 year period.

The Shire of Dardanup Strategic Community Plan reflects a vision for the future and is the principal strategic guide for future planning and activities. Based on the community engagement, the Plan has set a vision for the Shire's future and captured the community's aspirations and values.

Achieving the community's vision and Shire's strategic objectives requires development of actions to address each strategy contained within the Strategic Community Plan. In addition, achieving these Strategies may require a series of actions over time as they may not be able to be achieved concurrently taking into account limited financial resources. Careful operational planning and prioritisation is required due to the limited availability of resources. This planning process is formalised in the Corporate Business Plan.

- *Corporate Business Plan*

The Corporate Business Plan (CBP) contains details of the actions and resources (human and financial) to achieve each strategy. It is a four year plan which acts as an organisational guide to the Council and management.

The financial capacity to undertake these tasks is evidenced in the long term financial plan for the period. This long term financial planning provides an assurance the actions

contained in the Corporate Business Plan can be adequately resourced over the next four years and highlight the long term consequences of the application of human and financial resource to undertaking various projects.

The Corporate Business Plan 2019/20 – 2022/23 is to be reviewed annually to assess the progress of projects and realign actions and priorities with current information and funding availability. The first year of the Corporate Business Plan is 'sliced off' to form the basis of the draft annual budget for consideration by the Council.

- *Linkage with Informing Strategies and Service Plans*

The Corporate Business Plan is informed by three other major plans developed in response to the Department of Local Government's Integrated Planning and Reporting Framework. The Asset Management Plans, Long Term Financial Plan, and Workforce Plan inform the Council as to its resource options and financial circumstances.

The draft Corporate Business Plan was endorsed at the Strategic Planning Committee meeting on the 1 May 2019, and subsequently adopted by Council on the 15 May 2019 [OCM 131-19]:

THAT Council

1. *Receive and endorse the Shire of Dardanup draft Corporate Business Plan 2019/20 - 2022/23 presented to the Strategic Planning Committee on 1 May 2019 – (Records System Link - R0000632928) & (Electronic Appendix ORD: 12.14B).*
2. *Request that the Chief Executive Officer include an additional action 1.3.1.6 to develop a 2050 vision document for the Shire of Dardanup*
3. *Request the Chief Executive Officer to review the timing of projects before the final draft is presented to Council for adoption.*

This report recommends Council adopt the final Shire of Dardanup Corporate Business Plan 2019/20 – 2022/23 (refer to Appendix ORD: 12.6 – Under Separate Cover).

Legal Implications

Local Government (Administration) Regulations 1996:

19DA. Corporate business plans, requirements for (Acts. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*

- (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
- (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A Council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
*Absolute majority required.
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the Council, the plan or modified plan applies to the district for the period specified in the plan.*

Strategic Community Plan

Strategy 1.3.1 - Implement the Integrated Planning and Reporting Framework including the Long Term Financial Plan, Workforce Plan, Asset Management Plans and Corporate Business Plan. (Service Priority: High).

Environment - None.

Precedents

The previous Shire of Dardanup four year Corporate Business Plan 2018/19 to 2021/22 was reviewed and adopted last year in accordance with legislative requirements, and formed the foundation of the current Shire of Dardanup Corporate Business Plan 2019/20 to 2022/23.

Budget Implications

Revenue and expenditure forecasts for the next four years are incorporated within the current Shire of Dardanup Corporate Business Plan 2019/20 to 2022/23.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Council Policy CP018 – *Corporate Business Plan & Long Term Financial Plan* notes that each year with the best endeavours Council aims to consider a draft budget for adoption by the end of June. To achieve this aim the draft Corporate Business Plan (budget) needs to be compiled within the last weeks of May or early June.

The Policy notes that *“year 1 of the Corporate Business Plan shall inform the development of the draft Annual Budget utilising the forecast rate change, loan*

projections, asset management plans, capital works, operating income and expenditure and reserve transfers.”

Risk Assessment - Low.

Officer Comment

The 2019/20 Corporate Business Plan includes the carryover of the new Administration/Library building project that was included in the 2016/17, 2017/18 and the 2018/19 Plan. Also accounted for are the proceeds for the sale of part of reserves R39158 and R50882 to Citygate Properties Pty Ltd, and the reimbursement of these funds and the \$1 million donation from Citygate Properties Pty Ltd toward the new softball pavilion, to the Council's Sale of Land Reserve.

Sale of Land Reserve funds were used (as approved by Council) to pay for the construction costs of the new football and softball pavilions due to the timing of receiving the approval of the Minister and the associated documentation that is required to finalize the sales.

The Corporate Business Plan (CBP) forecasts an increase in rates of 4.0% for 2019/20, with further forecasts of 5.0%, 6.0% and 6.5% for years 2, 3, and 4 of the Plan. It is however noted that through the Strategic Planning Committee meeting, Council resolved on the 15 May 2019 [OCM 142-19]:

THAT Council request the Chief Executive Officer to undertake a review of the Long Term Financial Plan during the following 12 months that includes:

- 1. A 4% rate increase for the next four years; and*
- 2. A review of the Asset Management Plans' programmes, including workshops with Council to determine priorities along with asset and financial sustainability ratios.*

The outcome of the review of the Long Term Financial Plan is anticipated to have an impact on the Corporate Business Plan, with the associated changes reflected in next years' Plan.

The WA Treasury Corporation and the Australian Bureau of Statistics have reported the Consumer Price Index to remain low, which is reflected in the forecast of 2.0%, 2.0%, 2.0% and 2.5% over the four year period.

These figures has been used to apply an inflationary increase in employee salary and wages, based on the base award rate and applied across the workforce. While provision has been made in the Plan for the full forecast Fair Work Australia minimum wage increase of 3.25%, an overall increase of 2.0% is anticipated on the base award payment. The value of this 2.0% increase in the budget is \$108,110. A further allocation of 0.5% or \$44,157 has been made for performance increases, which are advancing employees to a higher level due to promotion, new qualifications, or above standard performance.

A further \$374,783 is included for additional employees as adopted in the 2019/20 Workforce Plan. These changes are incorporated in the Corporate Business Plan and the ten year Long Term Financial Plan.

Details relating to the various Asset Management Plans and Workforce Plan were included in the recent Strategic Planning Committee meeting held on 1 May 2019, and subsequently endorsed by Council on the 15 May 2019 [OCM 140-19].

The Corporate Business Plan is designed to link to the objectives adopted in the Strategic Community Plan; readers will be able to see the links between the community aspirations and their implementation through the Corporate Business Plan.

This continues to provide Council with a fully integrating financial planning and reporting system that meets the legislated standards required by all local governments in Western Australia.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

162-19 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council adopts the Shire of Dardanup 2019/20 to 2022/23 Corporate Business Plan (Appendix ORD: 12.6 – Under Separate Cover).

CARRIED
5/0
By Absolute Majority

12.7 Title: ITEM – WITHDRAWN - Provision of Banking and Bill Payment Services

Reporting Department: Corporate & Community Services
Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services
 Mrs Natalie Hopkins – Manager Financial Services
Legislation: Local Government Act 1995
 Local Government (Financial Management) Regulations 1996
 Banking Act 1959

DECLARATION OF INTEREST

Cr. M T Bennett and Cr. P S Robinson had declared a Financial Interest in this item as they own Commonwealth Bank Shares.

As Cr. M T Bennett and Cr. P S Robinson were intending to leave the room, the meeting would be left without a quorum.

Refer Chief Executive Officer comments at page 10 of these minutes. This item was withdrawn from the agenda due to a lack of quorum.

Overview

This reports seeks Council endorsement to change the primary Municipal Fund banking services from Westpac Banking Corporation to the Commonwealth Bank of Australia (CBA), Eaton branch.

Background

The current contract for the provision of banking services was awarded to Challenge Bank (a division of Westpac Banking Corporation) in February 1999. Since that time Council has utilised Westpac's banking services at Bunbury Forum as the primary source for all of Council's day to day banking requirements whilst advocating for a banking institution to operate in the Shire of Dardanup.

With the expansion of Eaton Fair by Citygate Properties, it was hoped that an authorised deposit-taking institution (ADI) bank would form part of the shopping centre's tenancy; however, this was only recently completed with the CBA taking up tenancy on 29 November 2018.

On 30 November 2018, Westpac formerly closed the Bunbury Forum branch. As a result of this closure, Council were advised by Westpac that the remaining branch located in Bunbury's CBD (Victoria Street, Bunbury) would become the preferred branch location for Council to use.

At a meeting held on 2 November 2018, Council's management expressed their disappointment at Westpac's decision to close the Bunbury Forum branch, an issue that

was echoed by the community. The meeting included Westpac's Senior Relationship Manager, Mr Justin Butcher, and Westpac's State Regional Manager, Mr Steve McGivern as well as relevant financial services staff.

Discussion focused on new methods of banking including a 24 hour deposit facility for cash and cheque deposits at the Bunbury CBD location. Whilst the 24 hour facility is a benefit, this benefit is significantly reduced by the increased staff time required to take banking deposits to the proposed new branch location.

The desire to have a new Westpac branch established at the Eaton Fair Shopping Centre was also raised on a number of occasions with Westpac management over the last 12-18 months. This was seen as a benefit to the local community as well as the Council through the provision of improved access to banking services and facilities, as well as increasing the scope of business services available locally within the Shire of Dardanup. While there was recognition of the benefit this would provide, Westpac was not able to give any commitment that this would occur at any time in the future.

As part of improving efficiencies within Council, management initiated a deposit account facility at CBA Eaton Fair for all physical deposits which are subsequently transferred electronically to Council's relevant Westpac banking accounts. With a specialised Local Government Banking Group section at Commonwealth Bank, CBA have provided excellent advice, training and assistance in the setting up of the operating account and associated online services.

As the only bank located in Eaton (and within the Shire of Dardanup), it is proposed that Council enter into negotiations to formerly change its banking services provider from Westpac Bank to Commonwealth Bank in accordance with Section 5 of the Banking Services Act 1959.

It should also be noted that Council will continue to source investment quotes from other ADI's (including Westpac) for approved short-term deposits investments in accordance with CP036 - Investment Policy and S6.14 of the LGA 1995 - Power to Invest.

Legal Implications

Local Government Act 1995

Part 6 – Financial management

S6.10. Financial management regulations

Regulations may provide for —

- (a) the security and banking of money received by a local government; and*
- (b) the keeping of financial records by a local government; and*
- (c) the management by a local government of its assets, liabilities and revenue; and*
- (d) the general management of, and the authorisation of payments out of —*
 - (i) the municipal fund; and*
 - (ii) the trust fund,**of a local government.*

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management – s.6.10

R5. CEO's duties as to financial management.

- (1) *Efficient systems and procedures are to be established by the CEO of a local government —*
 - (a) *for the proper collection of all money owing to the local government; and*
 - (b) *for the safe custody and security of all money collected or held by the local government; and*
 - (c) *for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and*
 - (d) *to ensure proper accounting for municipal or trust —*
 - (i) *revenue received or receivable; and*
 - (ii) *expenses paid or payable; and*
 - (iii) *assets and liabilities;**and*
 - (e) *to ensure proper authorisation for the incurring of liabilities and the making of payments; and*
 - (f) *for the maintenance of payroll, stock control and costing records; and*
 - (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*
- (2) *The CEO is to —*
 - (a) *ensure that the resources of the local government are effectively and efficiently managed; and*
 - (b) *assist the Council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and*
 - (c) *undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.*

R8. Separate bank etc. accounts required for some moneys

- (1) *A local government is to maintain a separate account with a bank or other financial institution for each of the following purposes —*
 - (a) *money required to be held in the municipal fund (other than money for which an account is to be established under paragraph (c)); and*
 - (b) *money required to be held in the trust fund; and*
 - (c) *money required to be held in reserve accounts.*
- (2) *Money related to a purpose set forth in subregulation (1) is to be banked in the account maintained for that purpose.*
- (3) *Money from different accounts may be placed in a common investment authorised by the Act.*

Banking Act 1959

Section 5 - Interpretation

"authorised deposit-taking institution" means a body corporate in relation to which an authority under subsection 9(3) is in force.

9 Authority to carry on banking business

(3) If an application has been made, APRA may grant the body corporate an authority to carry on banking business in Australia. The authority must be in writing, and APRA must give the body corporate written notice of the granting of the authority.

Strategic Community Plan

Strategy 1.1.2 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Strategy 4.1.3 - To encourage business to develop: Support the capacity of local firms and industry to establish, grow and employ. (Service Priority: Moderate)

Environment - None.

Precedents

Council's current contract for the provision of banking services was awarded to Challenge Bank, a division of Westpac Banking Corporation, in February 1999 through Tender Contract 14-98/99.

Australian Prudential Regulation Authority (APRA) is an independent statutory authority which has the responsibility to regulate ADI's and other financial institutions in Australia.

Budget Implications

All bank fees are charged to Council's operating Municipal Fund account on a monthly basis. The 2018/19 Annual Budget includes a budget provision of \$40,328 for Bank Fees and Charges.

Changing bank accounts is an intensive process that will take time and require significant input from finance services staff. It is anticipated any costs incurred will be funded from the 2018/19 Annual Budget and that no further resources will be required for the change to occur.

Budget – Whole of Life Cost

The provision of banking services is funded from Council's annual operating budget as part of the budgeted item Bank Fees and Charges. The 2018/19 financial year includes a budget allocation of \$40,328 for Bank Fees and Charges; the prior four year's bank fees are summarised in the below table:

Bank Fees and Charges – Expenditure Analysis		
Financial Year	Budget	Actual
2017/18	\$38,200	\$39,069
2016/17	\$38,200	\$35,640
2015/16	\$36,000	\$36,052
2014/15	\$34,000	\$36,446

Council Policy Compliance

Council Policy CP034 – Procurement Policy

Council aims to deliver quality services that are responsive to business and community expectations, demonstrably cost-effective and subject to public accountability. Council is committed to delivering its services equitably and in a way that meets customer needs, minimises costs and recognises Council accountability.

Risk Assessment - Low.

Officer Comment

Due to the closure of Westpac branch at the Bunbury Forum on the 30 November 2018, which was previously the nearest bank to Council's Eaton Administration Centre, management instigated an interim arrangement to deposit funds with the newly established Commonwealth Bank branch at Eaton Fair Shopping Centre.

On the 10 May 2019 Council Officers sought written Quotations from local banks for the provision of Transactional Banking Services for a 12 month period. The banking services include, but are not limited to:

- Banking Deposits;
- Direct Debit Deposits;
- Merchant Fees (ie Eftpos/Credit Card Facilities);
- Electronic Funds Payments including BPAY, Foreign Currency Payments;
- Online user access; and
- Any other fees associated with the provision of transactional banking services.

This RFQ process was undertaken in accordance with Council's Procurement Policy, and is for an interim 12 month period only.

WALGA have advised that they are seeking to establish Banking Services as a new Preferred Supplier category on their Preferred Supplier Panel. The creation of a Preferred Supplier arrangement for banking services has many advantages including the generating of industry wide savings in fees and charges, while stipulating agreed standards of service. When this Panel is established, Council can obtain RFQ's or Tenders from those participating banks, depending on the contractual period and total estimated cost.

Quotations were received from the National Australia Bank, Commonwealth Bank and Westpac Bank.

Based on an overall assessment of transactional banking services and fees, combined with a consideration of staff daily banking needs (ie: cash deposits, security, travel, servicing) it is recommended that Council support changing its primary banking supplier from Westpac Corporation Bank (Westpac) to Commonwealth Bank (CBA), thereby utilising CBA's Eaton Fair branch as the primary location for all depositing of Council funds.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation

No Change. **OR:**

As per Local Government (Administration) Regulations 1996 11(da) Council records the following reasons for amending the Officer Recommended Resolution:

OFFICER RECOMMENDED RESOLUTION

THAT Council enters into an agreement with Commonwealth Bank of Australia (CBA) for the provision of banking and bill payment services for an initial 12 month period and authorises the Chief Executive Officer or such other person that the Chief Executive Officer delegates to:

1. Execute the agreement with Commonwealth Bank of Australia for the provision of banking and bill payment services effective immediately.
2. Authorises all payments under the agreement.

ITEM WITHDRAWN

12.8 *Title: New Policy – Pensioner/Senior Rebate Entitlement on Properties with Non-Residential (Commercial/Farming) Use*

Reporting Department: Corporate & Community Services

Reporting Officer: Mr Ray Pryce - Accountant

Legislation: Rates and Charges (Rebates and Deferments) Act 1992

Note: Refer to Shire President comments at Part 8 (Page 9) of the minutes. This item was dealt with earlier in the meeting. See page 26 of these minutes.

ADOPTION EN BLOC PROCESS

In accordance with Shire of Dardanup Standing Orders Local Law 2014, Part 9, s9.2, 'Adoption of Recommendations En Bloc'; A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any—

- (a) which require adoption by an absolute or special majority vote;*
- (b) in which an interest has been disclosed;*
- (c) that has been subject of a petition or deputation;*
- (d) which any member has indicated the wish to debate; and*
- (e) in which any member has indicated the wish to ask a question or to raise a point of clarification,*

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

Note:

The Presiding Member, Cr. M T Bennett advised the meeting that with the exception of items 12.12 that was dealt with earlier in the meeting, the remaining reports including resolutions could be adopted en bloc.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

163-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT the reports and recommendations in relation to the following Agenda Items be carried en bloc:

- **12.9 - Monthly Statement of Financial Activity for the Period Ended 30 April 2019.**
- **12.10 - Schedule of Paid Accounts as at 5 June 2019.**
- **12.11 - Local Emergency Management Committee Meeting Minutes Held 02/05/2019.**

CARRIED
5/0

12.9 Title: Monthly Statement of Financial Activity for the Period Ended 30 April 2019

Reporting Department: Corporate & Community Services

Reporting Officer: Mr Ray Pryce - Accountant

Legislation: Local Government Act 1995

Overview

This report presents the monthly Financial Statements for the period ended 30 April 2019 for Council adoption.

Background

The Monthly Statement of Financial Activity is prepared in accordance with the Local Government (Financial Management) Regulations 1996 r. 34 s. 6.4. The purpose of the report is to provide Council and the community with a reporting statement of revenues and expenses as set out in the Annual Budget, which were incurred by the Shire of Dardanup during the reporting period.

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. Financial Report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
 - (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
 - (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
 - (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]

Strategic Community Plan

Strategy 1.3.2 - Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations. (Service Priority: High)

Environment - None.

Precedents

Each month Council receives the Monthly Financial Statements in accordance with Council Policy and Local Government (Financial Management) Regulations.

Budget Implications

The financial activity statement comprises of budget estimates, actual expenditure, and revenues to the end of the month to which the statement relates. Material variances and explanations of these are included in the notes that form part of the report.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The Monthly Financial Statements (including the Statement of Financial Activity) for the period ended 30 April 2019 is attached after the Officer Comment.

The report outlines the results from operating activities. It shows revenue and expenditure by statutory program and also by nature and type, comparing actual results for the period with the annual adopted budget, the revised budget and the year to date revised budget.

The report also displays capital and infrastructure expenditure and reconciles the statement of financial activity to the statement of net current assets, taking into account the proceeds from sale of assets, reserve and loan funds used, depreciation applied, capital and infrastructure expenditure, transfers to reserves and loan repayments.

Actual values for the year to date are compared to the year to date revised budget to present a percentage variance as well as the variance amount. The level adopted by Council to be used in the Statement of Financial Activity in 2018/19 for reporting material variances is 10% or \$10,000, whichever is greater.

The statement of net current assets provides information on the accounts that make up current assets and current liabilities (liquidity).

Additional notes have been added to the statement of financial activities to describe in more detail, some of the key information of the monthly financial performance.

After taking into account all operations for 2018/19 to date (including adopted budget amendments listed in Note 10 of the report) and estimated results for the remaining months of 2018/19, the anticipated surplus at 30 June 2019 is currently forecast as \$305,186.

Please note that amounts in the financial statements under the headings of "Revised Budget" and "Revised Budget Year to Date" (Y-T-D) include changes arising from the 2018/2019 mid-year budget review adopted by the Council at the ordinary meeting held on 27 March 2019 as well as any subsequent changes made via a Council resolution.

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

Change to Officer Recommendation - No Change.

**OFFICER RECOMMENDED RESOLUTION &
ENBLOC COUNCIL RESOLUTION**

164-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

**THAT Council adopts the Monthly Statement of Financial Activity for
the period ended 30 April 2019**

CARRIED
5/0

12.10 Title: Schedule of Paid Accounts as at 5 June 2019

Reporting Department: Corporate & Community Services

*Reporting Officer: Mrs Renée Thomson– Accounts Payable Officer
Mrs Natalie Hopkins – Manager Financial Services*

*Legislation: Local Government (Financial Management)
Regulations 1996*

Overview

Council is presented the list of payments made from the Municipal, Trust and Reserve Accounts under delegation since the last Ordinary Council Meeting.

Background

Council delegates authority to the Chief Executive Officer annually:

- To make payments from Trust, Reserve and Municipal Fund;
- To purchase goods and services to a value of not more than \$200,000;

Legal Implications - None.

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

R12. Payments from municipal fund or trust fund, restrictions on making

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the Council.*
- (2) *The Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the Council.*

S13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name; and*
 - (b) *the amount of the payment; and*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires Council authorisation in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*

and

- (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to 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.

Strategic Community Plan

Strategy 1.3.2 – Monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations.

Environment - None.

Precedents -

Council endorses the Schedule of Paid Accounts at each Ordinary Council Meeting.

Budget Implications -

All payments are made in accordance with the adopted annual budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council's Purchasing Policy CP034 – Procurement Policy and processed in accordance with Policy CP035 – Payment of Accounts.

Risk Assessment - Low

Officer Comment

This is a schedule of 'paid accounts' - the accounts have been paid in accordance with Council's delegation.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION

165-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council receive the Schedule of Paid Accounts report as follows:

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
ELECTRONIC FUNDS TRANSFER					
EFT33725	08/05/2019	Bunbury Vineyard Christian Fellowship Inc	Dardanup Hall Hire Bond Refund and Key Bond Refund	TRUST	540.00
EFT33726	08/05/2019	Lisa Michelle Sampey	Animal Cage Hire Bond Refund	TRUST	150.00
EFT33727	10/05/2019	Access Wellbeing Services	EAP Consultations x 5 Staff	MUNI	935.00
EFT33728	10/05/2019	Amelia Kaitani	Umpire Recoup Netball 06-05-2019	MUNI	44.00
EFT33729	10/05/2019	Amer Sports Australia Pty Ltd	Fitness Centre - Climbmill TV Tuner Repair Inc Parts Labour and Postage	MUNI	597.30
EFT33731	10/05/2019	Antonio & Yvonne Joyce Presenza	Refund of Pensioner Rebate at Settlement - A3546	MUNI	791.00
EFT33732	10/05/2019	Aquila Food Forest	Library Programs - Sustainable Living - May	MUNI	230.00
EFT33733	10/05/2019	Australia Post	Monthly Invoice for Mail and Postage	MUNI	1,970.50
EFT33734	10/05/2019	AXIO Maintenance and Construction	ERC- Installation of Diner Twist Sign Including Scissor Lift Hire	MUNI	592.90
EFT33735	10/05/2019	Australian Institute of Management	Effective Communication Training - Engineering Technical Officer	MUNI	1,265.00
EFT33736	10/05/2019	Bark Busters Home Dog Training	Dog Obedience Workshops and Training Advice for Community - Walk On the Wild Side 2019	MUNI	550.00
EFT33737	10/05/2019	Benjamin John Connor	ERC Refund of an Upfront Membership Payment - System Error Charged Twice	MUNI	493.00
EFT33738	10/05/2019	Besafe Building Inspections	Design Compliance Inspection and Certificate - Waste Transfer Station Transportable	MUNI	465.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33739	10/05/2019	Better Telco Solutions Pty Ltd	5 x New IP480G Phone Handsets	MUNI	2,332.00
EFT33740	10/05/2019	Blaine Thompson	Umpire Recoup Basketball 08-05-2019	MUNI	44.00
EFT33741	10/05/2019	Boyles Plumbing and Gas	ERC - Plumbing Maintenance - Parts & Consumables - Toilet Facilities - Including 3 x Invisi Cisterns	MUNI	1,841.47
EFT33742	10/05/2019	Brandicoot	ERC and Shire of Dardanup - Use of Web Services and Support, Newsletter Subscription, Facebook and Twitter	MUNI	514.99
EFT33743	10/05/2019	Brownes Foods Operations Pty Ltd	ERC - Cafe Stock - Milk, Sour Cream & Choc Chills	MUNI	309.88
EFT33744	10/05/2019	Bunbury Auto Group (Parts and Service)	Service to DA 005 - 30,000Km	MUNI	699.07
EFT33745	10/05/2019	Bunbury Coffee Machines	ERC - Cafe Stock - Cups, Cartons & Coffee	MUNI	536.00
EFT33746	10/05/2019	Bunbury Psychological Services	Counselling Services x 1 - EAP	MUNI	154.00
EFT33747	10/05/2019	Bunbury Towing	DA 9279 Collected at Eaton Rec Centre and Delivered to Bunbury Holden - Bunbury	MUNI	130.00
EFT33748	10/05/2019	Bunbury Vineyard Christian Fellowship Inc	Hall Hire Refund - Bunbury Vineyard Christian Fellowship	MUNI	180.00
EFT33749	10/05/2019	Bunnings Group Limited	Repairs and Maintenance - Millbridge Toilets and Ferguson Hall	MUNI	583.28
EFT33750	10/05/2019	Caltex Australia Petroleum Pty Ltd	Fuel Expenses - Shire of Dardanup Vehicle Fleet	MUNI	19,677.68
EFT33751	10/05/2019	CB Traffic Solutions	Supply and Install Road Line Marking at the Intersection of Eaton Dr and Millbridge Bvd.	MUNI	3,461.81

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33752	10/05/2019	Cineads Australia Pty Ltd	ERC Cineads Monthly Fee	MUNI	1,100.00
EFT33753	10/05/2019	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account for Point to Point Microwave Service	MUNI	2,893.00
EFT33754	10/05/2019	City of Bunbury	Dog and Cat Pound Fees	MUNI	289.00
EFT33755	10/05/2019	Citygate Properties Pty Ltd	Eaton Fair Voucher to the Value of \$50.00 Employee Exit Farewell Gift	MUNI	50.00
EFT33756	10/05/2019	Cleanaway	Kerbside Refuse and Recycling Removal - Primary Account	MUNI	43,612.68
EFT33757	10/05/2019	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection and Landfill Waste Collection	MUNI	7,362.10
EFT33758	10/05/2019	Coates Hire Ltd	Hire of Toilet for Prison Program 03/11/2018 to 03/03/2019	MUNI	396.99
EFT33759	10/05/2019	Coca-Cola Amatil Australia Pty Ltd	ERC - Cafe Stock - Soft Drinks	MUNI	217.53
EFT33760	10/05/2019	Codee-Lee Down	Library Programs - Live Music in the Library - May	MUNI	300.00
EFT33761	10/05/2019	Cohen Thompson - Ct Basketball Camp	ERC - Vac Care Basketball Clinic With Cohen - Monday 15Th April 2019	MUNI	225.00
EFT33762	10/05/2019	Craven Foods	ERC - Cafe Stock - Consumables	MUNI	616.19
EFT33763	10/05/2019	CS Legal	Legal Costs Incurred - Recovery of Unpaid Rates - Fees to be Recovered From Rate Payer	MUNI	38.28
EFT33764	10/05/2019	Caltex Energy WA	Textran Oil and Adblue for Loader DA 873	MUNI	439.68
EFT33765	10/05/2019	DAPCO Tyre and Auto Centre	Repair to Window - DA9406	MUNI	141.50
EFT33766	10/05/2019	Darby Sidebotham	Umpire Recoup Netball 07-05-2019	MUNI	157.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33767	10/05/2019	Dardanup General Store	Supply of Milk (And General Goods as Required)	MUNI	7.20
EFT33768	10/05/2019	Deputec Pty Ltd	ERC - Deputy Roster Software 01-04-2019 - 30-04-2019	MUNI	97.37
EFT33769	10/05/2019	Devon Chang	Attending DDD Perth Conference 03-08-2019 - Business Solutions Developer	MUNI	60.00
EFT33770	10/05/2019	Donna Bastow	Umpire Recoup Basketball 08-05-2019	MUNI	132.00
EFT33771	10/05/2019	Darryl Fishwick	Umpire Recoup Basketball 08-05-2019	MUNI	88.00
EFT33772	10/05/2019	Eaton Junior Cricket Club	Community Grant Funding to Replace Synthetic Turf for 2 x Cricket Nets	MUNI	5,000.00
EFT33773	10/05/2019	Eaton Pet Vet	Free Microchipping and Vet Checks for Dardanup Residents - Walk On the Wild Side Event 2019	MUNI	400.00
EFT33774	10/05/2019	EIS Control	Wiring and Reprograming of VS Drive	MUNI	585.75
EFT33775	10/05/2019	Elliott's Small Engines	Chaps Chainsaw Huski Pro and Helmet - Protective Clothing	MUNI	343.95
EFT33776	10/05/2019	Emma Woollams	Umpire Recoup Netball 07-05-2019	MUNI	88.00
EFT33777	10/05/2019	Evelyn Butchart	Morning Tea for Author Talk and Catering for Leeuwin Presentation Evening	MUNI	810.00
EFT33778	10/05/2019	Fit Right Sit Tight	Library Programs - Car Seat Installation Checks - May	MUNI	200.00
EFT33779	10/05/2019	Fit2Work	Monthly Invoice for Australian Employee Police Checks	MUNI	76.78
EFT33780	10/05/2019	Fits Training Services	Basic Chainsaw Course - Crew Member	MUNI	385.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33781	10/05/2019	Fresh Floral Studio	Anzac Day Wreaths - River Valley Primary School Anzac Service Held 1 May 2019	MUNI	130.00
EFT33782	10/05/2019	Grace Records Management	Bin Exchange and Records Management	MUNI	680.75
EFT33783	10/05/2019	Heatleys	Protective Clothing - Coverall Disposable and Belt Clips as Required	MUNI	374.77
EFT33784	10/05/2019	Jason Carroll Naturopath	ERC - Stock - Ideal Breakfast Shake	MUNI	578.60
EFT33785	10/05/2019	Jean Dorias Clarke	Refund of Pensioner Rebate at Settlement - A2002	MUNI	480.53
EFT33786	10/05/2019	Jim's Test and Tag	RCD and Emergency Lighting Test - Various Locations x 4	MUNI	806.30
EFT33787	10/05/2019	JP Group - CPSS Pty Ltd	3 Monthly Lease of Transfer Station at Lot 81 Banksia Road Dardanup	MUNI	2,917.46
EFT33788	10/05/2019	Karyn Rowe	Umpire Recoup Netball 07-05-2019	MUNI	150.00
EFT33789	10/05/2019	Kryptomine Pty Ltd	Applications Support Contract - Administration	MUNI	5,440.00
EFT33790	10/05/2019	Landgate	Gross Rental Valuations, Online Property Search and Rural Unimproved Valuations	MUNI	1,640.02
EFT33791	10/05/2019	Les Mills Asia Pacific	ERC - Monthly Music Licence Fees	MUNI	1,222.50
EFT33792	10/05/2019	LGIS Risk Management Services	Facilitation of Risk Management Framework and Workshop 27 & 28 March 2019 (LGIS Funding Pool to be Accessed)	MUNI	2,820.00
EFT33793	10/05/2019	Malatesta Road Paving and Hotmix	Crooked Brook Road Final Seal	MUNI	40,215.70
EFT33794	10/05/2019	Marketforce	Advertising of Public Notices and Recruitment as Required	MUNI	1,907.47

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33795	10/05/2019	Mckayhla Pomare	Umpire Recoup Basketball 08-05-2019	MUNI	22.00
EFT33796	10/05/2019	Monica Cain	ERC - Refund of Membership Fees - Cancellation Error and Was Not Processed	MUNI	105.65
EFT33797	10/05/2019	Nightguard Security Service	Security Call-Out Service for Eaton Admin Centre x 2	MUNI	198.00
EFT33798	10/05/2019	Nites Electrical	Investigate Tripping Circuit Breaker in Demountable - Eaton Office	MUNI	363.00
EFT33799	10/05/2019	Nathan Stacey	Umpire Recoup Basketball 08-05-2019	MUNI	132.00
EFT33800	10/05/2019	O'Brien Glass Industries Limited	Windscreen Replacement to DA 648 Ford Ranger 2014	MUNI	285.00
EFT33801	10/05/2019	Officeworks Superstores Pty Ltd	Stationery - Eaton Office	MUNI	136.50
EFT33802	10/05/2019	One Steel Metaland	Repairs - Galvanised Angle Iron for Standpipe Cages at Burekup and Dardanup	MUNI	156.31
EFT33803	10/05/2019	Perfect Landscapes	Ongoing Mowing - Various Parks and Ovals	MUNI	4,262.50
EFT33804	10/05/2019	PFD Food Services Pty Ltd	ERC - Cafe Stock - Staples	MUNI	1,124.55
EFT33805	10/05/2019	PFI Supplies	Various Cleaning Supplies - Eaton and Dardanup Offices	MUNI	658.40
EFT33806	10/05/2019	Pollen Nation	Library Programs - Hanging Milk Bottles Workshop - May	MUNI	304.00
EFT33807	10/05/2019	Raelene Tedd	Umpire Recoup Netball 03-05-2019	MUNI	157.50
EFT33808	10/05/2019	Ryan Baker	Umpire Recoup Basketball 08-05-2019	MUNI	110.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33809	10/05/2019	Safetcard Australia	Monthly Monitoring Fees for SafeTcard	MUNI	264.00
EFT33810	10/05/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	372.69
EFT33811	10/05/2019	SMR Psychology	Employee Assistance Program x 3	MUNI	561.00
EFT33812	10/05/2019	SOS Office Equipment	Photocopier Meter Reading - All Shire Copy Machines	MUNI	4,067.11
EFT33813	10/05/2019	St John Ambulance Western Australia Ltd	Eaton Rec Centre - 1st Aid Supplies for Kits	MUNI	38.40
EFT33814	10/05/2019	Stella Botte	Reimbursement of Meals	MUNI	69.50
EFT33815	10/05/2019	Suez Recycling and Recovery	Kerbside Recycling Processing	MUNI	3,265.34
EFT33816	10/05/2019	Synergy	Townsite Street Lights Plus 31 x Synergy Accounts	MUNI	33,743.15
EFT33817	10/05/2019	Telstra	Telephone Use for West Dardanup BFB - April 2019	MUNI	35.00
EFT33818	10/05/2019	Terrywhite Chemmart Eaton	Annual Flu Vaccinations Shire Employees	MUNI	139.65
EFT33819	10/05/2019	Tracey Tupaea	Umpire Recoup Netball 07-05-2019	MUNI	176.00
EFT33820	10/05/2019	Tennant Australia	ERC- Maintenance of Scrubber	MUNI	328.90
EFT33821	10/05/2019	Vaun Alan Cashin	Refund of Overpayment of Rates at Settlement - A2580	MUNI	1,060.41
EFT33822	10/05/2019	Veolia Environmental Services (Australia) Pty Ltd	Street Sweeping at Required Locations	MUNI	10,152.45
EFT33823	10/05/2019	Vacuum World	Crèche - Vacuum Part for Bissell Carpet Cleaner	MUNI	32.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33824	10/05/2019	WALGA	Local Government Economic Development Framework Launch and Seminar	MUNI	150.00
EFT33825	10/05/2019	Water Corporation	Water Use and Service Charges for Lot 90 Swan Avenue Millbridge and Russell Road Burekup	MUNI	241.83
EFT33826	10/05/2019	WINC Australia Pty Ltd	General Stationery Order - Eaton Admin Office	MUNI	148.48
EFT33827	10/05/2019	Woolworths Group Limited	ERC - Cafe Stock and General Purchases for Council and Eaton Office	MUNI	620.66
EFT33828	10/05/2019	Work Clobber	Protective Clothing - Staff Requirements	MUNI	157.79
EFT33829	16/05/2019	ABC Filter Exchange	ERC - Kitchen Filter Exchange	MUNI	49.50
EFT33830	16/05/2019	Action Kerbing	Remove and Replace Kerbing - Little Street Dardanup	MUNI	6,930.00
EFT33831	16/05/2019	All Aussie Truck and Bobcat Services	Regular Slashing and Waste Transfer Station Maintenance	MUNI	1,540.00
EFT33832	16/05/2019	Altus Planning	Provision of Independent Planning Advice Regarding Development Applications for Lot 2 Banksia Road Dardanup	MUNI	10,841.19
EFT33833	16/05/2019	Amelia Kaitani	Umpire Recoup Netball 14-05-2019	MUNI	88.00
EFT33834	16/05/2019	Amy Helen Lawrence	Reimbursement of Parking Costs - ITVision Training Perth	MUNI	25.90
EFT33835	16/05/2019	Andrea McDougall	Parking Perth Training - Public Arts Workshop	MUNI	35.28
EFT33836	16/05/2019	Angela Winter	Provide CPR First Aid Training - Relevant Staff Members	MUNI	330.00
EFT33837	16/05/2019	Australian Tax Office	PAYG Withholding - Payrun 17-05-19	MUNI	77,962.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33838	16/05/2019	Ashley Burton	Reimbursement for Medication for Injury	MUNI	29.95
EFT33839	16/05/2019	Ben Anderson	Reimbursement for Meals & Admission - BRPC/BRMO Forum	MUNI	223.70
EFT33840	16/05/2019	Besafe Building Inspections	Pylon Structure Certification	MUNI	310.00
EFT33841	16/05/2019	Brandicoot	Use of Web Services and Support Newsletter Subscription Facebook and Twitter - Eaton Community Library	MUNI	238.00
EFT33842	16/05/2019	Bunbury Auto Group (Parts and Service)	15,000 Km Service DA588	MUNI	499.88
EFT33843	16/05/2019	Bunbury Auto One	Trolley Jack and Stands for Trailer Repairs	MUNI	561.70
EFT33844	16/05/2019	Bunbury Bearings	New Axle and Parts for Trailer	MUNI	197.45
EFT33845	16/05/2019	Bunbury Coffee Machines	ERC - Coffee Maintenance - Group Seals, Shower Screens and Packers	MUNI	103.40
EFT33846	16/05/2019	Bunbury Hiab and Tilt Tray	Cart Pipes From Doral to Mountford Way	MUNI	302.50
EFT33847	16/05/2019	Bunbury Toyota	Purchase New Toyota Prado Td Auto GXL Graphite - DA017	MUNI	57,334.76
EFT33848	16/05/2019	Bunbury Plumbing Service	Carting of 80,000 Litres Water to Depot	MUNI	1,663.90
EFT33849	16/05/2019	Carbone Brothers Pty Ltd	Supply and Deliver Approx. 21,000T Gravel - Pile Road	MUNI	124,483.82
EFT33850	16/05/2019	CB Traffic Solutions	Pile Road Traffic Management	MUNI	33,254.65
EFT33851	16/05/2019	Civilcon	Refund of DA Application - Withdrawn - Receipt # 122319 & 122318	MUNI	611.00
EFT33852	16/05/2019	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection and Landfill Waste Collection	MUNI	5,086.65

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33853	16/05/2019	Coates Hire Ltd	Hire of Portable Toilet	MUNI	322.99
EFT33854	16/05/2019	Construction Training Fund : BCITF	BCITF April 2019 Approvals	MUNI	2,285.44
EFT33855	16/05/2019	Craven Foods	ERC - Cafe Stock	MUNI	324.60
EFT33856	16/05/2019	Caltex Energy WA	Hydraulic Oil and 1 X Carton of Grease Cartridges	MUNI	443.79
EFT33857	16/05/2019	Daniel Bryant	Umpire Recoup Basketball 15-05-2019	MUNI	132.00
EFT33858	16/05/2019	Dardanup Rural Supplies	2 X Packs Survey Pegs - Fly Spray - Tek Screws	MUNI	399.69
EFT33859	16/05/2019	Debra Rodden	Yoga Instruction - 17/04 & 24/04/2019	MUNI	120.00
EFT33860	16/05/2019	Depart of Mines, Industry, Regulations & Safety	BSL April 2019 Approvals	MUNI	4,306.04
EFT33861	16/05/2019	Donna Bastow	Umpire Recoup Basketball 15-05-2019	MUNI	132.00
EFT33862	16/05/2019	Dorsogna Limited	ERC - Cafe Stock	MUNI	147.94
EFT33863	16/05/2019	Ductworks Australia	Investigate Building Department Air Conditioner	MUNI	170.01
EFT33864	16/05/2019	DX Print Group Pty Ltd	Business Card for-Senior Engineering Technical Officer-Design	MUNI	120.00
EFT33865	16/05/2019	Darryl Fishwick	Umpire Recoup Basketball 15-05-2019	MUNI	66.00
EFT33866	16/05/2019	EasiFleet Management	Lease Payments for Volkswagen Tiguan Rego: 1GLU208 - CEO	MUNI	2,517.86
EFT33867	16/05/2019	Eaton Pet Vet	Shire Sterilisation Voucher	MUNI	35.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33868	16/05/2019	Eaton Vet Clinic	Shire Sterilisation Voucher	MUNI	35.00
EFT33869	16/05/2019	Emma Woollams	Umpire Recoup Netball 13-05-2019	MUNI	88.00
EFT33870	16/05/2019	Ferguson Hall Management Committee Inc	Minor Community Event Assistance for Snow White Pantomime Event at Ferguson Hall	MUNI	2,000.00
EFT33871	16/05/2019	Fulton Hogan Industries WA	1 Ton Pre Mix	MUNI	209.00
EFT33872	16/05/2019	Gaylene Godfrey	Reimbursement - Plants for CEO Office & Tray for Council Kitchen	MUNI	72.48
EFT33873	16/05/2019	Glanbia Performance Nutrition Pty Ltd	ERC - Amino Energy Drinks and Protein Bars	MUNI	394.90
EFT33874	16/05/2019	Harvey Norman	Meeting Table and Chairs for CEO Office - ERC Keyboard and USB Hub	MUNI	1,362.95
EFT33875	16/05/2019	Health Insurance Fund of WA	Payroll Deductions	MUNI	114.95
EFT33876	16/05/2019	Hitachi Construction Machinery Australia Pty Ltd	Call Out for Transmission - DA9774	MUNI	813.43
EFT33877	16/05/2019	Howson Technical	Project Management - Harris Road	MUNI	4,284.50
EFT33878	16/05/2019	Harley's Auto Electrics	Repair Various Flashing Lights On Patching Truck DA 8457	MUNI	1,325.50
EFT33879	16/05/2019	JCW Electrical Pty Ltd	Replace 8 Faulty Globes as Identified - Millars Creek Walkway - Lighting Repairs Dardanup Hall	MUNI	1,248.87
EFT33880	16/05/2019	Jill Harrison	Library Programs - Paper Flowers Workshops - May	MUNI	145.40
EFT33881	16/05/2019	Jim's Test and Tag	Test and Tag - Works Depot and Eaton Junior Football Club	MUNI	1,065.90

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33882	16/05/2019	Josie Phillips	Umpire Recoup Netball 14-05-2019	MUNI	157.50
EFT33883	16/05/2019	Karyn Rowe	Umpire Recoup Netball 14-05-2019	MUNI	202.50
EFT33884	16/05/2019	Kryptomine Pty Ltd	Software Applications Support Contract	MUNI	2,960.00
EFT33885	16/05/2019	Landmark Operations Ltd	Agra Force Turf Special and Herbicide	MUNI	1,475.10
EFT33886	16/05/2019	Malatesta Road Paving and Hotmix	Nyleeta Close Reseal - Pile Road Prime Seal and Banksia Road Seal	MUNI	38,549.78
EFT33887	16/05/2019	Melanie Serra	Reimbursement for Working With Children Check	MUNI	85.00
EFT33888	16/05/2019	Mpower People	HR Services	MUNI	962.50
EFT33889	16/05/2019	Nathan Stacey	Umpire Recoup Basketball 15-05-2019	MUNI	88.00
EFT33890	16/05/2019	Officeworks Superstores Pty Ltd	ERC - Display Stands for Marketing Material	MUNI	175.76
EFT33891	16/05/2019	Onsite Rental Group	Monthly Hire of Ablution Block at Banksia Refuse Site	MUNI	936.38
EFT33892	16/05/2019	Pages Mechanical Repairs	Service Truck DA628	MUNI	1,145.00
EFT33893	16/05/2019	Perfect Landscapes	Ongoing Mowing - Various Parks and Ovals	MUNI	1,985.50
EFT33894	16/05/2019	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	512.00
EFT33895	16/05/2019	Porter Consulting Engineers Tusno Pty Ltd	Engineering Design Ferguson Road	MUNI	4,400.00
EFT33896	16/05/2019	Promote You	Embroidery of Staff Uniforms	MUNI	61.60

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33897	16/05/2019	QK Technologies Pty Limited	ERC - Qikkds Gateway Usage	MUNI	8.37
EFT33898	16/05/2019	Rockingham Holden	Rubber Mat for Boot Protection of Community Services Equinox to be Fitted	MUNI	151.00
EFT33899	16/05/2019	Rural Cinema	Movie Screening Night- Dardanup Winter Cinema Event- 2019 Dardanup Hall	MUNI	1,400.00
EFT33900	16/05/2019	Ryan Baker	Umpire Recoup Basketball 15-05-2019	MUNI	110.00
EFT33902	16/05/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	397.13
EFT33903	16/05/2019	Simon Bolland	Library Programs - Live Music in the Library - Feb Mar April May	MUNI	400.00
EFT33904	16/05/2019	SMR Psychology	Employee Assistance Program	MUNI	187.00
EFT33905	16/05/2019	South West Rubber Stamps	ERC - Invoice Stamp	MUNI	42.30
EFT33906	16/05/2019	Southern Lock and Security	Cut 13 Restricted Keys	MUNI	105.00
EFT33907	16/05/2019	Synergy	Synergy Accounts x 9 - Various Locations	MUNI	2,684.80
EFT33908	16/05/2019	T-Quip	6 x Sets of Mulching Blades for Toro Groundmaster	MUNI	563.25
EFT33909	16/05/2019	Telstra	Telstra Accounts x 5 Including Main Landlines Mobiles and iPads	MUNI	11,560.35
EFT33910	16/05/2019	Top of the Stairs Puppets	Puppet Show - Dardanup Winter Cinema Event	MUNI	250.00
EFT33911	16/05/2019	Totally Workwear	1 Pair Elastic Sided Safety Boots	MUNI	176.00
EFT33912	16/05/2019	Tracey Tupaea	Umpire Recoup Netball 14-05-2019	MUNI	221.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33913	16/05/2019	Tradesman Homes	Refund of Building Application Fee - Paid Twice	MUNI	315.36
EFT33914	16/05/2019	Tutt Bryant Hire	Plant Hire for April	MUNI	10,014.75
EFT33915	16/05/2019	Thompson Surveying Consultants	Survey Works Around Eaton Drive and Watson Ave	MUNI	4,936.80
EFT33916	16/05/2019	Water Corporation	Water Accounts x 8 - Various Locations	MUNI	2,622.88
EFT33917	16/05/2019	Wellington Mill Community as association	Community Grant Funding 2018 - 2019	MUNI	2,715.00
EFT33918	16/05/2019	West Australian Mechanical Services Pty Ltd	ERC - Aircon Service March 2019 - Aircon 3 (Quarterly Maintenance)	MUNI	522.50
EFT33919	16/05/2019	West Australian Newspapers Ltd	Subscription - Newspapers - Per 12 Weeks Standing Order 01/07/2018 - 30/06/2019	MUNI	164.34
EFT33920	16/05/2019	WINC Australia Pty Ltd	Whiteboard to be Kept in Council Chambers Plus General Stationery Order - Eaton Admin Office	MUNI	1,845.48
EFT33921	16/05/2019	With Every Breath	Library Programs - Yoga Workshop x 3 - April School Holidays	MUNI	250.00
EFT33922	16/05/2019	Wood and Grieve Engineers	Provision of Services for the Design of Harris Road Upgrades	MUNI	18,422.25
EFT33923	16/05/2019	Woolworths Group Limited	ERC - Cafe Stock and General Purchases Eaton Office	MUNI	449.84
EFT33924	16/05/2019	Work Clobber	ERC - 93 x Polo for Staff Uniform 18 x Personal Training Singlets 36 x Jackets	MUNI	4,792.39
EFT33925	23/05/2019	ABC Filter Exchange	ERC - Kitchen Filter Exchange	MUNI	495.00
EFT33926	23/05/2019	Access Wellbeing Services	EAP Consultations x 4	MUNI	748.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33927	23/05/2019	Alina Gribble	Reimbursement for Accommodation - Animal Flow Workshop	MUNI	220.00
EFT33928	23/05/2019	Alison Meachem	Library Programs - Mix Media Art - May	MUNI	175.00
EFT33929	23/05/2019	Amelia Kaitani	Umpire Recoup Netball 21-05-2019	MUNI	132.00
EFT33930	23/05/2019	Anita Ettridge	Umpire Recoup Netball 06-05-2019	MUNI	90.00
EFT33931	23/05/2019	Allegiance Security Personnel	Walk On the Wild Side Event 2019 and Skatepark Event - Security Service	MUNI	624.80
EFT33932	23/05/2019	Big W	Small Personal Heaters x 5 - Eaton Admin Office	MUNI	145.00
EFT33933	23/05/2019	Blackwoods	2 x Rolls Bandit Strapping - Road Sign Maintenance	MUNI	474.93
EFT33934	23/05/2019	Blaine Thompson	Umpire Recoup Basketball 22-05-2019	MUNI	66.00
EFT33935	23/05/2019	Brenton See Visual Artist	Murals Dardanup, Burekup and Millbridge - Public Art Project Final Payment	MUNI	2,352.62
EFT33936	23/05/2019	Brownes Foods Operations Pty Ltd	ERC - Cafe Stock	MUNI	272.71
EFT33937	23/05/2019	Bunbury and Districts Softball as association	Pavilion Hire for Future Skate Park Community Consultation	MUNI	75.00
EFT33938	23/05/2019	Bunbury Coffee Machines	ERC - Barista Training and Stock	MUNI	1,592.90
EFT33939	23/05/2019	Bunbury Harvey Regional Council	Regional Waste Education Program - Hook Bin Hire and Banksia Rd Organic Disposal	MUNI	2,819.35
EFT33940	23/05/2019	Bunbury Machinery	Supply and Install Blower Fan Motor and Fan Speed Switch to Tractor DA9781	MUNI	3,279.71

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33941	23/05/2019	Bunbury Psychological Services	Counselling Services - EAP	MUNI	154.00
EFT33942	23/05/2019	Bunbury Sheds and Patios	Refund of Building Application - 2018190219	MUNI	159.35
EFT33943	23/05/2019	Bunbury Subaru	Purchase 2019 Subaru Forester 2.5l Wagon White - DA9605 with Trade-In plus 52,000Km Service DA004	MUNI	14,043.92
EFT33944	23/05/2019	Bunnings Group Limited	Straps, Wheelbarrow Repairs, Ant Spray, Safety Items Replacements - Repairs & Maintenance	MUNI	588.82
EFT33945	23/05/2019	Bunbury Plumbing Service	Water Supply and Cartage - Crooked Brook Road	MUNI	520.00
EFT33946	23/05/2019	C & C Conveyancing	Refund of Overpayment of Rates at Settlement - A2191	MUNI	419.71
EFT33947	23/05/2019	Cameron & Kathryn Anne Martin	Crossover Rebate - 5 Macleay St Dardanup - A11654	MUNI	180.00
EFT33948	23/05/2019	City of Busselton	Shire of Dardanup Contribution to the South West IPR Peer Support Program Project	MUNI	1,200.00
EFT33949	23/05/2019	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection And Landfill Collection	MUNI	4,569.10
EFT33950	23/05/2019	Coates Civil Consulting Pty Ltd	Design - Pile Road Upgrading	MUNI	7,150.00
EFT33951	23/05/2019	Connect Call Centre Services	After Hours Call Centre Service	MUNI	488.35
EFT33952	23/05/2019	Craven Foods	ERC - Cafe Stock	MUNI	220.85
EFT33953	23/05/2019	Daniel Bryant	Umpire Recoup Basketball 22-05-2019	MUNI	132.00
EFT33954	23/05/2019	Dardanup Rural Supplies	Over Flow for Tank and Fencing Pliers	MUNI	32.55

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33955	23/05/2019	Donna Bastow	Umpire Recoup Basketball 22-05-2019	MUNI	132.00
EFT33956	23/05/2019	Drummond Catering	Council Meeting Dinner - 15 May 2019 - 13 People	MUNI	520.00
EFT33957	23/05/2019	Eaton Pet Vet	Feline Euthanasia and Burial	MUNI	75.00
EFT33958	23/05/2019	Elliott's Irrigation Pty Ltd	Works and Service to Iron Filtration System Gary Engel Park	MUNI	2,473.90
EFT33959	23/05/2019	Greg Harewood	Produce Data Report for Clearing Permit - Crooked Brook Road	MUNI	297.00
EFT33960	23/05/2019	Holcim Australia Pty Ltd	Materials Pile Road Maintenance	MUNI	1,498.20
EFT33961	23/05/2019	Hynes Contracting	Remove Dead Tree From Moore Road West Dardanup	MUNI	330.00
EFT33962	23/05/2019	Harley Dykstra	Amalgamation of Lots Pratt Road - Office Preparation, Drafting and Lodgement	MUNI	2,669.00
EFT33963	23/05/2019	Harley's Auto Electrics	Repair Light Bar On Patching Truck DA8457	MUNI	1,116.50
EFT33964	23/05/2019	IT Vision Australia Pty Ltd	20019 - Payroll Essentials - Senior Finance Officer	MUNI	2,249.50
EFT33965	23/05/2019	JCW Electrical Pty Ltd	Repairs to Walkway Lighting Between Hunters and Cadel Park Millbridge	MUNI	965.69
EFT33966	23/05/2019	Josie Phillips	Umpire Recoup Netball 21-05-2019	MUNI	157.50
EFT33967	23/05/2019	Karyn Rowe	Umpire Recoup Netball 20-05-2019	MUNI	157.50
EFT33968	23/05/2019	Kings Tree Care	Maintenance - Clarence Loop Millbridge and Casuarina Street Eaton	MUNI	1,188.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33969	23/05/2019	Kryptomine Pty Ltd	Software Applications Support Contract	MUNI	960.00
EFT33970	23/05/2019	Landgate	Gross Rental Valuations	MUNI	70.48
EFT33971	23/05/2019	Lee Holben	Reimbursement for Working With Children Check	MUNI	85.00
EFT33972	23/05/2019	Malatesta Road Paving and Hotmix	Primer Seal - Pile Road and Maintenance to Dowdells Line	MUNI	23,393.51
EFT33973	23/05/2019	Mckayhla Pomare	Umpire Recoup Basketball 22-05-2019	MUNI	66.00
EFT33974	23/05/2019	Michelle Winwood	ERC - Pilates Instruction - 27/4, 4/5, 11/5	MUNI	126.00
EFT33975	23/05/2019	Morgan Imports Pty Ltd	Morgan Platinum Punch Bag Hanger Replacement	MUNI	149.55
EFT33976	23/05/2019	Nathan Stacey	Umpire Recoup Basketball 22-05-2019	MUNI	132.00
EFT33977	23/05/2019	Nutrition Systems	ERC - Café Stock	MUNI	557.70
EFT33978	23/05/2019	One Steel Metaland	Galvanised Square Tube for Tip Site Windows	MUNI	93.59
EFT33979	23/05/2019	Pages Mechanical Repairs	Service Truck - DA325	MUNI	1,082.45
EFT33980	23/05/2019	Parmelia Hilton Hotel	Accom for Australasian Management Challenge - 6 Staff Members	MUNI	1,388.90
EFT33981	23/05/2019	Penny Melville	Crossover Rebate - 3 Macleay St Dardanup - A11655	MUNI	180.00
EFT33982	23/05/2019	Perfect Landscapes	Ongoing Mowing - Various Parks and Ovals	MUNI	4,262.50
EFT33983	23/05/2019	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	294.25

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33984	23/05/2019	Picton Civil Pty Ltd	Watson St - Subsoil Drainage Behind Kerb	MUNI	4,125.00
EFT33985	23/05/2019	Pirtek Bunbury	Supply and Replace Hydraulic Hose - DA9774	MUNI	1,134.63
EFT33986	23/05/2019	Qikkids	Qikkids Software for Vacation Care - Annual Subscription - Web	MUNI	2,279.99
EFT33987	23/05/2019	RJ Pestell Family Trust Ta Subway Treendale	ERC - 3 x Sports Finals Catering	MUNI	615.00
EFT33988	23/05/2019	Ryan Charles Duff	Refund of Planning Application Fee - DA not Required	MUNI	147.00
EFT33989	23/05/2019	Renouf Fitness Equipment	Gym Equipment - Resistance Bands	MUNI	279.55
EFT33990	23/05/2019	Sage Consulting Engineers Pty Ltd	Consulting Services for Light Upgrade - Millars Creek	MUNI	7,315.00
EFT33991	23/05/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	176.19
EFT33992	23/05/2019	Shire of Dardanup	BSL for BA1 2018190344 - Don Hewison Centre	MUNI	61.65
EFT33993	23/05/2019	Simon Peter & Samantha King	Working With Children Check Reimbursement	MUNI	85.00
EFT33994	23/05/2019	SMR Psychology	Employee Assistance Program x 2	MUNI	341.00
EFT33995	23/05/2019	Snaggolf WA	Snag Golf- Family Entertainment- Community Event	MUNI	715.00
EFT33996	23/05/2019	South Regional Tafe	Auschem Reaccreditation - May 2019 Team Leader Parks & Gardens	MUNI	529.90
EFT33997	23/05/2019	Southern Lock and Security	Padlock Key Cut - Waterloo Hall	MUNI	65.35
EFT33998	23/05/2019	Sparklers Car Wash	Detail of Vehicle DA 9279 to Remove Bore Water Stain	MUNI	350.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT33999	23/05/2019	Suitcase Circus	Suitcase Circus - Community Event and Workshops	MUNI	1,850.00
EFT34000	23/05/2019	Suzanne Gratwick	Reimbursement for Working With Children Check	MUNI	85.00
EFT34001	23/05/2019	Synergy	Synergy Accounts - Gary Engel Park and Gardiner Street Burekup	MUNI	2,744.25
EFT34002	23/05/2019	Total Eden Pty Ltd	Repairs and Maintenance Parks & Gardens	MUNI	339.14
EFT34003	23/05/2019	Tracey Tupaea	Umpire Recoup Netball 17-05-2019	MUNI	178.00
EFT34004	23/05/2019	Vanessa Black	Umpire Recoup Netball 20-05-2019	MUNI	90.00
EFT34005	23/05/2019	Water Corporation	Water Services and Usage x 13 Locations	MUNI	9,498.16
EFT34006	23/05/2019	Westbooks	Young Adult Fiction Books - Community Library	MUNI	343.05
EFT34007	23/05/2019	Winc Australia Pty Ltd	General Stationery Order - Eaton Admin Office	MUNI	514.79
EFT34008	23/05/2019	Woolworths Group Limited	Purchase of Leaving Gift for Engineering Technical Officer	MUNI	447.30
EFT34009	23/05/2019	Work Clobber	ERC- Staff Uniforms	MUNI	156.20
EFT34010	23/05/2019	Xtreme Bounce Party Hire	Inflatable Amusement Hire - Shire Event 2019 Spring Out	MUNI	3,135.00

CHEQUES

44878	23/05/2019	Department of Transport	Special Plates - 0035DA - Cameron Wetherell Receipt # 122851	MUNI	200.00
-------	------------	-------------------------	--	------	--------

BPAY

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD14324.1	10/05/2019	Telstra	Mobile Plan- DFES Grant Funded Officer - 0467651208	MUNI	118.00
CREDIT CARD					
DD14337.1	09/05/2019	Australia Post	Po Box Services Annual Charge	MUNI	319.00
DD14337.2	09/05/2019	Mailchimp	Monthly Subscription and Charge for Electronic Newsletter	MUNI	99.66
PAYROLL					
DD14343.1	17/05/2019	WA Super	Payroll Deductions	MUNI	39,040.95
DD14343.2	17/05/2019	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	76.31
DD14343.3	17/05/2019	MLC Super Fund	Superannuation Contributions	MUNI	600.83
DD14343.4	17/05/2019	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	334.19
DD14343.5	17/05/2019	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	237.92
DD14343.6	17/05/2019	One Path Masterfund	Superannuation Contributions	MUNI	132.08
DD14343.7	17/05/2019	Wealth Personal Superannuation and Pension Fund	Superannuation Contributions	MUNI	88.05
DD14343.8	17/05/2019	Suncorp Brighter Super	Superannuation Contributions	MUNI	110.48
DD14343.9	17/05/2019	BT Super for Life	Superannuation Contributions	MUNI	152.03
DD14343.10	17/05/2019	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	41.28

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD14343.11	17/05/2019	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	256.69
DD14343.12	17/05/2019	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	601.43
DD14343.13	17/05/2019	Media Super	Superannuation Contributions	MUNI	476.26
DD14343.14	17/05/2019	Construction & Building Industry Super	Superannuation Contributions	MUNI	763.58
DD14343.15	17/05/2019	Australiansuper	Superannuation Contributions	MUNI	1,208.02
DD14343.16	17/05/2019	Rest Superannuation	Superannuation Contributions	MUNI	828.29
DD14343.17	17/05/2019	Burton Superannuation Fund	Superannuation Contributions	MUNI	254.92
DD14343.18	17/05/2019	Hostplus	Superannuation Contributions	MUNI	415.69

CERTIFICATE OF Chief Executive Officer

This Schedule of Accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.



MR ANDRÉ SCHÖNFELDT
Chief Executive Officer

REPORT TOTALS

EFT	822,291.67
Muni Cheque	200.00
Payroll	45,619.00
Credit Card	418.66
International	
BPAY	118.00
TOTAL	868,647.33

868,647.33

CARRIED
5/0

12.11 Local Emergency Management Committee Meeting Minutes Held 02/05/2019

MINUTES OF THE SHIRE OF DARDANUP LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON THURSDAY 2 MAY 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 10.00AM.

Officer Comment

The minutes of the Dardanup Local Emergency Management Committee meeting are attached (Appendix ORD:12.11A).

OFFICER RECOMMENDED RESOLUTION & ENBLOC COUNCIL RESOLUTION

166-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council receives the minutes of the Local Emergency Management Committee meeting held 2 May 2019.

CARRIED
5/0

OFFICER RECOMMENDED RESOLUTION & LOCAL EMERGENCY MANAGEMENT COMMITTEE RECOMMENDED RESOLUTION “A” & ENBLOC COUNCIL RESOLUTION

167-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council endorses the 2019-2020 LEMC Annual Business Plan as appended (Appendix ORD:12.11B).

CARRIED
5/0

12.12 Bushfire Advisory Committee Meeting Minutes Held 21/05/2019

MINUTES OF THE SHIRE OF DARDANUP BUSHFIRE ADVISORY COMMITTEE MEETING HELD ON TUESDAY 21 MAY 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 7.00PM.

Note: Refer to Shire President comments at Part 8 (Page 9) of these minutes. This item was dealt with earlier in the meeting. See page 33 of these minutes.

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

168-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council accepts the report to 2019 WALGA AGM, which seeks firm commitments from State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy, as Business of an Urgent Nature.

CARRIED
5/0

14.1 Title: WALGA Motions – WALGA Convention 7 August 2019

Reporting Department: Executive

Reporting Officer: Mr André Schönfeldt - Chief Executive Officer

Legislation: Local Government Act 1995

Overview

This report seeks Council's endorsement of a report to the WALGA AGM in August 2019, which will seeks support from WALGA members for WALGA to continue to support Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 (Attachment 1 – to WALGA Report) and seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.

Background

At the Council Meeting of the 15 May 2019, Council resolved [116-19]:

THAT Council request the Chief Executive Officer to prepare a waste to energy encouragement position asking WALGA to give more support to such technology, to be included in the WALGA AGM.

The proposed report to WALGA is intended to give effect to this resolution from Council. In preparing the report the Chief Executive Officer André Schönfeldt liaised with Ms. Rebecca Brown and Mr. James McGovern from WALGA to obtain relevant information and previous reports related to Waste to Energy provided to WALGA.

Legal Implications - None.

Strategic Community Plan

Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High)

Environment - None.

Precedents -

Council in October 2018 provided comment on the draft Strategy including broad support for the Strategy.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The State Government earlier in 2019 adopted a new Waste Strategy: Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 (the Strategy). The Strategy sets out ambitious goals that aim to reduce total waste produced per capita by 20% by the year 2030 and to increase recycling and resource recovery to 75%. Whilst the broad intent of the Strategy is supported the Strategy itself and the endorsed Action Plan does not provide firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, nor does it include specific local options for reprocessing, recycling or waste to energy.

Currently the Strategy sets Targets for its intended outcomes but does not include a firm plan of how the State Government is going to actually implement and achieve these Targets. The Waste Avoidance and Resource Recovery Strategy Action Plan 2030 (Attachment 2 – to WALGA Report) also does not provide clarity or concrete actions or incentives to address these targets.

The report to WALGA seeks support from WALGA Members to support the strategy but seek more firm commitments from the State Government as to how this will be achieved. In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas, which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

169-19 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council endorse the report to the WALGA AGM as follows and advise WALGA accordingly:

WALGA Members Support for Waste to Energy

Shire of Dardanup Delegate to move:

THAT WALGA continue to support Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 (Attachment 1) and seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.

In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.

Currently the Strategy sets Targets for these outcomes but does not include a firm plan of how the State Government is going to actually implement and achieve these Targets. The Waste Avoidance and Resource Recovery Strategy Action Plan 2030 (Attachment 2) also does not provide clarity or concrete actions or incentives to address these targets.

MEMBER COMMENT

Building on and updating the first Western Australian Waste Strategy: Creating the Right Environment published in 2012, earlier this year (2019) the State Government released the West Australia's Waste Strategy (Waste Avoidance and Resource Recovery Strategy 2030).

Previous State Government Targets have included goals of towards zero waste to landfill by 2020. This may no longer be achievable, however there has been positive trends in waste figures as included in Table 1 on page 9 of the Waste Strategy:

Table 1: Changes in waste generation and landfill in Western Australia, 2010–11 and 2014–15 (Hyder, 2013 & ASK Waste Management, 2017)

	2010–11	2014–15	Percentage change
Generation – total	6.53 million tonnes	6.23 million tonnes	↓5%
Generation – per capita	2,764 kilograms	2,437 kilograms	↓12%
Waste to landfill	4.49 million tonnes	3.61 million tonnes	↓20%
Resource recovery	2.04 million tonnes	2.62 million tonnes	↑28%

Increases in FOGO and other recycling efforts have improved resource recovery significantly up 28%, whilst per capita generation is down 12%. The knock on effect is that there was a fifth (20%) less waste going to landfill in 2014/15 than in 2010/11. However, there have been questions raised regarding the accuracy of this data and the Department of Water and Environmental Regulation are going to require mandatory reporting by Local Government and industry to address this issue. Even given questions about the data, there is still more than 3.6 million tonnes of waste going to landfill every year. To reduce this the Waste Strategy 2030 sets out the following targets:

VISION	<i>Western Australia will become a sustainable, low-waste, circular economy in which human health and the environment are protected from the impacts of waste.</i>		
OBJECTIVES	Avoid <i>Western Australians generate less waste.</i>	Recover <i>Western Australians recover more value and resources from waste.</i>	Protect <i>Western Australians protect the environment by managing waste responsibly.</i>
TARGETS	<ul style="list-style-type: none"> ⦿ 2025 – 10% reduction in waste generation per capita ⦿ 2030 – 20% reduction in waste generation per capita 	<ul style="list-style-type: none"> ⦿ 2025 – Increase material recovery to 70% ⦿ 2030 – Increase material recovery to 75% ⦿ From 2020 – Recover energy only from residual waste 	<ul style="list-style-type: none"> ⦿ 2030 – No more than 15% of waste generated in Perth and Peel regions is landfilled. ⦿ 2030 – All waste is managed and/or disposed to better practice facilities

Source: Waste Avoidance and Resource Recovery Strategy 2030 page 6

If these targets are achieved it would result in the following:

- Total waste generated in 2030 reduced by 20% from 2014/15 figures to 4.98 million tonnes per annum.
- Only 15% of total waste generated is landfilled (acknowledging that the target is only set for Perth and Peel), the total waste to landfill across the state will be 0.75 million tonnes.
- Resource recovery is increased to 75%, resulting in 3.74 million tonnes being recovered.
- That leaves 0.5 million tonnes potentially available for Waste to Energy – which the Strategy notes should only be generated from ‘residual waste’. The alternative is that waste to landfill will increase to 1.25million tonnes per annum.

Whilst the targets are clear, the plan about how this will be implemented is yet to be developed and Local Government and industry will need long term certainty to invest to achieve these targets. The Shire of Dardanup is therefore asking WALGA members to support WALGA to advocate to the State Government for more specific and firm commitments to divert waste from landfill through local options for reprocessing, recycling and waste to energy.

In this regard, the Waste Authority recognises the benefits in siting waste infrastructure close to the source of waste generation. Benefits include reduced transport impacts from the movement of waste, such as greenhouse impacts, traffic congestion and community amenity (Waste Authority's Waste to Energy position Statement, 2013 Attachment 3). It is therefore important that local options for reprocessing, recycling and waste to energy are considered an essential component in achieving the Waste Strategy's targets. Not taking action and continuing with the status quo will mean waste is transported hundreds or even thousands of kilometres to be disposed of in the regions, rather than being dealt with at source. By considering smaller scale local options it would provide opportunities for reduction at source and also assist communities in the regions to reduce their waste to landfill.

Considering the above, without Waste to Energy (WtE) and significant improvements in resource recovery, there would still be 25% or 1.25million tonnes state-wide of waste being sent to landfill. According to a 2013 discussion paper (Attachment 4) prepared for WALGA by the Municipal Waste Advisory Council (MWAC), a standing committee of the Association with delegated authority to represent the Association in all matters relating to solid waste management, WtE could reduce the weight of waste by 70-80% and the volume of waste by 90%.

The Waste Authority considers best practice WtE processes to be a preferable option to landfill for the management of residual waste but not at the expense of reasonable efforts to avoid, reuse, reprocess or recycle waste. WtE has the potential to divert substantial volumes of waste from landfill (and thereby support the delivery of Waste Strategy targets) and produce a beneficial product (Waste Authority's Waste to Energy position Statement, 2013).

To address this it is important that options for reduction in the amount of waste going to landfill also consider smaller waste to energy plants that could be located within regional areas to reduce reliance on landfill. Initial investigations indicate that current available technologies could provide opportunities for smaller plants to be established that would use about 500kg of Municipal Solid Waste per hour or about 4,400 tonnes per annum. Such facilities could be located across regional areas and reduce waste to landfill but also provide for energy generation.

It is recommended that the alternative options outlined in this item be incorporated into the Waste Strategy's Action Plan 2030 with specific incentives put in place by the Government to ensure we reduce, and eventually eliminate, our reliance on landfill.

CARRIED
5/0

15 PUBLIC QUESTION TIME**15.1 Mrs Fiona Moriarty – Sale of Lot 1 Banksia Road**

Mrs Moriarty - Could Council confirm if there were any Memorandum of Understanding [MoU], either verbal or implied, between the vendors and the Shire for the Sale of Lot 1 Banksia Road? Or did they just buy a transfer station?

Cr. M T Bennett – I believe they bought a site that had a small refuse site on it. There were no other agreements attached to the sale at all. We do have a lease on the area where the Shire's transfer station is. Other than that there were no side agreements, there are no implications. It was just a straight sale. We had the opportunity to sell it to a group of local governments and we chose not to as the price offered was too low. The Council decided to go with a higher price and get more income for its ratepayers.

Director Engineering & Development Services, Mr Luke Botica advised that the sale process was handled by public tender. The Shire's waste disposal licence of 5,000 tonnes per annum was transferred to the transfer station.

Shire President, Cr. M T Bennett advised that Council had not used the site for some time, other than the transfer station. Council then looked at if we could sell it. There were 9 local governments that offered approximately \$2.2M. This was below valuation so Council decided to put the property on the market. They came back with a subsequent offer for approximately \$4.7M. Council sold it for the best price.

Mrs Moriarty – At what stage was it mooted as a major waste precinct?

Cr. M T Bennett – I believe it was approximately five or six years ago when the Land Planning Strategy was released. We had our site, J&P leased their site to Cleanaway, Millennium and Council had bought another site. Depiazzi had their area. At that time Council decided to make that area a waste precinct.

Mrs Moriarty – Was there an independent environmental report done at that stage as it was right on top of that drainage area?

Cr. M T Bennett – No. Council ensured that there were multiple monitoring bores, well above what was required.

Chief Executive Officer, Mr André Schönfeldt advised that the environmental matters would have been considered by the Department of Water and Environmental regulation under the relevant works approvals / licences.

Mrs Moriarty – Without a proper environmental review on that site, with the aquifer and dust, it seems inappropriate that it goes forward without proper environmental reviews?

Mr André Schönfeldt – We intend to bring an item to Council that will look at what has occurred on these sites from a compliance perspective over time. The report will also look at what needs to occur going forward. The report will also address the questions raised by the Dardanup Environmental Action Group

Mrs Moriarty – It looks like there were not any reports carried out.

Cr. M T Bennett – DWER were the licensing people and it was just for putrescible waste at that time.

Mrs Moriarty – As most of the Councillors here were on Council at the time it was sold and turned into a waste precinct, is there a conflict of interest for Councillors as they were involved in the negotiation? Do Councillors need to declare an interest?

Cr. M T Bennett – No, I wouldn't think so.

Mrs Moriarty – Even though you have had to negotiate with the parties regarding the land?

Cr. M T Bennett – The Council did not negotiate, it was sold through public tender.

Chief Executive Officer, Mr André Schönfeldt – A conflict of interest arise when an individual Councillor has a clear financial interest or through a closely associated person interest. As an organisation we have to conduct business under a range of legislation and then deal with matters as required. This does not constitute a conflict of interest in that sense.

Chief Executive Officer, Mr André Schönfeldt - Whilst it is identified in the Local Planning Strategy, there are no existing scheme provisions on how the precinct is to be dealt with in the future. There are existing landuse rights that can continue on into perpetuity as result of the Minister's decision in 1999 and the SAT decision in 2005. Taking the precinct of the Local Planning Strategy Map is not going to make the land uses go away. We have to now look at what is the better way to deal with it. The new Town Planning Scheme 9 could incorporate environmental matters and it will also be considered by EPA as part of the formal process that will be followed. With that in mind, we have to acknowledge what is there. It is not going to go away, and remember this was granted approval in the past against Council wishes.

Mrs Moriarty – Will there be dust monitoring sites around the immediate periphery?

Mr Schönfeldt – This will be reported as part of the response to the Dardanup Environmental Action Group requests, to Council.

16 MATTERS BEHIND CLOSED DOORS

None.

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 26 June 2019, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer, Cr. M T Bennett declared the meeting closed at 6.05pm.


Shire of Dardanup

CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on 26 June 2019, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

DocuSigned by:



Signed _____
(Chairman or Shire President or Other Presiding Officer)

C8039D26FBD2150