



**CONFIRMED**

# MINUTES

# ORDINARY MEETING

Held

1 November 2017

At

Shire of Dardanup  
ADMINISTRATION CENTRE EATON  
1 Council Drive - EATON

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## 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 OF THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 1 NOVEMBER 2017, 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, welcomed those in attendance and referred to the Disclaimer, 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 Gnaala Karla Booja 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. Carmel Boyce	-	Elected Member

Cr. Tyrrell Gardiner	-	Elected Member
Cr. Luke Davies	-	Elected Member
Cr Patricia Perks	-	Elected Member
Cr Janice Dow	-	Elected Member
Cr Danny Harris		Elected Member
Mr Mark Chester		Chief Executive Officer
Mr Luke Botica	-	Director Engineering & Development Services
Mr Peter Stampoultzis	-	Acting Director Corporate & Community Services
Mrs Donna Bailye	-	Executive Governance Officer
Mr Mick Saunders	-	Manager Assets
Mrs Cecilia Muller	-	Principal Planning Officer

## 2.2 Apologies

Cr. J Lee - Elected Member - LEAVE OF ABSENCE [254-17].

### **3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

None.

### **4 PUBLIC QUESTION TIME**

None.

### **5 APPLICATIONS FOR LEAVE OF ABSENCE**

None.

## 6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Mr Andrew Blee, Halsall and Associates on behalf of R. Harvie – Item 12.7 – Proposed Local Structure Plan and Proposed Amendment 196 to Town Planning Scheme No.3 (Rezoning Portion of Lot 100 from ‘General Farming’ to ‘Small Holding’)

Mr Andrew Blee read aloud the following:

*Shire President, Deputy Shire President, Councillors and Staff my name is Andrew Blee from Halsall and Associates Planning Consultants and we represent Russell Harvie, the landowner of Lot 100 Wellington Mill Road. We are here tonight to discuss Item 12.7 of the Agenda and in particular to provide greater context to the bushfire issues raised by DFES which we feel are not adequately expressed in the report.*

*The first point to make in this regard and perhaps the most important is that the fire risk for the site has not changed. The reason this is an important point to make is because this risk has not changed since DFES were invited numerous times over the last 10 years to make comment on the strategic direction for the Wellington Mill Area which identifies the area for intensification through the rezoning of land and subdivision. We are assuming that support for the most recent Strategy in 2015 suggests that they were confident the fire risk could be adequately managed. Again this risk that has not changed between 2015 and now.*

*It is also important to note that the requirement to not support development in an extreme bushfire risk area is not new and was clearly present in the previous fire policy and therefore could have been applied to many proposals supporting intensification of Wellington Mills over the last 10 years but it was not. Instead the strategic framework identifies that fire needs to be addressed through a BMP when a proposal is considered.*

*Our client on advice from us, Shire Staff and a fire consultant submitted a detailed Scheme Amendment, Structure Plan and Bushfire Management Plan as supported by the Strategic framework. The proposal and in particular bushfire components were also supported by a raft of similar broader proposals across the South West that were going through and supported by DFES at the same time that Halsall and Associates had prepared.*

*So when did this all change?*

*DFES recently went through a structural change which resulted in a major shift in how they process applications. This resulted in all referrals and consideration of BMP's going through Perth not the local SW officer. This fundamental change also resulted in a major change of interpretation of the landscape section of the Policy which resulted in DFES deeming the site an extreme fire hazard and no further intensification will be supported. A large number of other applications we are working on were also caught up in this change. The view that the site is deemed an extreme fire hazard we feel has not been adequately justified by DFES. Our BMP prepared by a level 3 consultant, the highest qualification in the State, has identified areas that are within the BAL level outlined in the Policy to support development of*

*the site within a designated building envelope. Notwithstanding this, the site also has 2 existing dwellings that are incorporated into the plan therefore improving their ability to deal with bushfire risk also.*

*So what can the Shire do?*

*This issue, in the broader planning context, has the potential to undermine the strategic direction that the Shire and WAPC have endorsed moving forward. All based on a risk that has not changed and was previously supported by DFES. Our client has been caught in the middle and spent thousands of dollars only for the goalposts to change half way through the process. The Shire have the opportunity to push back and allow us to further negotiate with DFES and the WAPC by supporting this proposal and sending a strong message that you wish to stand by your strategy and the right for landowners to pursue development in accordance with this. By supporting the proposal as submitted, the Shire are not approving or inheriting the liability of the BMP and any associated impacts from a bushfire this is taken on by the Fire Consultant that prepared the BMP. You are simply giving Halsall and Associates and the landowner greater power when negotiating the proposal through the next stage.*

*We acknowledge that the area is challenging from a bushfire perspective and as such if the Shire are not comfortable supporting the proposal as is we have prepared an alternative plan that reduces the total number of blocks to from 7 to 3. Should this be an option we request that Council defer the proposal so that we can submit the amended plan to Staff for consideration at the next appropriate meeting.*

*Thank you for time tonight and please don't hesitate to ask questions.*

#### **Discussion:**

*Cr. L D Harris – I have been involved in bush developments before with bush issues. We have had to stop, go back and read the criteria again. After the last two studies it has changed dramatically. You will have to meet the new standard. If you can or you can't, you have to find a way forward. I don't believe we can jump over the new Bushfire Legislation.*

*Mr Andrew Blee – We are not jumping over the legislation. Where the Department of Fire and Emergency Services (DFES) are rejecting this is on the State Planning Policy. The broad landscaping scale hasn't changed. The requirement to build has not changed. We understand the guideline requirements. You will note in the Council report, DFES commented there are two separate applications (Structure Plan and Scheme Amendment) in the eyes of the Department of Planning, Lands & Heritage. DFES provided comments back to modify the Structure Plan to address the criteria. The Shire had to seek additional clarification on DFES comments on zoning (Scheme Amendment) and development (Structure Plan). DFES didn't support the scheme amendment. We believe we meet those guidelines. So does the consultant that did the bush fire management plan. Requirement of the policy was to build in BAL29 or less. There is adequate areas to do that. Buildings are not in BAL40 and meet requirements of the policy.*

*Cr. L D Harris – The best you can get is in principle support. Your company will have to go down the pathway and deal with the departments. You will need to get their support but we can give principle support.*



*Cr. M T Bennett Mick – We don't deal in principle.*

*Mr Andrew Blee – We would request a recommendation to support the proposal. We can work with the other groups.*

*Cr. T Gardiner – How long has this been going on.*

*Mr Andrew Blee - We were engaged at the end of 2015. Things have changed since then.*

*Cr. P Robinson – Andrew is asking support in principle. Haven't we done that with the Structure Plan?*

*Chief Executive Officer, Mr Mark Chester – The Wellington Mill Structure Plan was done a while ago and the rules have changed.*

## **7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **7.1 Ordinary Meeting Held 1 November 2017**

#### **OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

275-17      MOVED -    Cr. L Davies                      SECONDED -    Cr. C N Boyce

**THAT the Minutes of the Ordinary Meeting of Council held on 11 October 2017, be confirmed as true and correct subject to no corrections.**

CARRIED  
8/0

#### **OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

276-17      MOVED -    Cr. L Davies                      SECONDED -    Cr. C N Boyce

**THAT the Minutes of the Special Meeting of Council held on 25 October 2017, be confirmed as true and correct subject to no corrections.**

CARRIED  
8/0

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

*Discussion:*

*Cr. M T Bennett I would like to take this opportunity to thank Councillors and staff for the support you have all given me over the last two years and more particularly at our Special Meeting last week, firstly for nominating me and then re-electing me as President.*

*The way in which you all accept and believe in the direction I take Council has been reflected in conversations I have had with members of the community, during the election. On a few occasions I was asked "who of the new candidates would maintain the focus Council has on maintaining services and the forward thinking previously undertaken". My answer is "the candidates as I see them also wish to be a part of Council to support the Community".*

*It is a reflection of a progressive Council in our not slowing down in our attentions towards Wanju and our other progressive projects.*

*Thank you again.*

**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.*

*There was no response.*

## 12 REPORTS OF OFFICERS AND COMMITTEES

### 12.1 Title: Request to Operate a RAV Category 4 Vehicle on Harris Road And Martin Pelusey Road (Wren Oil)

*Reporting Department: Engineering & Development Services*

*Reporting Officer: Mr Mick Saunders – Manager Assets*

*Legislation: Local Government Act 1995*

#### Background -

Council is requested to review a RAV Category 4 vehicle application by Wren Oil.

The application relates to (approximately) 1.5 kilometres of Harris Road (from Wren Oil in the west to Martin Pelusey Road), and all of Martin Pelusey Road, approximately 3.4 kilometres.

Details of the haulage operation are as follows:

- Haulage operation to commence as soon as practicable;
- Wren Oil intends to do up to 40 trips per month on an ongoing basis; and
- Vehicles operating under this application shall be configured as RAV Category 4.

#### Legal Implications

Only Main Roads WA (MRWA) can issue permits to Operators wishing to utilise Restricted Access Vehicles or Concessional Loading (or both). However, permits seeking access to local roads can only be issued if supported by the local authority.

Permit conditions must be adhered to at all times, and are enforced by the Police and Main Roads WA Heavy Operations Division.

Council can request specific conditions for haulage on its road network. In this particular application the estimated cost of road wear associated with the haulage operation is approximately \$1,800 per year.

Strategic Community Plan - None.

Environment - None.

#### Precedents

The MRWA website shows that Harris Road and Martin Pelusey Road are conditional RAV Category 4 routes. Accordingly, applicants must seek Shire of Dardanup endorsement to use RAV 4 Category vehicles; however MRWA will approve any RAV 4 applications once Shire approval is granted.

Wren Oil has successfully applied for access to the western end of Harris Road to the Wren Oil premises in RAV Category 4, Concessional loading level 3. This was approved as Resolution [192-17].

#### Budget Implications

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

#### Council Policy Compliance

The Director Engineering & Development Services and Manager Assets have delegated authority to approve Network Category 2 and 3 vehicles on a select range of roads within the Shire. The Wren Oil application is outside the extent of delegated authority due to the vehicle configuration (RAV Category 4).

Risk Assessment - Medium.

Although the intersection of Harris Road and Martin Pelusey Road has been assessed by MRWA as suitable for RAV Category 4 vehicles, allowing additional heavy haulage will create additional road wear, particularly at the intersection. Further to this, there will be an increase in the risk to motorists on Martin Pelusey Road as slow moving vehicles enter from Harris Road.

#### Officer Comment

Resolution [192-17] enabled Wren Oil to access their premises in RAV Category 4 vehicles with concessional loading. Access is via Harris Road to the west, within the City of Bunbury. Part of the officer's comment was that Wren Oil would be disadvantaged by not having this level of access to their premises.

The nature of this application is that it will enable a short cut from the Wren Oil premises to South Western Highway to the north and Boyanup Picton Road to the south. Access to South Western Highway and Boyanup Picton Road is still available by travelling west on Harris Road.

It is the Officer's opinion that the minimal advantage gained by Wren Oil does not warrant the additional risk to safety and road assets the application poses.

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation No Change.

### **OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

277-17      MOVED - Cr. T Gardiner      SECONDED - Cr. P Perks

**THAT Council advise Wren Oil that Council does not support their application to operate RAV Category 4 vehicle combinations on**

**Harris Road (from Wren Oil premises to Martin Pelusey Road) and Martin Pelusey Road for the following reasons:**

- 1. An existing approved route already exists, west on Harris Road;**
- 2. Potential reduced safety of other users of Martin Pelusey Road; and**
- 3. To avoid unnecessary additional wear of Harris Road and Martin Pelusey Road.**

CARRIED  
8/0

12.2 Title: Request to Operate a RAV Category 4 Vehicle on Harris Road (ICL Group)

*Reporting Department: Engineering & Development Services*

*Reporting Officer: Mr Mick Saunders – Manager Assets*

*Legislation: Local Government Act 1995*

Background -

Council is requested to consider a RAV Category 4 vehicle application by ICL Group.

The application relates to (approximately) 290 metres of Harris Road, being from the Shire boundary to the west to Wren Oil premises.

Details of the haulage operation are as follows:

- Haulage operation to commence as soon as practicable;
- ICL Group intends to do up to 3 trips per day on an ongoing basis; and
- Vehicles operating under this application shall be configured as RAV Category 4.

Legal Implications

Only Main Roads WA (MRWA) can issue permits to Operators wishing to utilise Restricted Access Vehicles or Concessional Loading (or both). However, permits seeking access to local roads can only be issued if supported by the local authority.

Permit conditions must be adhered to at all times, and are enforced by the Police and Main Roads WA Heavy Operations Division.

Council can request specific conditions for haulage on its road network. In this particular application the estimated cost of road wear associated with the haulage

operation is negligibly low (approximately \$170). This is due to the very short distance of haul.

Strategic Community Plan - None.

Environment - None.

#### Precedents

The MRWA website shows that Harris Road is a conditional RAV Category 4 route. Accordingly, applicants must seek Shire of Dardanup endorsement to use RAV Category 4 vehicles; however MRWA will approve any RAV 4 applications once Shire approval is granted.

#### Budget Implications

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

#### 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 ICL Group application is outside the extent of delegated authority due to the vehicle configuration (RAV Category 4).

Risk Assessment - Low.

Allowing additional heavy haulage will create additional road wear. However, due to the very short haul distance and the existing level of heavy traffic in the industrial area, the additional road wear is expected to be minimal and acceptable.

#### Officer Comment

In recognition of the high level of heavy traffic already present in the Picton East Industrial Estate and in consideration of recent similar approvals, it is recommended that the application be endorsed conditionally.

Further, due to the very low incremental cost calculated using the WALGA Guide, it is recommended that the Shire imposes the standard road safety fund amount of \$300.

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - None.

**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

278-17            MOVED -    Cr. T Gardiner                      SECONDED -    Cr. P Perks

**THAT Council endorses the application by ICL Group to operate RAV Category 4 vehicle combinations on 290 metres of Harris Road from Wren Oil premises west to the Shire boundary, subject to the following conditions:**

- 1.     The Permit is valid for a twelve month period, from 2 November 2017 to 1 November 2018.**
- 2.     Any damage to any Shire road as a result of ICL Group operations shall be repaired with the cost to ICL Group.**
- 3.     The Shire receives a contribution of \$300 (exclusive of GST) to be paid to the Shire for the Road Safety Fund.**
- 4.     A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under this permit.**

CARRIED  
8/0

**CHANGE TO ORDER OF BUSINESS**

*Discussion:*

*Cr. M T Bennett requested that Council deal with Item 12.7 as there were people in the public gallery that were in attendance for this Item.*

*The Council agreed and resolved accordingly.*

**COUNCIL RESOLUTION**

279-17            MOVED -    Cr. P Robinson                      SECONDED -    Cr. P Perks

**THAT Council change the Order of Business [5.24pm] under Council Standing Orders – to bring forward Item 12.7 that is provided in the middle of the agenda.**

CARRIED  
8/0

**CHANGE TO ORDER OF BUSINESS**

12.7 Title: Proposed Local Structure Plan and Proposed Amendment 196 to Town Planning Scheme No. 3 (Rezoning Portion of Lot 100 from 'General Farming' to 'Small Holding') – Lot 100 Wellington Mill Road – (Halsall & Associates on behalf of R. Harvie)

Reporting Department: Engineering and Development Services  
Reporting Officer: Mr Jake Whistler - Senior Planning Officer  
Legislation: Planning and Development Act 2005

Site Plan

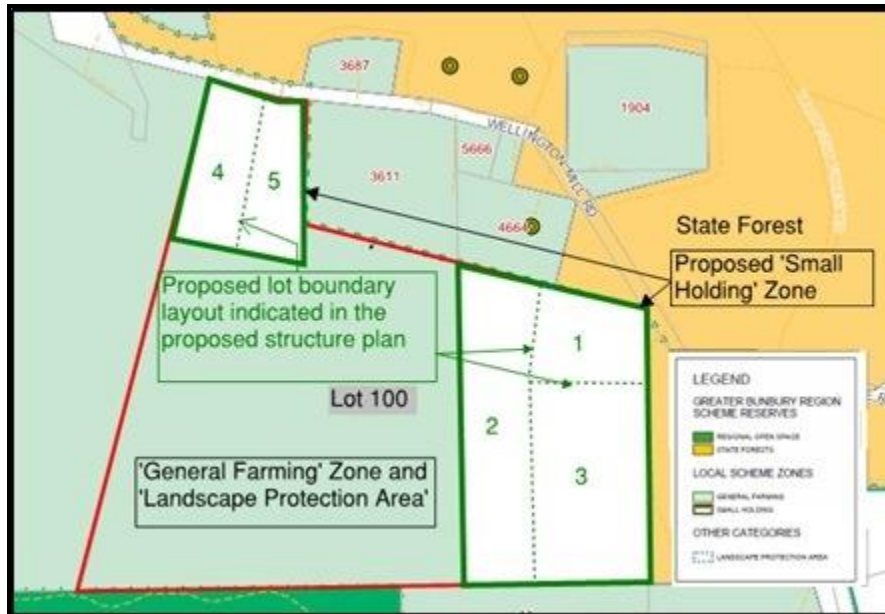


Current Zoning Plan





Proposed Rezoning Plan



Background -

Council is being requested to concurrently consider a Scheme amendment proposal and proposed Local Structure Plan relevant to Lot 100 Wellington Mill Road, Wellington Mill. Whilst technically two separate processes, as they are inter-related they are being addressed in a single report.

At its meeting held 14 December 2016 [339-16] Council resolved the following:

1. Resolves to adopt Amendment 196 to the Shire of Dardanup Town Planning Scheme No. 3 by:
  - a) Rezoning portion of Lot 100 Wellington Mill Road from 'General Farming' to 'Small Holding' and inserting additional requirements under Appendix VIII of the Scheme as follows:

<p>Area 18</p> <p>Portion Lot 100 Wellington Mill Road, Wellington Mill</p>	<p>1) SUBDIVISION</p> <p>a) Subdivision shall be generally in accordance with an approved Structure Plan under Part 4 of the deemed provisions.</p> <p>b) The minimum lot size shall be 2 ha.</p> <p>c) The approved Bushfire Management Plan is to be implemented to the satisfaction of the relevant clearing agency.</p> <p>d) The local government will recommend to the WAPC that as a condition of subdivision approval a Section 70A notification be placed on the titles advising:</p> <p>i) "All owners are obliged to conform to the ongoing requirements of the approved Bushfire Management Plan."</p>
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	<p>ii) <i>“The lot may be affected by activities that may occur on the adjacent Department of Parks and Wildlife land.”</i></p> <p>2) <i>DEVELOPMENT</i></p> <p>a) <i>Notwithstanding Clause 3.14(b) of the Scheme, no more than one dwelling is permitted on each lot.</i></p> <p>b) <i>The use of highly reflective building and roofing materials is not permitted and construction materials should be of colours that compliment and blend with the natural environment, to the satisfaction of the local government.</i></p> <p>c) <i>The construction of the dwelling shall comply with the requirements of the approved Bushfire Management Plan.</i></p> <p>d) <i>All development is to be contained to an allocated building envelope as approved by the local government and as shown in the approved Bushfire Management Plan.</i></p>
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b) *Amend the Scheme maps accordingly.*

2. *Resolves that pursuant to Pt. 5, Div. 1, R. 35 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 Amendment 196 is a ‘standard amendment’ for the following reasons:*

a) *The amendment is consistent with the Shire’s Local Planning Strategy for the scheme which has been endorsed by the Commission; and*

3. *Advertise Amendment 196 in accordance with Pt. 5, Div. 3, R. 47 of the Planning and Development (Local Planning Scheme) Regulations 2015.*

- **Advertising Of The Scheme Amendment**

Pursuant to the above resolution of Council, the Scheme Amendment was advertised in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*. It was advertised from 6 February 2017 to 20 March 2017 (42 days) via letter correspondence to all landowners within the vicinity of Lot 100 and to the following agencies (agencies new names are provided in brackets):

- Western Power;
- Water Corporation;
- Department of Health;
- Department of Fire and Emergency Services;
- Department of Mines and Petroleum;
- Department of Agriculture & Food (Department of Primary Industries and Regional Development);
- Department of Parks and Wildlife (Department of Biodiversity, Conservation and Attractions);
- Department of Lands (Department of Planning, Lands and Heritage);
- Telstra;

- Department of Water (Department of Water and Environmental Regulation);
- Department of Planning (Department of Planning, Lands and Heritage); and
- Department of Environment Regulation (Department of Water and Environmental Regulation).

In addition, a single notice was placed in the South Western Times on 9 February 2017 and the proposal was advertised on the Shire's website.

In response to the advertising period, nine submissions were received from government agencies with one objection being received. Copies of the received submissions are contained in (Appendix ORD: 12.7A) and are summarised in the below Schedule of Submissions:

	Submitter	Submitter Comment	Officer Comment
1.	Department of Mines Petroleum	No objection.	Noted.
2.	Department of Agriculture and Food WA	No objection.	Noted.
3.	Telstra	No objection.	Noted.
4.	Department of Environment Regulation	No objection.	Noted.
5.	Water Corporation	No objection.	Noted.
6.	Department of Health	No objection.  1. Has no objection to the amendment providing any proposed developments are required to be in accordance with the draft <i>Country Sewerage Policy</i> .	Noted.
7.	Department of Water	No objection.  1. Notes that Lot 100 is contained within the Ferguson River and Tributaries Surface Water Area as proclaimed under the ' <i>Rights To Water and Irrigation Act 1914</i> '.	Noted.
		2. Notes the dam located on a tributary of the Ferguson River within Lot 100 is unlicensed and is required to be licenced by the Department. Recommends the proponent contact the Department of Water Licencing Officer.	This is a compliance matter that can be undertaken by the Department of Water. It is not relevant to the Scheme Amendment.
		3. Notes the dam located on the proposed Lot 6 may encroach onto Lot 5. Notes the Department of Water does not support surface water dams encroaching across private boundaries. Recommends the alignment of the proposed	Should Council resolve to support the proposal both the proposed Zoning Plan and the Structure Plan will need to be modified to demonstrate compliance with this requirement from the DWER.

	Submitter	Submitter Comment	Officer Comment
		boundary between Lot 5 and Lot 6 should be reviewed to ensure that the dam and immediate area around the dam are kept within the one legal boundary.	
		4. Advises the Department will require a spillway to be built by the proponent to enable the return of dam stream flow back into the natural watercourse before leaving the property which may be required to be contained within one legal property boundary namely the proposed Lot 6.	The construction of a spillway is considered 'earthworks' under TPS3 and requires development approval. Through this process it can be ensured that any spillway constructed is contained solely within the relevant property boundaries.
		5. Notes the proponent should consider water supply to which the following water availability advice is provided:  The subject property is located within the Karri Groundwater Area as proclaimed under the Rights in Water and Irrigation Act 1914. Only artesian groundwater abstraction in this proclaimed area is subject to licensing by the department. The Karri Groundwater area consists of fractured rock where the supply of groundwater quality and quantity can be hit and miss. Groundwater supply should not be relied upon for the proposed development use, unless the groundwater area has been hydrogeologically assessed and quantified.	Noted.
8	Department of Parks and Wildlife	Comment.  1. Notes lot 100 contains remnant vegetation, which forms part of continuous good quality forest bushland and is important as a wildlife refuge. The remnant vegetation on the property is also identified in <i>Molloy et al, 2009</i> , as being part of and contributing to a core regional ecological linkage.	Noted.
		2. Notes the priority flora species <i>Acacia semitrullata</i> is known to occur within the vicinity of Lot 100.	Noted.

	Submitter	Submitter Comment	Officer Comment
		3. Notes that Lot 100 contains native vegetation which is potential habitat for the three species of threatened black cockatoos. Black cockatoos are listed as threatened species under the Commonwealth of Australia's <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) and Western Australia's <i>Wildlife Conservation Act 1950</i> . Major threats to black cockatoos include habitat loss and fragmentation.	Noted.
		4. Notes Lot 100 contains several watercourses which are tributaries of the Ferguson River.	Noted.
		5. Notes the Lot 100 southern boundary is adjacent to the Wellington National Park. The Lot 100 eastern boundary is adjacent to the Wellington State forest, which is also a Forest Products Commission pine plantation. Both the National Park and the State Forest are managed by Parks and Wildlife.  Further notes that the Lot 100 vegetation consolidates the adjacent forested bushland and provides a buffer for the adjoining National Park.	Noted.
		6. Advises that the approval of the draft Scheme Amendment should not result in imposition being placed upon the management of the adjoining Parks and Wildlife managed land.	Noted.
		7. Advises that the Department provided advice on a subdivision application.	Noted.
		8. Advises the Department also provided comments to the Shire on the draft Lot 100 Structure Plan.	Noted.
		9. Recommends that Scheme Amendment provision 1c), is amended to include reference to Parks and Wildlife.	Should Council resolve to support the Scheme Amendment provision 1c) is to be amended as follows:

	Submitter	Submitter Comment	Officer Comment
			<i>'The approved Bushfire Management Plan is to be implemented to the satisfaction of the relevant clearing agency and in consultation with the Department of Biodiversity, Conservation and Attractions.'</i>
		10. Recommends that further subdivision of Lot 100, beyond what is proposed in the draft Structure Plan, should not be considered and that only one dwelling per lot will be permitted.	Existing TPS3 provisions prohibit further subdivision of lots beyond the initial subdivision of the land (as guided by an endorsed Structure Plan).  The proposed Scheme Amendment includes a provision (2a), that restricts development to one dwelling per lot.
		11. Recommends that the draft scheme amendment includes a provision requiring subdivision boundaries within Lot 100 forested bushland areas to be demarcated with fire proof markers only and that there be no clearing for fences.	This requirement may have an impact on land management practices where a rural type fence on property boundaries would be more acceptable.
		12. Recommends that the draft scheme amendment also includes a provision requiring a Vegetation Impact Management Plan acceptable to Parks and Wildlife, which may require flora and fauna surveys to be prepared and implemented to minimise potential impacts to potential threatened flora and fauna habitat when clearing native vegetation is unavoidable.	Should Council resolve to support the Scheme Amendment an additional subdivision condition provision can be included within the Scheme as follows:  <i>'The Local Government will recommend to the WAPC that as a condition of subdivision approval that a Vegetation Impact Management Plan shall be prepared and implemented to the specifications of the Department of Biodiversity, Conservation and Attraction and the Shire.'</i>
		13. Advises that stock on the property should be prevented from grazing forested bushland areas.  Recommends that the draft scheme amendment includes a provision which states that any stock on the property should be prevented from grazing forested bushland areas within the site.	Should Council resolve to support the Scheme Amendment an additional subdivision condition provision can be included within the Scheme as follows:  <i>'The Local Government will recommend to the WAPC that as a condition of subdivision approval that all substantial native vegetation within the proposed small holding lots are to be suitably fenced to prevent stock from accessing forested bushland areas.'</i>  Further to the above and to ensure the perpetual prohibition of stock in the vegetated areas, an

	Submitter	Submitter Comment	Officer Comment
			<p>additional Scheme provision be included as follows: <i>'3. Land Use Control</i></p> <p><i>1a) No livestock or other domesticated animals shall be permitted within the native vegetation forested bushland areas of any lot without the prior consent of Council.'</i></p>
9.	<p>Department of Fire and Emergency Services</p> <p>PO Box P1174 PERTH WA 6844</p>	<p>1. Refers to Shire correspondence regarding the submission of a Bushfire Management Plan (BMP) dated 10 November 2016, prepared by RUIC Fire, for Scheme Amendment 196.</p>	Noted.
		<p>2. Provides the following comments with regard to <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)</i> and the <i>Guidelines for Planning in Bushfire Prone Areas (Guidelines)</i>.</p>	Noted.
		<p>3. Provides the following considerations for the determining authority:</p> <p><b>1. Policy Objective</b></p> <p>i) Policy Objective 5.1 of SPP3.7 applies and states:</p> <p><i>"Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and management of bushfire impact are paramount."</i></p> <p><b>2. Policy Measure</b></p> <p>i) Policy Measure 6.11 of SPP3.7 applies to the proposal and states:</p> <p><i>"The presumption against approving further strategic planning proposals, subdivision and development applications or intensification of land uses, where there is a lack of certainty that the potential for significant adverse impacts can be adequately reduced or managed in the opinion of the decision maker."</i></p>	Noted.
		<p>4. Advises that in line with the intent of SPP3.7 and the above policy objective /measure, DFES does not</p>	It is acknowledged that DFES does not support Scheme Amendment 196.

	Submitter	Submitter Comment	Officer Comment
		<p>support the proposed scheme amendment as an extreme bushfire hazard exists, which cannot be reduced by a BMP because of the extent of vegetation bordering the subject site, making the location unsuitable for intensification.</p>	
		<p>5. Provides the following considerations for the determining authority:</p> <p><b>3. Bushfire Protection Criteria</b></p> <p>i) In line with the above, the submitted BMP has not demonstrated compliance to all four elements of the bushfire protection criteria which are <i>Element 1: Location; Element 2: Siting and Design; Element 3: Vehicular Access and Element 4: Water.</i></p>	Noted.
		<p>6. Advises that the proposal does not meet:</p> <p><u>Element 1: Location</u></p> <p><i>'The proposed scheme amendment is in a location where an extreme bushfire hazard exists that cannot be adequately reduced. The proposed BAL construction standard focuses on asset protection and this should not be incorrectly equated with a lower risk to people and the subject site.</i></p> <p><u>Element 2: Siting and Design</u></p> <p><i>'There is inadequate physical separation between the extreme bushfire hazard to minimise the level of bushfire impact because of the extent of vegetation bordering the subject site.</i></p> <p><u>Element 3: Vehicular Access –</u></p> <p><i>'It is essential that residents, as well as emergency services, have safe access and egress from the subdivision plan area as well as to individual lot(s)/ development. The reliance on an EAW to achieve two access</i></p>	Noted.



	Submitter	Submitter Comment	Officer Comment
		<p><i>routes is not acceptable.</i></p> <p><u>Element 4: Water –</u></p> <p><i>'The proposed water supply solution is not compliant with the guidelines bushfire protection criteria.'</i></p>	
		<p>7. Advises that the proposed scheme amendment does not comply with the intent, objectives and policy measures of SPP 3.7. The intensification of development at this location would result in an increase in the threat of bushfire and is subsequently not supported.</p>	<p>Officers note that DFES does not support Scheme Amendment 196.</p>

- *Advertising Of The Structure Plan*

In addition to the proposed amendment, the applicant submitted a proposed Structure Plan for Lot 100 to guide the future subdivision of the land and a copy of the proposed Structure Plan is contained in (Appendix ORD: 12.7B). The proposed Structure Plan was advertised separately to Amendment 196 but is presented to Council concurrently with the Scheme Amendment for consideration.

The Structure Plan was advertised in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*. It was advertised from 15 November 2016 to 12 December 2016 (28 days) via letter correspondence to all landowners within the vicinity of the Structure Plan area and to the following agencies (agencies new names are provided in brackets):

- Department of Fire and Emergencies Services;
- Western Power;
- Water Corporation;
- Telstra;
- Department of Health;
- Department of Mines and Petroleum;
- Department of Agriculture and Food (Department of Primary Industries and Regional Development);
- Department of Parks and Wildlife (Department of Biodiversity, Conservation and Attractions);
- Department of Lands (Department of Planning, Lands and Heritage);
- Department of Water (Department of Water and Environmental Regulation);
- Department of Environment Regulation (Department of Water and Environmental Regulation); and
- Western Australian Planning Commission.

In response to the advertising period, seven submissions were received from government agencies with one objection being received. In addition, two submissions were received from nearby landowners with one objecting to the Structure Plan and the other supporting. Copies of the received submissions are contained in (Appendix ORD: 12.7C). A schedule of the submissions received is provided below:

	<b>Submitter</b>	<b>Submitter Comment</b>	<b>Officer Comment</b>
1.	Water Corporation	No objection.  1. Advises that reticulated water and sewerage services are remote from the subject land, therefore alternative servicing arrangements will be required.	On-site water collection and effluent disposal will be required at the development stage.
2.	Department of Environment Regulation	No comment.	Noted.
3.	Department of Mines and Petroleum.	No comment.	Noted.
4.	Telstra	No objection.	Noted.
5.	Department of Agriculture and Food WA	No objection.  1. Does not object to the rezoning of the land, because this area has been previously identified for this purpose in the Wellington Mill Structure Plan.	Noted.
		2. Advises that DAFWA will object to the development of Small Holding areas if it is not previously identified in an approved Shire Strategy.	Noted.
		3. Advises that in general, DAFWA does not support Small Holding developments due to the following issues:  a) The development of Small Holding areas effectively alienates rural land from agricultural and food production.  b) Small Holding developments rely on surface groundwater supplies for domestic and stock use which will reduce the amount of water available for agriculture.  c) The development of Small Holding areas is at a very low density and it is therefore a very inefficient method of developing land for residential purposes. Higher density residential developments are preferred as it is by far a more efficient use of the available land.  d) Small Holding areas are normally adjacent to	Noted.

	Submitter	Submitter Comment	Officer Comment
		<p>agricultural areas and the development of these areas without appropriate buffers has the potential to increase land use conflict.</p> <p>4. Advises that any changed land use on agricultural land needs to include buffers on the re-zoned land to minimise land use conflict.</p> <p>Recommends that minimum setbacks/buffers should be incorporated into the re-zoned areas in accordance with the EPA guidelines: <i>Separation Distances between Industrial and Sensitive Land Uses</i>.</p> <p>These guidelines set out minimum separation distances for a range of agricultural activities include market gardens, orchards and dairies.</p> <p>5. Advises that the Department of Health released new guidelines, <i>Guidelines for Separation of Agricultural and Residential Land Uses</i>, which applies to all agricultural land uses.</p> <p>Further advises that the Guidelines require a 300 metre buffer unless a vegetated buffer is established prior to a sensitive use being established.</p>	<p>Neighbouring 'General Farming' zoned properties to the Structure Plan area currently appear to conduct general agricultural activities.</p> <p>The EPA guidelines do not provide specific separation distances to general agricultural activities.</p> <p>Provision 3 on the Structure Plan requires the existing vineyards on the proposed Lots 4 and 5 to be removed at subdivision.</p> <p>Given current land use activities occurring on neighbouring land, the potential for land use conflicts is minimal.</p> <p>The Department of Health were afforded the opportunity to comment on the proposed Structure Plan however the Shire did not receive any comments. Furthermore, the Department of Health commented on the proposed Scheme Amendment (rezoning) and did not recommend the imposition of any separation distances or buffers.</p> <p>Subdivision provision No. 5 of the Structure Plan requires a Section 70A Notification to be placed on the Titles of the proposed Small Holding lots advising landowners that the lot is located in close proximity to General Farming zoned land and may be affected by agricultural activities.</p> <p>Furthermore, the implementation of vegetative buffers is likely to increase the risk of bushfire on the subject land and is not supported.</p>
6.	Department of Parks and Wildlife	<p>Comment.</p> <p>1. Advises that Lot 100 contains remnant vegetation, which forms part of continuous good quality forest bushland and is important as a wildlife refuge.</p>	Noted.

	Submitter	Submitter Comment	Officer Comment
		2. Advises that the remnant vegetation on the property is also identified in <i>Molloy et. al, 2009</i> , as being part of and contributing to a core regional ecological linkage.	Noted.
		3. Advises that the priority flora species <i>Acacia semitrullata</i> is known to occur within the vicinity of Lot 100.	Noted.
		4. Advises that Lot 100 contains native vegetation which is potential habitat for the three species of threatened black cockatoos. Black cockatoos are listed as threatened species under the Commonwealth of Australia's <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) and Western Australia's <i>Wildlife Conservation Act 1950</i> . Major threats to black cockatoos include habitat loss and fragmentation.	Noted.
		5. Advises that Lot 100 contains several watercourses which are tributaries of the Ferguson River.	Noted.
		6. Advises that the Lot 100 southern boundary is adjacent to the Wellington National Park. The Lot 100 eastern boundary is adjacent to the Wellington State forest, which is also a Forest Products Commission pine plantation. Both the National Park and the State forest are managed by Parks and Wildlife.	Noted.
		7. Advises that the Lot 100 vegetation consolidates the adjacent forested bushland and provides a buffer to the adjoining National Park.	Noted.
		8. States that the approval of the Structure Plan should not result in impositions being placed upon the management of the adjoining Parks and Wildlife managed land.	Noted.
		9. Notes that Parks and Wildlife provided comments dated 2 November 2015 (PW15) to the WAPC on the	The comments referred to relate to a subdivision application of Lot 100 into one large and one small (1ha) 'General Farming' zoned

	Submitter	Submitter Comment	Officer Comment
		proposed Stage 1 Development of Lot 100 which would be applicable to the current proposal.	lots. This application was refused by the WAPC as the proposed lot sizes were not commensurate with the 'General Farming' zone.
		10. Notes that the proposed Lot 1 and 3 building envelopes are within close proximity to the State forest.  Considers the vegetation on the adjoining National Park and State Forest would be considered to be an extreme bushfire hazard.	Noted.
		11. Advises that as a Fire Combat Authority for bushfire on the adjacent Parks and Wildlife managed lands, it is highly likely that Parks and Wildlife would be the lead agency for bushfire suppression in the event of a bushfire in the vicinity of the subject property.	Noted.
		12. Notes that the application states that the Lot 100 frontage to the east is currently being increased through a land acquisition process of State Forest 25. Advises that Parks and Wildlife has given its support for a small excision to facilitate access to Lot 100.	Noted.
		13. Notes that the agreed excision area is for a small triangular area within the adjoining State forest's northern tip along the Lot 100 eastern boundary. This area is to the north of the Lot 100 eastern access track off Wellington Mill Road.	Noted.
		14. Notes that the application states that the proposed Lot 3 access way is to be from the adjoining gravel road in State Forest 25. The proposed Lot 3 access should be provided within the existing Lot 100, not within the adjoining State forest.	Note 7 on the Structure Plan provides for road widening to occur at the subdivision stage which would provide Lot 3 formal access to a gazetted road reserve.  Provision 7 on the Structure Plan requires an agreement between the Shire and DPLH. Should Council wish to support the Structure Plan this Provision and the plan need to be modified to reflect the developer to negotiate an access outcome to the satisfaction of the Shire of

	Submitter	Submitter Comment	Officer Comment
			Dardanup and the DPLH.
		15. Considers the proposed Lot 3 access should be via an easement or battle-axe arrangement within proposed Lot 1 rather than access from the adjoining State forest.	As above.
		16. Notes that the Structure Plan included a copy of a RUC Fire " <i>Bushfire Management Plan Lot 100 Wellington Mill Road Wellington Mill</i> " dated November 2016 Version 1.2 (BMP).	Noted.
		17. Notes that the BMP on page 22, second last paragraph, last sentence, refers to a 10m wide access easement being created within the adjacent State forest for access to the proposed Lot 3. However the BMP text appears to be incomplete and the sentence has not been finalised.	Noted.
		18. Recommends that as Lot 100 is adjacent to National Park and State Forest areas, the Structure Plan subdivision provision 4 and Structure Plan development provision 2, which refer to a requirement for a BAL contour map and bushfire management plan to be prepared, should include reference to consultation with Parks and Wildlife and implementation of the approved BMP.	A BAL Contour map and Bushfire Management Plan have been prepared and have been assessed by DFES. Subdivision provision No. 4 relates to a 'Compliance Certificate' to ensure the BAL Contour Map is still relevant at the time of subdivision.  Development provision No. 2 can be amended to include reference to 'consultation with the Department of Biodiversity, Conservation and Attractions and implementation of the approved BMP'.
		19. Notes that Structure Plan section 4.2 states that the structure plan informs the proposed Scheme Amendment 194 which will zone a portion of Lot 100 to 'Small Holding'.	The Structure Plan document should refer to Scheme Amendment 196.
		20. Notes that the Shire of Dardanup's Town Planning Scheme No. 3, Section 3.14.1 (b) states that lots should be greater than 2ha within a Small Holding Zone and may have two grouped dwellings.	Amendment 196 proposes the following TPS3 provision:  <i>'Subdivision shall be generally in accordance with an approved Structure Plan under Part 4 of the deemed provisions'.</i>
		Further notes that TPS3	As such, any further subdivision to

	Submitter	Submitter Comment	Officer Comment
		<p>Section 3.14.1 (g) states that after the initial subdivision of land within the Small Holding Zone, Council will not recommend further subdivision of the lots created.</p> <p>Notes the Structure Plan proposed Lots 2, 3 and 6 are larger than 2ha and future further subdivision of these lots may be sought.</p> <p>Concerned that any future Lot 100 subdivision, other than that proposed by the current proposed Structure Plan, may set an undesirable precedent for the creation of further small rural lots adjacent to the National Park and State forest boundaries within this area. Rural lot intensification, adjacent to Parks and Wildlife managed land, increase constraints and significantly increases management costs due to higher neighbour numbers.</p> <p>Recommends that given the above, the Structure Plan includes a provision which clearly states that further subdivision of Lot 100 will not be considered and that only one dwelling per lot will be permitted.</p>	<p>that proposed in the subject Structure Plan would not be supported by the Shire.</p> <p>Additionally, Amendment 196 proposes the following TPS3 provision:</p> <p><i>'Notwithstanding Clause 3.14(b) of the Scheme, no more than one dwelling is permitted on each lot.'</i></p> <p>As these provisions are proposed to be incorporated into TPS3, inclusion of these onto the Structure Plan would be superfluous.</p>
		<p>21. Notes that Section 4.3 of the Structure Plan refers to adequate screening by existing vegetation on-site and the adjoining State forest.</p> <p>Considers that the proponent should not rely on vegetation screening within State forest areas as it may be removed through fire or plantation logging.</p>	<p>Screening of future buildings on the proposed Small Holding lots is an objective of the TPS3 'Landscape Protection Area'. The TPS3 'Landscape Protection Area' provisions are to be given 'due regard' when determining applications for Development Approval.</p> <p>As such, vegetative screening is not a mandatory requirement for future buildings within the Structure Plan area.</p> <p>However, it is considered that the on-site vegetation alone would provide suitable screening to future buildings within the Structure Plan area.</p>
		<p>22. Considers there should not be any clearing of the consolidated forest bushland and potential threatened flora</p>	<p>Clause 3.14.1(r) of TPS3 prohibits tree clearing on Small Holding zoned lots without the consent of Council.</p>

	Submitter	Submitter Comment	Officer Comment
		and fauna habitat, within Lot 100.	If the Structure Plan is supported by Council it does not remove any statutory responsibility or obligation the owner may have in obtaining a vegetation clearing permit in accordance with the Environment Protection Act 1986 prior to initiating clearing of vegetation for the erection of boundary fencing.
		23. Considers fire breaks and fencing should be established within the existing cleared portion of Lot 100 as firebreaks around the Lot 100 boundary would provide minimal protection from bushfire but would create a serious erosion problem in land that is subject to soil slumping.	Firebreaks are to be implemented in accordance with the Shire of Dardanup's annual Fire Prevention Order.  If the installation of firebreaks is impractical or unachievable in particular locations, applications can be made to the Shire by individual lot owners to request a modified solution.
		24. Recommends that the Structure Plan include a provision requiring subdivision boundaries within Lot 100 forested bushland areas to be demarcated with fire proof markers only and that there be no clearing for fences.	This requirement may impede land management practices where a rural type fence on property boundaries would be more acceptable.
		25. Considers that it should be ensured that the Bushfire Attack Level and siting adopted for dwellings will not necessitate further clearing of the consolidated forest bushland and potential threatened flora and fauna habitat within Lot 100.	The nominated areas for dwellings to be constructed (building envelopes) as provided on the Structure Plan would not require any tree clearing.  The siting of the building envelopes were determined by the BAL contour mapping provided in the Bushfire Management Plan.
		26. Considers that if clearing of the Lot 100 forest bushland and potential threatened flora and fauna habitat is unavoidable, then the Structure Plan should include a provision requiring a Vegetation Impact Management Plan to be prepared and implemented to minimize potential impacts to potentially threatened flora and fauna habitat.	Pursuant to the 'Landscape Protection Area' requirements of TPS3, any proposed tree clearing within the Structure Plan area will require the consent of Council via an Application for Development Approval. As mentioned above the clearing of vegetation requires a separate application to be submitted for consideration and approval by the Department of Water and Environmental Regulation.  An additional note on the Structure Plan is not considered necessary.



	Submitter	Submitter Comment	Officer Comment
		<p>27. Recommends that the Structure Plan include a provision stating that any stock on the property should be prevented from grazing forested bushland areas within the site.</p>	<p>Officers have recommended as additional provisions of the Scheme Amendment associated with this Structure Plan area the following:</p> <p><i>'The Local Government will recommend to the WAPC that as a condition of subdivision approval that all substantial native vegetation within the proposed small holding lots are to be suitably fenced to prevent stock from accessing forested bushland areas.'</i></p> <p>Further to the above and to ensure the perpetual prohibition of stock in the vegetated areas, an additional Scheme provision be included as follows:</p> <p><i>'3. Land Use Control</i></p> <p><i>1a) No livestock or other domesticated animals shall be permitted within the native vegetation forested bushland areas of any lot without the prior consent of Council.'</i></p> <p>A duplication of the above provisions on the Structure Plan would be superfluous.</p>
7.	Department of Fire and Emergency Services	<p>Comment on Bushfire Management Plan.</p> <p>1. Advises that as per the Guidelines Section 4.6.5, Bushfire Management Plans (BMPs) should be seen as a 'living document' and nominally sets validity at five years without review. The decision maker may request the landowner/proponent to update the BMP within this period if deemed appropriate to do so noting change in site conditions such as vegetation, land use etc.</p> <p>2. Notes that the submitted BMP and associated BAL contour map currently provides adequate detail that a BAL 29 or less can be achieved dependent on siting of a dwelling, however recommends that the BMP ensures the depicted building envelopes replicate that of the Structure Plan and confirm/detail that these are approved by the Local</p>	<p>Noted.</p> <p>The building envelopes identified within the BMP have been replicated onto the Structure Plan to indicate the most appropriate location for dwelling construction on each proposed lot.</p>

	Submitter	Submitter Comment	Officer Comment
		Government.	
		3. States that the proposed Emergency Access Way (EAW) does not meet the requirements of the Guidelines. Additionally states that there is no detail regarding the future management strategy of the EAW.	Noted.
		4. Considers that the 10m easement referred to for proposed Lot 3 lacks qualified detail of its development authority and management plan.	As above.
		5. Considers that all opportunities for enhanced emergency access should be explored including Fire Service Access ways. Should it be deemed inappropriate or not practicable, then the BMP must demonstrate this with detailed justification.	As above.
		6. States that in accordance with the Guidelines, any lots greater than 0.5ha must install firebreaks not less than 3m. Any lot size smaller must achieve the required works prescribed by the LG's fire break notice in accordance with the Bush Fires Act 1954.	In accordance with the Shire's annual Fire Prevention Order, Small Holding zone lots are required to have minimum 2m wide firebreaks adjacent to all boundaries. This is enforced under the <i>Bush Fires Act 1954</i> .  If DFES require a 3m wide firebreak through a modified BMP, this can be enforced through the TPS3 as an additional provision of Scheme Amendment 196.
		7. States that the proposed water supply for firefighting purposes does not meet the requirements of the Guidelines. The proposed configuration of independent tanks would have to be detailed as an 'Alternative Solution' and provide evidence based justification for application. This could then be considered by the decision maker dependent on that information.	Noted.
		8. Recommends seeking a revised BMP for the proposed Structure Plan in line with the above points. The methodology and assumptions of the BMP need to be	As above.

	Submitter	Submitter Comment	Officer Comment
		resolved to ensure it demonstrates to the fullest extent possible how the bushfire protection criteria will be addressed.	
8.	M. & M. Hall 564 Wellington Mill Road Wellington Mill WA 6236	<p>Objection.</p> <p>1. Submits their concerns as owners of the "Old Mill Managers House", which is listed on the local Council heritage list.</p> <p>2. Considers the roadway on Lot 100 to new Lots 2 and 6 located on the boundary of Loc. 4664 (<i>submitter's property</i>) and will impact on this property directly below as to the drainage and water runoff on such a steep slope.</p> <p>3. Concerned that the building envelope situated on proposed Lot 2 is directly behind the 'Old Managers House' on their property and will overlook the existing house giving no privacy to the property.</p> <p>4. States that as they are currently undertaking extensive restoration to maintain the heritage of the 'Old Managers House', finds this [<i>Structure Plan</i>] disappointing as the home was built in 1898.</p>	<p>The Shire does not currently have a 'heritage list' however the property is identified in the Shire's Local Heritage Survey.</p> <p>At subdivision stage, any battle axe access way is likely to be constructed and drained appropriately to avoid surface water runoff entering adjacent properties.</p> <p>The position of the building envelope is dictated by the Bushfire Risk And The Bal Contour Map. Any development on proposed Lot 2 would need to comply with the TPS3 boundary setback requirements. It is acknowledged however that due to the topography of the land, that any dwelling constructed within the proposed Lot 2 building envelope may have some privacy impacts on Lot 4664. It cannot be expected however that dwellings within the Small Holding zones and on lots of the size currently in this location will have complete screening and no visibility to any other dwelling in the locality.</p> <p>Noted.</p>
9.	J. & D. Doherty Lot 106 Wellington Mill Road Wellington Mill WA 6236	<p>Support.</p> <p>1. States that with regard to the Plan for this development, they see no impediment to it being implemented, and therefore give it their support.</p>	Noted.

Following the above advertising period(s) and receipt of all submissions, officers sought clarification from the Department of Fire and Emergency Services (DFES) on their two separate submissions on the Scheme Amendment and the Structure Plan. It was noted that the DFES submission on the Scheme Amendment did not support

the rezoning, however the submission on the Structure Plan provided advice on how the Bushfire Management Plan should be modified to make it compliant with the relevant legislation.

Given the ambiguity surrounding the DFES submission on the Structure Plan, Shire officers sought further clarification from DFES. The response received from DFES is provided below:

*The difference between the two responses was that the initial had basically been advice addressing that which the Shire sought clarification on and not a holistic assessment.*

*The response to the Scheme Amendment however was assessed from a broader strategic approach that looked at the specific application of SPP 3.7 and in particular the objectives thereof.*

*In hindsight the two proposals were better to have been submitted together as one.*

*I apologise for any confusion this may have caused.*

*Given the above, DFES advice will remain unchanged given that an extreme bushfire hazard exists at this location making it unsuitable for intensification. The proposal seeks to apply bushfire protection measures to 'mitigate' an extreme bushfire risk where the risk cannot be 'controlled' but should be avoided entirely.*

*One of the fundamental objectives of SPP 3.7 is to avoid an increased risk of bushfire. The proposed subdivision application would introduce additional people, property and infrastructure at this location increasing the bushfire threat and vulnerability. DFES have considered the likelihood of a bushfire, its severity and intensity, and the potential impact on life and property posed at the location and it represents an extreme bushfire hazard that cannot be reduced.*

In light of the above, it is noted that DFES does not support Scheme Amendment 196, and does not support the intensification of land use as provided in the Structure Plan due to the bushfire threat.

Legal Implications – None

Strategic Community Plan - None.

Environment - None.

Precedents - None

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - High.

DFES has indicated that the proposed Scheme Amendment is not supported as it does not comply with policy measures of SPP 3.7 and the intensification of development at this location would result in an unacceptable level of risk in the event of bushfire. Council's support for the proposal against the advice of DFES may

represent a liability risk, in the event of loss of life or property from bushfire in the future.

### Officer Comment

Both Scheme Amendment 196 and the Structure Plan are presented together in the one report to Council, although technically, are two separate applications.

Effectively, a Structure Plan is a plan for the coordination of future subdivision and zoning of an area of land. Approval of the Structure Plan would give the statutory guidance for Lot 100 to be rezoned.

Council will need to determine the two applications separately.

- *Structure Plan*

- *Planning and Development (Local Planning Schemes) Regulations 2015*

In regards to the proposed Structure Plan over Lot 100; Schedule 2, Part 4, Clause 20 of the 'Regulations' states:

- (1) *The local government must prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days after the day that is the latest of -*
  - (a) *the last day for making submissions specified in a notice given or published under clause 18(2); or*
  - (b) *any comments by the local government in respect of those submissions;*
  - (c) *a schedule of any proposed modifications to address issues raised in the submissions;*
  - (d) *the local government's assessment of the proposal based on appropriate planning principles;*
  - (e) *a recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modification.*

Pursuant to the above Council is required to make a recommendation to the WAPC to either approve the Structure Plan, approve with modifications, or refuse.

- *State Planning Policy 3.7 – 'Planning in Bushfire Prone Areas'*

Clause 6.7 of SPP 3.7 states:

*'Strategic planning proposals, subdivision or development applications which will result in the introduction or intensification of development or land use in an area that has or will, on completion, have an extreme BHL and/or BAL 40 or BAL FZ will not be supported unless:*

- a) *the proposal is considered to be minor development to which policy measure 6.7.1 applies; or*

- b) *the proposal is considered to be unavoidable development to which policy measure 6.7.2 applies.*

The submitted Bushfire Management Plan was accompanied with a Bushfire Attack Level (BAL) Contour Map. The complete Bushfire Management Plan is provided in (Appendix ORD: 12.7D). The BAL Contour Map (Appendix ORD: 12.7E) illustrates the vast majority of the Structure Plan area to be given the rating of BAL FZ (Flame Zone). There are areas of the Structure Plan that have been given the rating of BAL 29 or less, and it is in these areas that the building envelopes have been proposed. It is noted however that all of the allocated building envelopes are situated adjacent to land that is rated BAL 40.

Clause 6.7 of SPP3.7 indicates that land with a BAL rating of BAL 40 or BAL FZ should not be supported for intensification of development. Although the BAL Contour map contains 'pockets' of land outside the BAL 40 and BAL FZ rating, it is considered that majority of the Structure Plan area is an extreme bushfire hazard risk (BAL 40 and BAL FZ) and pursuant to Clause 6.7, should not be recommended for approval.

DFES does not support the intensification of land use at this location due to the extreme bushfire hazard that exists. This recommendation is further supported by the BAL contour mapping that was provided in the Bushfire Management Plan.

As the lead agency on matters relating to bushfire risk, Council is not recommended to support a Structure Plan against the advice received from DFES.

- *Scheme Amendment 196*

In regards to Scheme Amendment 196; Part 5, Division 3, Regulation (3) of the 'Regulations' states:

- (3) *Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution –*
- (a) *to support the amendment without modification; or*
  - (b) *to support the amendment with proposed modifications to address issues raised in the submissions; or*
  - (c) *not to support the amendment.*

➤ *State Planning Policy 3.7 – 'Planning in Bushfire Prone Areas'*

As the Structure Plan and Scheme Amendment 196 were submitted together, the BAL Contour mapping is applicable to both strategic documents.

As indicated previously, Lot 100 is considered an extreme bushfire hazard risk and pursuant to Clause 6.7 of SPP 3.7, the Scheme Amendment should not be recommended for approval.

The original submission from DFES on Scheme Amendment 196 did not support its approval. The clarifying submission from DFES reinforced its position that the Scheme Amendment should not be supported due to the extreme bushfire hazard that exists.

Consistent with officer's recommendation for the Structure Plan, it is considered prudent for Council to accept the advice received by DFES, given it is the lead agency on matters relating to bushfire risk.

In light of the submissions received from DFES, and the evident risk associated with bushfire, it is recommended that Council recommends to the WAPC that the Structure Plan over Lot 100 be refused and advises that Council does not support Scheme Amendment 196.

If Council resolves to recommend approval of the Structure Plan and supports the Scheme Amendment, the following modifications to both are recommended as a result of the submissions received:

- *Structure Plan Modifications*

- i) A modified Bushfire Management Plan shall be prepared in accordance with the requirements of State Planning Policy 3.7 – 'Planning in Bushfire Prone Areas' to the satisfaction of the Department of Fire and Emergency Services.

- ii) Development provision No. 2 be amended to state:

*'All subdivision and development shall comply with the requirements of the approved Bushfire Management Plan for the site in consultation with the Department of Biodiversity, Conservation and Attractions where relevant'.*

- iii) The boundary of proposed Lot 6 shall be modified to ensure the existing dam is wholly contained within the boundaries of proposed Lot 6.

- *Scheme Amendment Modifications*

- i) Scheme Amendment provision 1c) be amended as follows:

*The approved Bushfire Management Plan is to be implemented to the satisfaction of the relevant clearing agency and in consultation with the Department of Biodiversity, Conservation and Attractions.*

- ii) Additional Scheme Amendment provisions be included as follows:

- 1) Subdivision*

- e) The local government will recommend to the WAPC that as a condition of subdivision approval that a Vegetation Impact Management Plan shall be prepared and implemented to the specifications of the Department of Biodiversity, Conservation and Attractions and the Shire.*

- f) The local government will recommend to the WAPC that as a condition of subdivision approval that all substantial native vegetation within the proposed small holding lots are to be suitably fenced to prevent stock from accessing these areas of forested bushland areas.*

- iii) An additional Scheme Amendment provision be included as follows:

- '3. Land Use Control*

- 1a) No livestock or other domesticated animals shall be permitted within the native vegetation forested bushland areas of any lot without the prior consent of Council.'*
- iv) The zoning plan be modified to co-ordinate with the modified boundary of proposed Lot 6 of the Structure Plan to ensure the existing dam is contained wholly within the boundaries of proposed Lot 6.

Council Role - Quasi Judicial.

Voting Requirements - Simple Majority.

## OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

THAT Council:

1. Pursuant to Schedule 2, Part 4, clause 20(2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, recommends to the Western Australian Planning Commission that the Structure Plan over Lot 100 Wellington Mill Road, Wellington Mill be refused due to the extreme bushfire risk associated with the property.
2. Pursuant to Part 5, Division 3, Regulation 50(3)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves not to support Scheme Amendment 196 due to the extreme bushfire risk associated with the property and advises the Western Australian Planning Commission of Council's resolution.

### *Discussion:*

*Cr. L D Harris – I do believe it's the proponents role to clear these issues not Councils. We should refer this back to the proponent to clear the issues and then they can bring it back to Council. Things are very different now to what they were a few years ago.*

*Cr. P Robinson – I support that.*

*Note: Chief Executive Officer, Mr Mark Chester provided Council with a new resolution to allow for the matter to be deferred by Council.*

*Cr J Dow - What is going to be different between now and then. If this item is knocked back can they not come back later?*

*Cr. M T Bennett – If we knock this back now, they will have to go away and start the whole planning process again.*

*Principal Planning Officer, Mrs Cecilia Muller – If this item is not supported, the West Australian Planning Commission (WAPC) will be informed accordingly and it will make the final decision. If the proposal is refused by the WAPC the applicant would need to start afresh if it wants to submit amended documentation. By deferring the item it will provide an opportunity to amend the Scheme Amendment and the Structure Plan. The Commission will need*



to agree to a request for an extension of time for Council to consider the matter. From here the Scheme Amendment and Structure Plan will come back for assessment, we will then look at them and review to see if there are any amendments that require advertising.

*Cr. T Gardiner – If we were to approve the application as it stands is there anywhere or at another stage DFES can have a look at the plan.*

*Principal Planning Officer, Mrs Cecilia Muller - If we support this at the moment, it is known that DFES are not in support of the application. The applicant will not have to change their Bushfire Management Plans as requested by DFES. If we approve now we are supporting both (the application and the Bushfire Management Plan). DFES have indicated that there is an extreme fire risk with this application and this is what Council needs to consider. Is taking that risk appropriate?*

*Cr. M T Bennett – If we change the officer recommendation, we are opening ourselves up completely. To defer the matter would be a better way of dealing with it. If we change the officer recommendation we need to provide good reasons why Council want to change the recommendation, so therefore this is a much smarter way of doing it.*

*Cr. P Robinson – A deferral will give the applicant the opportunity to go back and knock on doors, go back to the relevant Departments and polish it up a bit. I support the deferral.*

#### Change to Officer Recommendation

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

*Item was deferred to allow the applicant the opportunity to carry out further works on its current application.*

#### **COUNCIL RESOLUTION**

280-17      MOVED -    Cr. L D Harris                      SECONDED -    Cr. P Robinson

##### **That Council:**

- 1.      Defers its decision with regard to proposed Scheme Amendment 196 and the proposed Local Structure Plan over Lot 100 Wellington Mill Road, Wellington Mill;**
- 2.      Requests an extension from the Western Australian Planning Commission to consider an amended Local Structure Plan and any potential modifications to Scheme Amendment 196; and**
- 3.      Requests the applicant to submit an amended Bushfire Management Plan and Bushfire Attack Level Assessment to accompany the revised Local Structure Plan and Scheme Amendment for review by the Department of Fire and**

**Emergency Services, prior to the matter being presented to Council for further consideration.**

CARRIED  
8/0

**CHANGE TO ORDER OF BUSINESS**

*Discussion:*

*Cr. M T Bennett requested that Council return to the Order of Business, being Item 12.3.*

*The Council agreed and resolved accordingly.*

**COUNCIL RESOLUTION**

281-17      MOVED - Cr. L Davies                      SECONDED - Cr. C N Boyce

**THAT Council Return to the Order of Business being Item 12.3 [5.32pm] under Council Standing Orders.**

CARRIED  
8/0

**CHANGE TO ORDER OF BUSINESS**

12.3      *Title: Permanent Road Closure – Portion of Recreation Drive, Eaton*

*Reporting Department: Engineering & Development Services*

*Reporting Officer: Mr Steve Potter - Manager Development Services*

*Legislation: Local Government Act 1995*

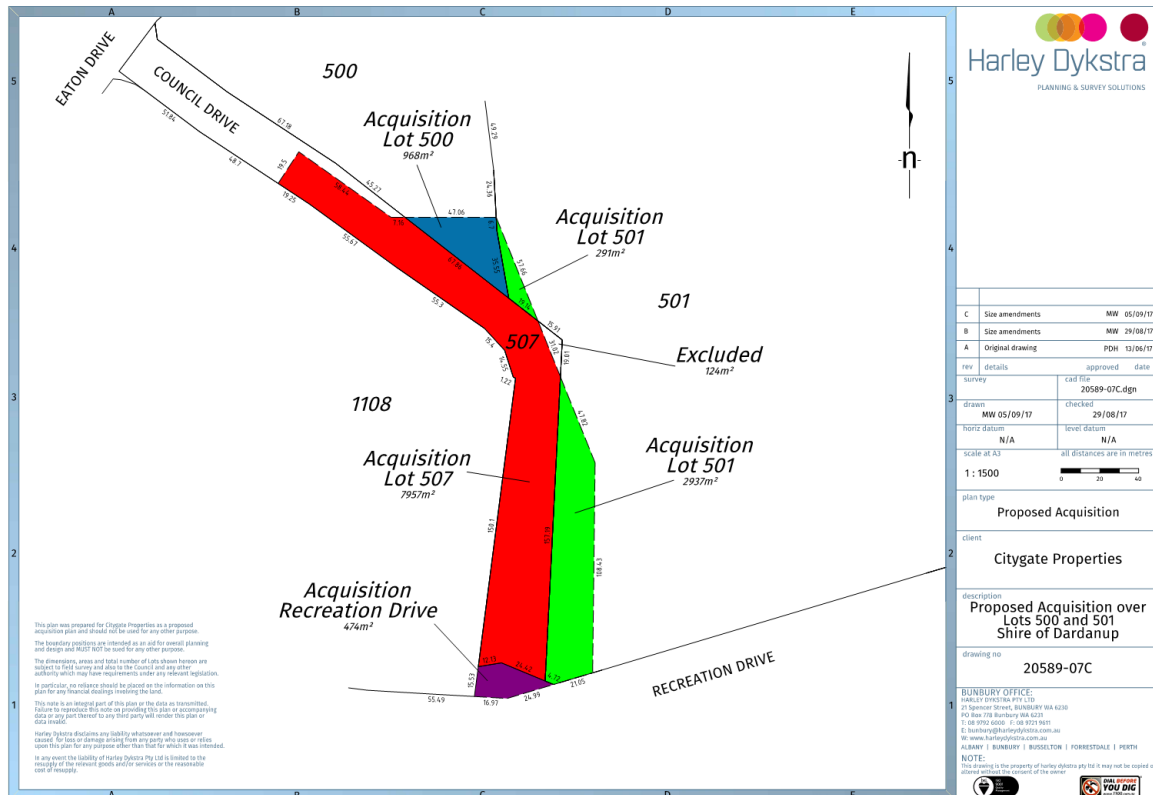
*Background* -

At its meeting conducted on 14 October 2015, Council considered a confidential report where it resolved to pursue the excision of portions of land from Glen Huon Reserve and a portion of Council Drive to accommodate the expansion of the Eaton Fair Shopping Centre subject to the creation of a new structure plan and a number of other conditions [Res: 282/15].

This decision was the pre-cursor to the creation of the Eaton Fair Activity Centre Plan (EFACP) which was prepared by Citygate Properties Pty Ltd (Citygate), supported by Council, and subsequently approved by the Western Australian Planning Commission (WAPC) on 5 October 2017. The EFACP provides the basis to further

progress the land transfer process which subsequent to the original proposal has been further refined as reflected in the following:

- Portion of Reserve 39158 (Lot 500 - 968m<sup>2</sup>)
- Portion of Reserve 50882 (Lot 501 - 3,228m<sup>2</sup>)
- Portion of Reserve 50881 (Council Drive) - (Lot 507 - 7,957m<sup>2</sup>)
- Portion of road reserve (Recreation Drive – 474m<sup>2</sup>)
- The excluded 124m<sup>2</sup> will be amalgamated into Glen Huon Reserve.



It is noted that the transfer of the portions of Lots 500 and 501 from the Crown to the Shire's ownership is currently progressing through a separate process and once complete, will be subsequently on-sold to Citygate in accordance with the signed Heads of Agreement. The Department of Planning, Lands and Heritage (DPLH) has been provided with the necessary information for these land transfers to occur and has advised they will continue to progress the matter.

The transfer of Lot 507 (Council Drive) and the 474m<sup>2</sup> portion of Recreation Drive will occur directly between the Department of Planning, Lands and Heritage (DPLH) and Citygate due to the fact these land parcels are a dedicated road reserve (Recreation Drive) or a reserve for access (Council Drive). The closure of a dedicated road is subject to the requirements of Section 58 of the Land Administration Act 1997 (LAA), which includes the requirement for the closure to obtain the formal endorsement of the local government. As Lot 507 (Council Drive) is a reserve for access (rather than a dedicated road) it is not subject to the requirements of s. 58 and therefore does not require a formal Council resolution.

In anticipation of the EFACP being approved, Shire officers undertook a single round of advertising in early 2017 for all of the associated land transfers with one submission being received from a nearby resident highlighting concerns with the removal of the playground. A copy of the submission is contained in (Appendix

ORD: 12.3A). As the submission received made reference to the playground only (which is currently being reconstructed in a nearby location), it was not considered to represent an objection to the proposed land transfers.

DPLH officers advised that prior to the permanent closure of the road reserve the support of various agencies including Telstra, Western Power, Water Corporation and Alinta (ATCO) Gas was required. Correspondence was sent to the relevant agencies and summaries of their responses are provided in the below table:

Agency	Agency response	Officer Response
Water Corporation	Comment received objecting to the proposal due to location of essential services.	Officers have forwarded the Water Corporation's comments to Citygate Properties who are liaising with the Water Corporation.  It is assumed the DLPH's approval for the road closure will be subject to successful negotiation for the relocation of essential services.
Western Power	Comment received – no objection	Noted.
Alinta Gas (ATCO)	Comment received advising they have services in the road reserve that will need to be relocated.	Noted. It is assumed the DLPH's approval for the road closure will be subject to successful negotiation for the relocation of essential services.
Telstra	Comment received – no objections.	Noted.
Dept of Planning, Lands & Heritage	Comment received – no objections.	Noted.
Dept of Mines & Petroleum	No comment received.	Officers do not consider the DMP's comments to be relevant given the location is in an urban setting.

Full copies of all agency submissions received are provided in (Appendix ORD: 12.3B).

It is noted that the Water Corporation raised an objection based on the fact it has essential services in the relevant portion of road reserve. This information has been forwarded to Citygate and it is Shire officers' understanding that plans demonstrating the relocation of the services has subsequently been submitted to the Water Corporation for its further consideration. Alinta (ATCO) Gas has also indicated it has affected services in the subject portion of road reserve that will need to be relocated, however has not raised an objection.

### Legal Implications

The permanent closure of a road is subject to the provisions of Section 58 of the Land Administration Act 1997.

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment –

Council has previously considered and recommended approval for the Eaton Fair Activity Centre Plan which is consistent with the proposed road closure the subject of this report. Furthermore, public advertising has occurred indicating the proposed road closure which has resulted in no objections being received from members of the public.

The realignment of Council Drive and corresponding land transfers to Citygate are considered integral components of the EFACP and therefore it is recommended that Council resolves to close the 474m<sup>2</sup> portion of Recreation Drive as indicated.

With regards to the existence of essential services in the portion of road reserve, it is recommended that Council's support for the road closure be conditional on Citygate taking full responsibility for the relocation of existing services which includes obtaining the necessary approvals from affected authorities.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

THAT Council:

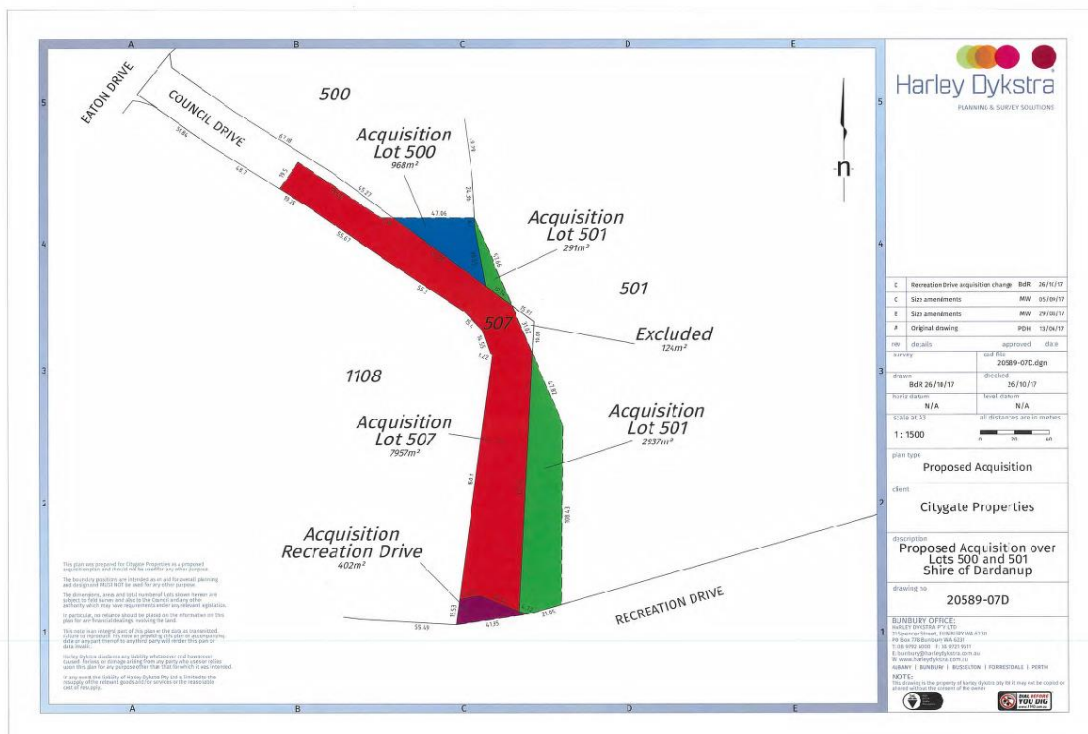
1. Acknowledges the submission received from Mr. Aaron Storey dated 5 April 2017 in response to the public notification period for the transfer of land parcels associated with the Eaton Fair Activity Centre Plan including the 474m<sup>2</sup> portion of Recreation Drive (Appendix ORD: 12.3A);
2. Acknowledges the submissions received from the relevant authorities regarding the closure of the 474m<sup>2</sup> portion of Recreation Drive (Appendix ORD: 12.3B);
3. Advises the Department of Planning, Lands and Heritage that in accordance with Section 58 of the Land Administration Act 1997, Council resolves to permanently close the 474m<sup>2</sup> portion of Recreation Drive, subject to the following:

- a) Citygate Properties Pty Ltd is responsible for obtaining all necessary approvals and relocating any existing services located in the subject road reserve;
- b) Citygate Properties Pty Ltd. is responsible for the creation of any easements required for the relocation of services on adjacent land holdings; and
- c) The 474m<sup>2</sup> portion of road reserve is to be amalgamated with Lot 1108 in accordance with the Eaton Fair Activity Centre Plan, with all associated costs to be borne by Citygate Properties Pty Ltd.

*Note: Further to Agenda Item 12.3 being considered by Council, the Shire of Dardanup has received further information as follows:*

Officer Comment

- 1. The area of acquisition has reduced from 474m<sup>2</sup> to 402m<sup>2</sup>. This change is a result of an adjustment to the proposed new road reserve boundary on Recreation Drive. All other areas remain unchanged. (Refer to Drawing No. 20589-07D below)



- 2. Water Corporation has withdrawn its objection to the permanent road closure. This is based on an agreement with Citygate to relocate the sewer pump station to the Glen Huon Reserve adjacent to the softball parking area. This relocation and associated easement will be funded at no cost to Council as part of the changes to the road layout and land ownership.

Change to Officer Recommendation

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

*Resolution was changed to reflect the change in size of the area of acquisition.*

**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

282-17            MOVED -    Cr. P Robinson                      SECONDED -    Cr. L Davies

**THAT Council:**

1.    **Acknowledges the submission received from Mr. Aaron Storey dated 5 April 2017 in response to the public notification period for the transfer of land parcels associated with the Eaton Fair Activity Centre Plan including the 402m<sup>2</sup> portion of Recreation Drive (Appendix ORD: 12.3A);**
2.    **Acknowledges the submissions received from the relevant authorities regarding the closure of the 402m<sup>2</sup> portion of Recreation Drive (Appendix ORD: 12.3B);**
3.    **Advises the Department of Planning, Lands and Heritage that in accordance with Section 58 of the Land Administration Act 1997, Council resolves to permanently close the 402m<sup>2</sup> portion of Recreation Drive, subject to the following:**
  - a)    **Citygate Properties Pty Ltd is responsible for obtaining all necessary approvals and relocating any existing services located in the subject road reserve;**
  - b)    **Citygate Properties Pty Ltd. is responsible for the creation of any easements required for the relocation of services on adjacent land holdings; and**
  - c)    **The 402m<sup>2</sup> portion of road reserve is to be amalgamated with Lot 1108 in accordance with the Eaton Fair Activity Centre Plan, with all associated costs to be borne by Citygate Properties Pty Ltd.**

CARRIED  
8/0

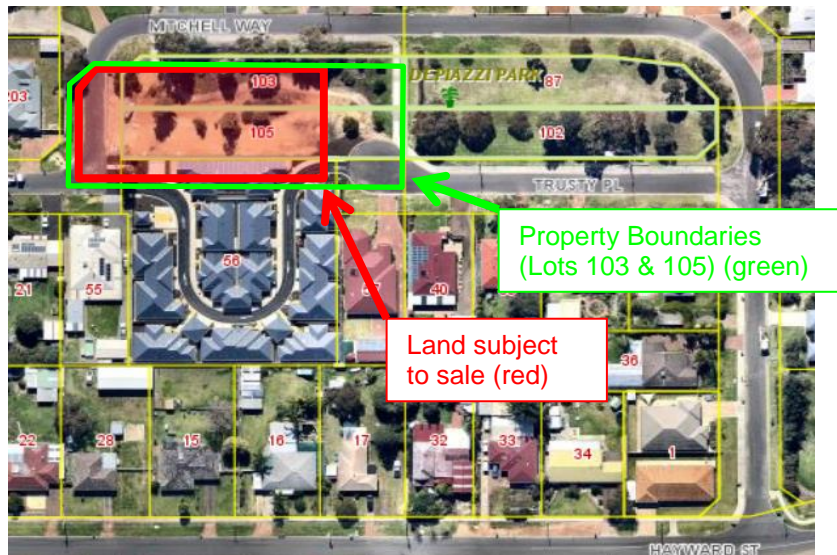
12.4 Title: Purchase of Portion of Reserve 37721 Lots 103 & 105 Mitchell Way, Dardanup

*Reporting Department: Engineering & Development Services*

*Reporting Officer: Mr Steve Potter – Manager Development Services*

*Legislation: Land Administration Act 1997*

Location Plan –



Background

For several years Council has been liaising with the former Department of Lands (DoL) (now Department of Planning, Lands & Heritage - DPLH) regarding the potential purchase of Lots 103 and 105 Mitchell Way, Dardanup.

Under Town Planning Scheme No. 3 (TPS) the subject land is reserved for 'Recreation' and forms part of Reserve 37721 which also includes Lots 87 and 102. Lots 103 and 105 are approximately 2850m<sup>2</sup> in area and comprise roughly the western half of 'Depiazzi Park'. The reserve is surrounded by 'Residential' zoned properties with the recently completed 14 unit Access Housing development (Lot 56) abutting the southern boundary of Lot 105.

Council has previously considered the potential closure of Lots 103 and 105 for their use for aged residents' residential purposes which involved a period of public advertising in 2013.

The matter was considered by Council in January 2014 where Council resolved the following [20/14]:

*That Council...*

- 1. Receive the submissions in response to the change of the use of reserve 37721, being Lot 103 and Lot 105;*
- 2. Endorse the officer response to each submission per the submission table;*



(Note: the submission table was included in the original resolution but has been removed from this report).

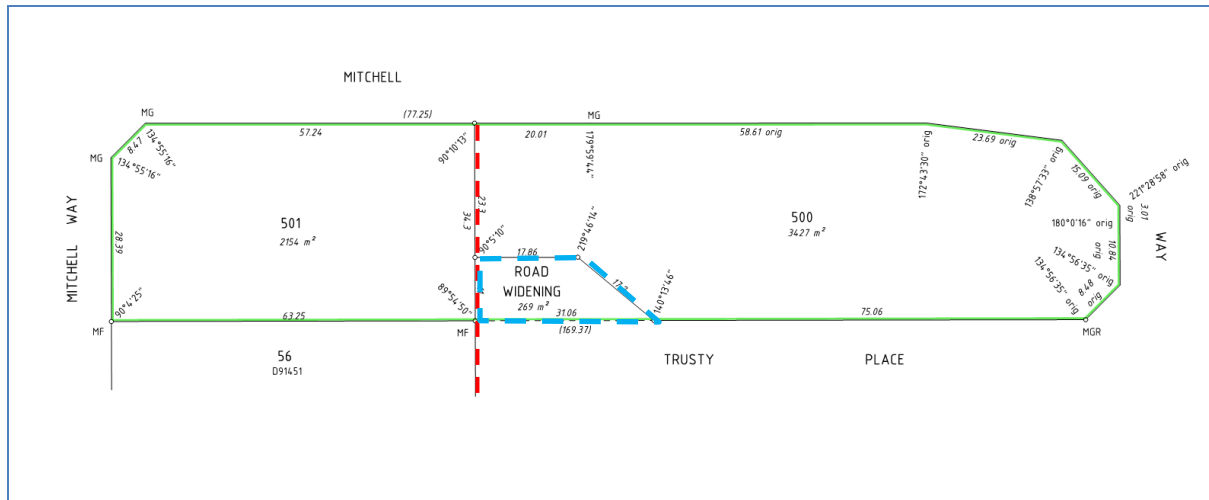
3. *Apply to the Minister for Lands for Lot 103 and Lot 105 to be amalgamated into Lot 56 Mitchell Way Dardanup;*
4. *Direct that the proceeds of Lot 103 and Lot 105, when sold, be allocated into the Public Open Space Trust Fund to be used for developing/improving public facilities within the Dardanup townsite;*
5. *Consider the options for the land east of the eastern aligned boundary of Lot 56 that is currently part of Lot 103 and Lot 105 being retained as open space and be improved to enhance the vegetation habitat that already exists;*
6. *Allocate funds in the 2014/15 Budget to acquire Lot 103 and Lot 105, with the source of funds to be identified during the draft budget process, with the sum subject to the advice to be received from the Minister for Land.*

Whilst continuing to progress since the above was resolved by Council, the process has taken a considerable amount of time and it was not until December 2016 that the Shire was advised that the Minister had granted approval to the Shire's request to purchase the land.

It is apparent that it was Council's original intention to purchase the land and amalgamate it with Lot 56 to create a single land parcel, which was presumably expected to occur prior to any development occurring. However, possibly due to the extended timeframe, the neighbouring lot to the south (Lot 56) has since been purchased from the Shire by Access Housing and developed to create 14 residential units. The grouped housing development has also recently been approved by the WAPC for strata-subdivision and the developer is currently working through the conditions of subdivision approval to obtain clearances.

Since becoming aware of the Minister's approval for the transfer of the subject land to Council, Officers have made further contact with Access Housing to ascertain its interest in potentially purchasing and developing the land. In response, it has been advised that due to market conditions and other commitments Access Housing are not in a position to undertake further residential developments at this time.

The below deposited plan diagram indicates the resulting land parcels with the new eastern boundary being aligned with the corresponding boundary on Lot 56 to the south (indicated by the red dotted line) and a portion of the reserved land being amended to road reserve (indicated by the blue dotted line) to reflect the location of the existing cul-de-sac head on Trusty Place. Once the land sale is complete and new titles issued, the existing land parcels (Lots 103, 105, 102 and 87) will become Lot 501 (subject land, 2154m<sup>2</sup>) and Lot 500 (balance of R37721, 3427m<sup>2</sup>).



As a result of the original Council resolution and the subsequent request to the DoL, when the Contract of Sale was drawn up in April 2017, it included the following as a condition:

*The sale of Lot 501 on Deposited Plan 411390 to the Purchaser is on the condition that Lot 501 is amalgamated with the adjoining freehold land currently described as Lot 56 on Diagram 91451 and held in Certificate of Title Volume 2085 Folio 479 under the Western Australian Planning Commission subdivision process, and at the time of this contract being accepted, the registered proprietors being Access Housing Australia Ltd.*

It is noted that under the Contract of Sale the price for the Shire to purchase the land was determined by the DoL to be \$3850 (5% of assessed market value).

Upon reviewing the contract, Shire officers brought to the DoL's attention the fact that Lot 56 had been developed and was in the process of strata-subdivision and therefore the condition was unable to be fulfilled as Lot 56 would no longer be in existence. It was suggested that it may be more appropriate for the land to be purchased as a 'stand-alone' lot.

In response to the Shire's comments the DoL has advised the following:

*"The Valuer General has provided further valuation assessment for the portion of Reserve 37721 which indicates an increase in the assessed value. Given the current position that the land is unlikely to be sold for amalgamation with adjoining Lot 56 in the short term and other options are to be considered, sale as a stand-alone lot would seem the best outcome at this stage.*

*As a stand-alone lot the valuation assessment is \$165000 inclusive of GST. Transfer would then be at \$8250 (inclusive of GST).*

*To progress this matter (the DoL) suggests one of three options:*

- *the Shire proceeds to finalise the current contract on the basis that amalgamation with Lot 56 may still occur when strata of that lot has been completed. If that does not occur and sale is achieved in a different manner then the principles of the disposal of recreation land would support that outcome with the proceeds generated being applied to other recreational land.*

*(the current valuation advice for amalgamation is \$90000 inclusive of GST) (Option 1);*

- *the Shire purchases the land as a stand-alone lot at \$8250 inclusive of GST (Option 2);*
- *the land remains as part of Reserve 37721 to enable the Shire to finalise its intentions with respect to the future disposal of the site with purchase arrangements being finalised at that time (Option 3)."*

Upon receiving the above advice further clarification was sought from the DoL with regards to Option 2, where it was clarified that as a stand-alone lot the land would be sold to the Shire at a slighter higher cost, however would not be subject to any conditions and therefore, the Shire could potentially on-sell the land to any interested party, or potentially subdivide the land and sell to the open market without restriction (subject to rezoning the land accordingly). Furthermore, it could be used for either standard or aged accommodation purposes.

Due to the long-held expectation that Access Housing would develop the subject land, a drainage outlet with bubble-up drain was approved on Lots 103/105 during the development of neighbouring Lot 56. An easement to protect this drainage infrastructure is currently being negotiated with Access Housing as part of their subdivision clearances for Lot 56. However, the drainage infrastructure may require modification in the future, depending on intentions for the site.

#### Legal Implications

Section 86 of the *Land Administration Act 1997*, permits the Minister to approve by private treaty the sale of Crown land to a Local Government.

Disposal of the land in the future will be subject to the provisions of the *Local Government Act 1995*.

Strategic Community Plan - None.

Environment - None.

Precedents - None.

#### Budget Implications

Council's 2017/18 budget includes a \$15,000 allocation for the purchase of the subject land.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

#### Risk Assessment

Reputational (Medium) – there has been a lapse of time since the proposed purchase and change of use was first advertised to the community and approved by Council and therefore there may be those who may assume it did not proceed, or may be unaware of it. Disposal and rezoning of the land will require further

advertising to be undertaken in the future and therefore members of the community will have the opportunity to make further comment if they so wish.

Financial (Low) – As the land is being purchased at 5% of the market value it represents a low financial risk to Council.

Officer Comment

Given the fact that the neighbouring land on Lot 56 has been developed and Access Housing has indicated it is unable to commit to purchasing the land the subject of this report, officers consider the flexibility provided in accepting Option 2 (\$8250 inc. GST) is the sensible approach in this instance. Whilst slightly more expensive than the original price under Option 1, the sale would be unconditional and therefore the Shire would be free to negotiate or develop the land privately if it so wished. If Access Housing was to change its position in the future, the Shire would also be able to re-open negotiations with them.

Officers would not recommend Council supporting Option 3. Any changes by the State Government to current arrangements that enable Local Governments to purchase Crown Land at 5% of market value may result in the land becoming more expensive to purchase in the future.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation None.

Discussion:

*Cr P Perks – I move the recommendation to secure this land.*

*Cr. L D Harris – This land for was for the over 55s. Access Housing was offered the land, and they built 14 units. We are still offering it to them and they still don't have any money to purchase the remainder. The local community did complain but have now accepted it. I don't support it being turned into a Shire owned lot, granted it will be POS initially, it needs a tidy up. I have asked Mark to prepare an alternative motion.*

*Cr. L D Harris – These little areas are important in our communities. I do not agree with holding the land in the hope that Access Housing will come back*

*Cr. P Perks – I believe we are starting a community consultant program in the whole area. If we purchased the property at the price given I would like to see it developed. If we purchase now, we will have ownership of the land and we can keep as POS or adjust later. It makes more sense to keep our options open now. It is better to lock it in by purchasing it now and its use will be for the community. I would like to support the first resolution.*

*Cr. P Robinson – There is a community consultation coming up, which will be a good opportunity to see what the community thinks, do we buy it or not.*

*Cr. C N Boyce – I would like to seconded Cr. P Perks motion.*

*Cr J Dow - Can someone else come and purchase the land?*

*Chief Executive Officer, Mr Mark Chester – No this is crown land.*

*Chief Executive Officer, Mr Mark Chester – When we were negotiating, comment from DOLA was that there is talk that the rules may change. They were saying “why sell the land to Local Government when the Crown could get the money”. If they change this they will have to consult. We have heard nothing more or received any formal notification.*

*Cr. T Gardiner – This is not a lot of money to tie up the land. While it will be good to keep it as a reserve, we would not want to go through the process again.*

*Cr. P Perks – I have no intention of changing the use of the land. We need to look after it now, if we do this now we are the custodians and it is in our hands. We don't know what will change. We could make this a beautiful park.*

*Cr. L D Harris – I would like to make the following amendment to the resolution – That Council conducts a community consultation prior to this decision going forward..*

*Cr. M T Bennett – We cannot accept the amendment as this changes the intent of the resolution.*

## **OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

283-17      MOVED -    Cr. P Perks                      SECONDED -    Cr. C N Boyce

### **THAT Council:**

- 1.    Advises the Department of Planning, Lands and Heritage that it agrees to the purchase of Lot 501 as indicated on Deposited Plan 411390 (Appendix ORD: 12.4) for the agreed amount of \$8250 (inc. GST), subject to the land being unburdened by any requirement to amalgamate with the neighbouring landholding (Lot 56);**
- 2.    Reaffirms the Shire's commitment to allocate any proceeds from the sale of the land in the future to the Public Open Space Trust Fund to be used for developing/improving public facilities within the Dardanup townsite;**
- 3.    Authorises the Chief Executive Officer and Shire President to sign any documentation relevant to the land transfer process.**

CARRIED  
7/1

12.5 Title: Management Order Request – Lot 83 Reserve Crescent, Eaton on DP409843 - Reserve for Drainage

*Reporting Department: Engineering & Development Services*

*Reporting Officer: Mr Jake Whistler - Senior Planning Officer*

*Legislation: Planning and Development Act 2005*

Location Plan –



Background -

Correspondence has been received from the Department of Planning, Lands and Heritage (DPLH) advising that Lot 83 on Deposited Plan 409843 has been set aside for the purpose of Drainage. DPLH is seeking advice as to whether Council would be prepared to accept a management order over this reserve (Appendix ORD: 12.5).

Lot 83 was created for the purpose of drainage for the 'Evolve at Eaton' subdivision (WAPC 153278). It will serve as a drainage area with landscaped drainage basins but will also include a recreational area including a playground, sun shelter and barbecue.

Legal Implications - None.

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost

Maintenance of the assets within Lot 83 will need to be catered for in future budgets.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

Lot 83 is currently being developed by Ardross Group with the previously listed infrastructure being part of the requirements for subdivision of WAPC 153278. It is a further requirement of the subdivision for the developer to maintain the recreational assets (playground, barbeque, shelter) for a period of two years from the time the new lot is created. After this period, if Council agrees to accept the management order, the maintenance responsibility will be borne by the Shire.

The Shire is not obliged to accept management of Crown Land however, officers are of the opinion that as Lot 83 provides a significant drainage and recreational benefit for the new residential area, management of the reserve is necessary.

It is therefore recommended that Council accept the Management Order over Lot 83 on Deposited Plan 409843.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation None.

**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

284-17      MOVED - Cr. P Robinson      SECONDED - Cr. P Perks

**THAT Council advise the Department of Planning, Lands and Heritage that Council is prepared to accept a Management Order over Lot 83 on Deposited Plan 409843.**

CARRIED  
8/0

12.6 Title: Mobile Traders on Eaton Foreshore – Consideration of Expressions of Interest

*Reporting Department:* Engineering & Development Services  
*Reporting Officer:* Mr Jake Whistler - Senior Planning Officer  
*Legislation:* Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Local Law 2007'

Policy Area Site Plan –



Background -

At its meeting held 14 December 2016, Council resolved [352/16] to adopt Council Policy CP033 – 'Mobile Traders on Eaton Foreshore' which provides guidance on permitting mobile traders to operate from the Eaton Foreshore. It works in tandem with the Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading' Local Law which provides the statutory means for issuing trader's permits on Shire reserves.

This Policy delineates between two different types of traders being:

- 'Type A' – Mobile traders utilising a vehicle or caravan for the purpose of trading goods.



- 'Type B' – Mobile traders providing a service for which minimal equipment is required and which are flexible in terms of location (i.e. fitness, yoga, tai-chi classes etc.).

'Type B' traders can apply for a trader's permit at any time of the year and a permit can be issued by Shire staff under delegation from Council. There are no limits as to how many 'Type B' trading permits can be issued on the Eaton Foreshore.

With regard to 'Type A' traders, the Policy provides the following provisions:

- a) The approved area for 'Type A' trader's permit holders is identified on the 'Mobile Traders Area Plan' (refer to Site Plan of this report);*
- b) A maximum of three 'Type A' trader's permits will be concurrently granted by Council to operate within the approved trading area at any one time;*
- c) Type A' trader's permits will be issued for a maximum of 12 months and will be valid from 1 July to 30 June of the following year;*
- d) Type A' trader's permits will be allocated to a particular location, which will represent the approved location for the business activity for the duration of the permit, unless otherwise approved in writing by Council;*
- e) On 31 March of each year the Shire will call for expressions of interest by way of newspaper and website advertising to ascertain levels of interest from operators wishing to be granted one of the three 'Type A' permits for the following financial year;*
- f) Existing permit holders will be required to submit a new application, if they wish to be considered for the following financial year;*
- g) All applications will need to be submitted by 30 April using the form specified under the Local Law;*
- h) By 30 June of each year an officer's report is to be presented to Council which will determine the approved trader's permits for the following financial year;*
- i) In determining applications, Council shall have regard to Clause 5.5 of the Local Law and the following criteria:*
  - Benefit to the community;*
  - Experience of the trader;*
  - Appearance and quality of the operation and equipment;*
  - Safety management measures implemented by the trader;*
  - Risk management measures implemented by the trader;*
  - The appropriateness of the activity/ business having regard to pedestrian, patron vehicular safety within the area;*
  - The appropriateness of the activity/business having regard to other approved trading permits within the approved area or other applications for permits currently being considered.*
- j) All applications for 'Type A' mobile traders are to be determined by Council.*

- k) *In determining applications, Council reserves the right to refuse an application even if less than three permits have been issued for a particular financial year, if Council determines the proposed use is incompatible with the foreshore or of a standard that is unacceptable;*
- l) *If the three (3) trading positions are not all occupied following the expression of interest process, Council can approve an application received outside of the above process, for the remainder of the applicable financial year (expires on 30 June).*

- **Expression Of Interest Advertising**

In accordance with the above 'Type A' Policy provisions, advertising was undertaken seeking expressions of interest for a maximum of three mobile traders to operate within the nominated area of the Eaton Foreshore.

The advertising period was not conducted on 31 March (as per the Policy) in 2017 as the Eaton Foreshore carpark and associated areas were being redeveloped, with works only recently finalised. As such, calls for expressions of interest were delayed and conducted from 7 September 2017 to 21 September 2017 (2 weeks) by way of newspaper, website and facebook advertising. Additionally, all current mobile traders registered with the Shire were provided with the relevant information.

As a result of the advertising, two expressions of interest were received by the Shire. The two applications are contained in (Appendix ORD: 12.6).

Each application was required to address relevant qualitative criteria that were listed within the Expression of Interest document. The criteria and a summary of the applicants' response against each criteria are provided in the below tables:

***Applicant: The Big Coffee Van – Deborah Hiscock (Patching)***

<b>Qualitative Criteria</b>	<b>Applicant's Response</b>
<b>Benefit to the Community</b> a) Outline of the business profile and operations (what is being offered/sold)?	Quality barista made coffee products and tea. Also cold foods and beverages such as soft drink, water, muffins, biscuits and cake.
(b) Rates/prices and proposed days/times of operation.	Prices range from \$0.50 to \$6.00. Hours of trading proposed are 9.00am to 3.00pm, 7 days per week.
(c) Details of all activities/products that will be available to the public.	Public will have opportunity to purchase a beverage and something to eat whilst using the facilities at the park.
<b>Experience of the Trader</b> (a) Provide details of trading history including other local government areas where trade has been conducted.	Commenced trading in City of Bunbury for 6 months.  Operated within Shire of Harvey at Christina Park for past 7 years.  Operated from Eaton Foreshore under a valid trading permit which expires on 31 December 2017.
(b) Provide scope of the Respondent's history of involvement in the proposed trading activity.	Traded at many events including Newdegate Field Days, Brunswick Show, junior football carnivals, school events and open days, Lions Club events, Relay for Life, Melanoma Inc. and memorials.

Qualitative Criteria	Applicant's Response
(c) Demonstrate competency and proven track record or trading activity.	Owners and staff are all trained baristas and are also competent in the operations of the equipment they are in charge of. They all understand the importance of compliance when it comes to handling food products and even under pressure, standards are never compromised.
<b>Appearance and Quality of the Operation and Equipment</b> (a) Details of equipment/ vehicles to be used (photos are desirable).	Two vehicles are used being a Hyundai iLoad and a VW Caddy which have been outfitted to the required health standards and have been inspected on a regular basis by health officials without any concerns raised.  Both are cleaned thoroughly at the completion of each day's trading and given a full clean including cabin weekly.  <i>Photos provided in Full Application – (Appendix ORD: 12.6)</i>
(b) Details of ancillary equipment to be used (i.e. tables, chairs etc.).	Both vans use minimal ancillary equipment being a table, bins for rubbish and coffee grounds, 2 promotional flags and up to 2 fold up chairs.
(c) Details of the number of employee(s).	1-2 employees pending the day of the week and or the time of the day. All are dressed in business attire.
(d) Space required to conduct trading activities (a scaled layout plan is desirable).	No plan provided.
<b>Safety and Risk Management Measures Implemented by the Trader</b> (a) A demonstrated understanding of the trading activity and the associated risks.	Potential hazards includes coffee machine, generator 240 volt power, fuel, failure of refrigeration (health risk) and interaction with vehicles.
(b) An understanding of the potential risks from operating at the subject location.	Understands the risks associated with the hazards listed above and undergo control measures to ensure that risk exposure is minimised to both employees and customers alike. For example, no unauthorised personnel are allowed anywhere near the generator set, refrigeration units or on the barista side of the customer table. No spare fuel is carried and parking of the van is always in an area that is going to minimise risk to all individuals.
(c) A strategy or Management Plan to address any potential risks.	Strategy for safety is to revisit these simple but important measures on a frequent basis so they become part of the day to day tasks, rather than something that need to be thought of as an extra. Regular equipment checks are also carried out by both employees and the owners to ensure all items are being serviced as required and performing as expected.
(d) Evidence that the risk management measures can be implemented.	Over seven years of operation, the business has not had any incidents in relation to safety or health. Whilst the strategy is very simple it is regarded as very effective.
(e) Any contingency measures or back up of resources including personnel (where applicable).	There are several options should there be a need for perishable items such as milk in the event of a generator or fridge failure and extra personnel can also be located on reasonably short notice.

Qualitative Criteria	Applicant's Response
<b>Appropriateness of the Activity/Business</b> (a) Appropriateness of the activity in the context of the Eaton Foreshore and associated facilities.	Feels that the activity aligns with the overarching vision that the Council has for the Eaton Foreshore, by providing services to those that are going to the park to utilise the associated facilities. Mobile vendors are not going to interfere with other activities.
(b) Appropriateness of the activity in the context of the users of the Eaton Foreshore.	Users of the Eaton Foreshore will know that when visiting, there will be a level of catering service provided to improve their own experience of the upgraded facilities. They will also know that the public amenity values have not been compromised because of the introduction of such a service. (Under the current licence held, there has never been received any negative comment at all about the businesses presence at the park).
(c) How the activity will co-exist with active and passive users of the Eaton Foreshore.	A mobile vending business such as a coffee van is non-intrusive in such an area and therefore co-exists well from a social amenity perspective, but also appeals to a wide customer base whether boating, kayaking, walking, or visiting the playground. All these activities will be value added to.

**Applicant: SUP (Stand Up Paddle) Bunbury - Melissa Hynnen**

Qualitative Criteria	Applicant's Response
<b>Benefit to the Community</b> a) Outline of the business profile and operations (what is being offered/sold)?	Offering lessons (private and group), SUP fitness training, SUP yoga, clinics, tours and equipment hire.  Are also the Bunbury based stockist for WA family owned company Yob Australia, stocking their brand of SUPs and accessories for sale to the public.
(b) Rates/prices and proposed days/times of operation.	<ul style="list-style-type: none"> <li>• SUP lesson/private (equipment included) - \$60</li> <li>• SUP lesson/group (equipment included) - \$50pp</li> <li>• SUP yoga (equipment included) - \$35pp</li> <li>• SUP yoga (BYO SUP) - \$25</li> <li>• SUP fitness training (BYO SUP) - \$25</li> <li>• Group Eco Guided Tour (equipment included) - \$70pp</li> <li>• Hire of SUP (1hr) - \$30 per board</li> </ul> <p><i>(All activities listed above to be conducted on the Collie River.)</i></p> <p>Previous years, business was viable from October to April, 7 days per week (weather permitting). From April onwards, bookings were essential due to decreasing popularity in water sports during cooler weather.</p> <p>Intend on creating a timetable throughout the week starting from 6.30am (fitness sessions) to 7.30pm (or no later than dusk). Will also accept private bookings though these times.</p> <p>Will not set up on the location 'full time', however intend to use the area each day where possible through the permit period, managing my time as effectively as possible.</p>
(c) Details of all activities/products that will be available to the public.	SUP lessons which entail on land demonstration and on water practise.

Qualitative Criteria	Applicant's Response
	<p>Offer photos for the client during the lessons and provide these promptly to the client at no extra cost.</p> <p>Group sessions provided at a ratio of 1:8 (instructor: student). This is dependent on student skill level and conditions.</p> <p>Lessons begin in the permit area (conditions dependent) and travel towards the island at the mouth of the estuary adjacent to the Grand Canals and back, or towards Watson's Reserve and back.</p> <p>SUP yoga sessions are in collaboration with 'Up Sup Down' who teach the sessions and we provide the equipment. Sessions are no more than 10 metres offshore, and students are kept stationary by light sea anchors attached to the tail of the boards. Classes run for approximately 75 minutes.</p> <p>Occasionally will run a clinic type course with a structured lesson plan, which run once per week spanning from 4 to weeks 12.</p>
<p><b>Experience of the Trader</b> (a) Provide details of trading history including other local government areas where trade has been conducted.</p>	<p>Business was established in 2013, trading from Koombana Bay under a different owner. The applicant took over the business in 2014 and has built the business since this time with a solid client base, a social media following, and broadened the services offered.</p>
<p>(b) Provide scope of the Respondent's history of involvement in the proposed trading activity.</p>	<p>Involved with SUP as a sport from a community, competitive, and social standpoint for many years.</p> <p>Was one of the original members of the Wavemasters SUP Pod and played a key role in the organization of local events such as the CB5500 and the Battle of the Blades in addition to sponsoring various local clubs outside of our own (i.e. BSLC, Cooinda P&amp;C, Mission to Seafarers, APEX etc.).</p>
<p>(c) Demonstrate competency and proven track record or trading activity.</p>	<p>Holds ASI SUP School status which demands that they abide by the ASI code of practice, policies and procedures, risk management and environmental impact standards.</p> <p>Holds current SUP instructor qualifications (L1, 2 and Yoga where applicable), Water Safety, WWC, first aid and appropriate insurance.</p> <p>Historically, during the permitted period of the previous location, would trade 5-7 days per week, where weather was the main deterrent.</p>
<p><b>Appearance and Quality of the Operation and Equipment</b> (a) Details of equipment/vehicles to be used (photos are desirable).</p>	<p>Yob Australia brand stand up paddleboards (9ft to 14ft), leg ropes, adjustable paddles.</p> <p>Vehicle/trailer to be used to transport equipment (Nissan Navara – Dual Cab and c/made 8 board trailer.</p> <p><i>Photos provided in Full Application – (Appendix ORD: 12.6).</i></p>
<p>(b) Details of ancillary equipment to be used (i.e. tables, chairs etc.).</p>	<p>3m x 3m folding gazebo paired with SUP Bunbury detachable banner, trestle table and 1-2 folding chairs (staff use) and 1-2 fin style promotional flags.</p>
<p>(c) Details of the number of employee(s).</p>	<p>Three employees with the potential for one more casual employee to be hired during peak season.</p>
<p>(d) Space required to conduct trading activities (a scaled layout plan is desirable).</p>	<p>Majority of the time the water will be used to conduct activities. The setup of gazebo and storage of boards would preferably occur on the new grassed area on the western side of the jetty and small beach. Vehicle access to this area is preferable however, can unload the</p>

Qualitative Criteria	Applicant's Response
	<p>boards from the carpark to the grassed area if required.</p> <p>When conducting lessons, clients will carry boards down to the bay (<i>small beach</i>) where instructions will take place before entering the water.</p> <p>The portion of the river directly adjacent to the small beach will be utilised for the SUP yoga. This is protected from other vessels passing through and ensure a hindrance to other water users will not occur.</p> <p><i>(An area adjacent to the Small Beach was originally identified on the Policy site plan – provided in full application – but an alternate location was later requested by the applicant, as per the above).</i></p>
<p><b>Safety and Risk Management Measures Implemented by the Trader</b></p> <p>(a) A demonstrated understanding of the trading activity and the associated risks.</p>	<p>Having been trading since 2014 in an exposed water location, are aware of the risks and hazards associated with our business activities.</p> <p>Client inexperience, poor fitness levels, drug and alcohol effected clients, weather hazards, changing conditions and numerous water hazards are just some of the situations that are to be aware of and have processes in place to deal with.</p>
<p>(b) An understanding of the potential risks from operating at the subject location.</p>	<p>The proposed location, albeit categorised as an enclosed (level 1) location, still has its number of risk factors including weather (wind speed and direction), marine creatures, other water users, drugs and alcohol, underwater obstructions, varying tides, hot sand, jetty (barnacles etc.) client diversity, litter and sharp objects, insects, client fitness levels/swimming abilities.</p>
<p>(c) A strategy or Management Plan to address any potential risks.</p>	<p>Application includes a Risk Management Document - Dynamic Risk Assessment</p> <p><i>Document is included in full application in (Appendix ORD: 12.6).</i></p>
<p>(d) Evidence that the risk management measures can be implemented.</p>	<p>Application includes a Risk Management Document - Dynamic Risk Assessment which addresses how measures can be implemented.</p> <p><i>Document is included in full application in (Appendix ORD: 12.6)</i></p>
<p>(e) Any contingency measures or back up of resources including personnel (where applicable).</p>	<p>Instructor has one mobile phone full charged on his/her person at all times and one spare operational/charged mobile phone in vehicle as back up.</p> <p>Instructor acknowledges closest public phone and hospital/doctor at the commencement of each session.</p> <p>Exit points are identified every 500 metres.</p> <p>Instructor is aware of emergency response procedures and explains relevant details to students at beginning of each session.</p> <p>Indemnity waivers are obtained from each client ahead of each lesson detailing fitness levels, any relevant medical information, emergency contacts, and an acknowledgement of our conditions. If this is not obtained, the session is not carried out.</p>
<p><b>Appropriateness of the Activity/Business</b></p> <p>(a) Appropriateness of the activity in the context of the Eaton Foreshore and associated facilities.</p>	<p>SUP Bunbury is considered appropriate for the Eaton Foreshore as there is suitable parking, ablutions and drinking water available. The location is ideal for stand up paddle as it is considerably protected from wind, waves, swell and the Collie River is narrow enough that any incident can be quickly addressed without the added pressures of the open ocean.</p> <p>It is considered an ideal learning environment for beginners, and</p>

Qualitative Criteria	Applicant's Response
	holding sessions in this vicinity will attract tourists to Eaton who may have otherwise bypassed the area.
(b) Appropriateness of the activity in the context of the users of the Eaton Foreshore.	Intent is to work collaboratively with other vendors that may also be granted permits for the area, to further promote their businesses.  For example, in the scenario of a food/coffee van, would happily advise them of the timetable so they can decide whether to align trading times with the popular sessions etc.
(c) How the activity will co-exist with active and passive users of the Eaton Foreshore.	The business will make the Eaton Foreshore an exciting destination for the family, promoting physical activity and mental health whilst having the nature park so close by creates a fun space for the whole family. Equipment is set up in an orderly fashion, minimising the space used and leave no environmental footprint at the end of business. It is appreciated that this is an area frequented by many locals and do not see any issue co-existing with others, as respect will be for those who are there prior to the business, and to those wishing to share the waterways.

### Legal Implications

Trading Permits are legally binding until the end of the financial year and may be cancelled if the trader does not comply with any of the condition.

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

### Council Policy Compliance

Council Policy - CP033 - 'Mobile Traders on Eaton Foreshore'.

Risk Assessment - Low.

The risk of approving the two applications is considered low as they are low impact activities and meet the requirements of the Policy. There is potential safety risks associated with the SUP Bunbury application however, these risks have been identified and addressed in the application. Furthermore, a public liability insurance for a sum not less than \$10 million is required to be obtained by the trader indemnifying the Shire against any potential incident.

### Officer Comment

Two submissions for mobile trading were received during the dedicated advertising period. Three positions were made available through the Policy.

Taking into consideration the above, Council are reminded of the following provisions of the Policy which applies in the scenario when less than three applications are received for determination:

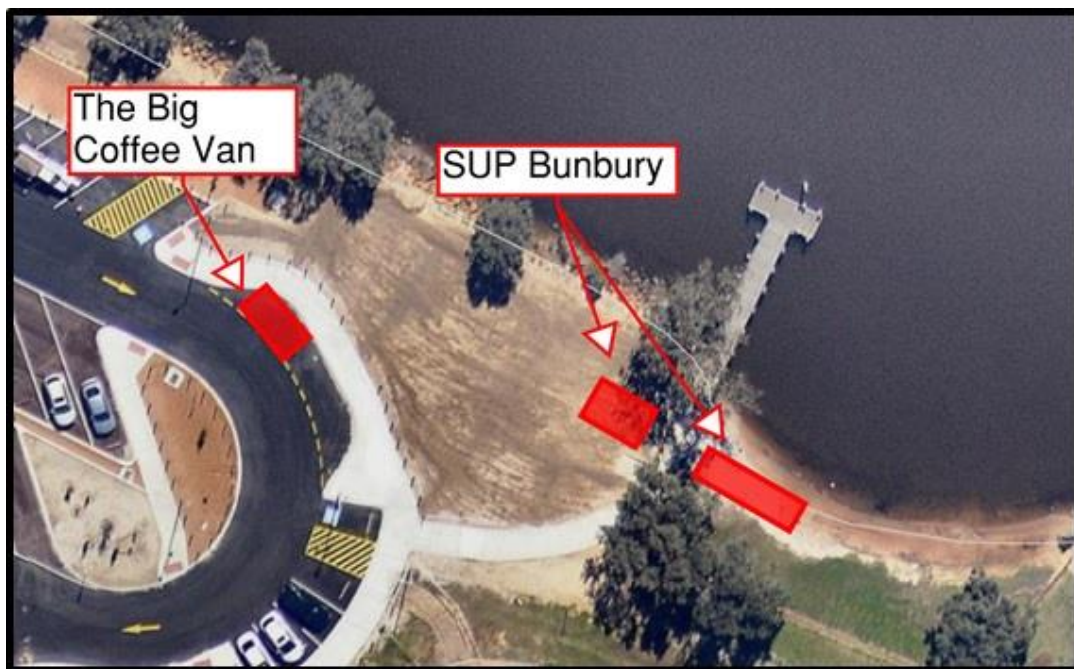
- a) *In determining applications, Council reserves the right to refuse an application even if less than three permits have been issued for a particular financial year, if Council determines the proposed use is incompatible with the foreshore or of a standard that is unacceptable;*
- b) *If the three (3) trading positions are not all occupied following the expression of interest process, Council can approve an application received outside of the above process, for the remainder of the applicable financial year (expires on 30 June).*

Council are required to determine whether the two applications received are compatible with the foreshore and of a standard that is acceptable. If not, an opportunity still exists for alternate mobile traders to apply for a position for the remainder of this financial year (2017/2018).

- *Location of Traders*

If Council determines to grant trading permits to one or both of the applications received, suitable locations within the Policy trading area will need to be defined for the purpose of each Permit. Suitable locations will need to be allocated in the context of the new carpark and associated areas.

Taking into consideration the information within both applications and the nature of the activities proposed, the below locations within the Policy area are suggested for both applications.



It is recommended for SUP Bunbury, that a vehicle is not permitted on the new lawn area, to avoid any unnecessary damage to the lawn and reticulation. If a trading permit is issued to SUP Bunbury, it is recommended that a condition be imposed to reflect the above. As noted in the SUP Bunbury application, this is an acceptable option as the boards and equipment can be carried from the carpark to the nominated areas.



The suggested location for the Big Coffee Van would allow for the vehicle to park on a bitumised surface, whilst allowing easy access to customers from the footpath, minimising undesirable pedestrian/vehicle interactions.

Officers consider that both the respondent's applications suitably addressed the qualitative criteria within the expression of interest document and achieve the objectives of the Policy.

It is recommended that trading permits be issued to both 'The Big Coffee Van' and 'SUP Bunbury' in the above suggested locations subject to appropriate conditions.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation None.

## OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

285-17      MOVED - Cr. C N Boyce      SECONDED - Cr. T Gardiner

### THAT Council:

1. Approves the application from 'The Big Coffee Van' for a trading permit on the Eaton Foreshore 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 being paid for the issuance of a trading permit prior to trading occurring.
  - b) This trading permit is valid until 30 June 2018.
  - c) Trading shall only occur within the location identified on the approved trading plan.
  - 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 shall 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 trading on any day that there is a Shire of Dardanup approved 'event' on Reserve 24359 or Reserve 25417, unless otherwise approved in conjunction with this 'event'.
- l) The trader shall cease trading upon notification from the Shire of any maintenance works or any other matter as determined by the Shire that may be required to be conducted on Reserve 24359 or Reserve 25417 which shall not recommence until such time as the trader is further notified in writing by the Shire.
- m) 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.
- n) 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) Traders whose trading involves the selling or distribution of food and/or drinks are to comply with the *Food Act 2008* and the Food Standards Code.
- iii) Traders shall ensure compliance 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.

2. Approves the application from 'SUP Bunbury' for a trading permit on the Eaton Foreshore 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 being paid for the issuance of a trading permit prior to trading occurring.
  - b) This trading permit is valid until 30 June 2018.
  - c) Trading shall only occur within the location identified on the approved trading plan.
  - d) No vehicle associated with the approved trading activity shall be parked within or adjacent to the approved trading area. Vehicle(s) associated with the approved trading activity shall be parked within the Eaton Foreshore carpark for the duration of the trading activity.
  - e) Trading shall comply with the provisions of the *Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading Local Law'* at all times.
  - f) The trader shall only conduct trading of products and/or services as specified on the trader's permit.
  - g) 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.
  - h) 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 shall 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.
  - i) The solicitation of customers by touting or the use of public address systems shall not be permitted at any time.
  - j) The trader shall keep their area of operation clean and tidy at all times to the satisfaction of the Shire.

- k) The trader shall ensure that no debris, litter, cleaning agents, detergents or waste of any kind result from their activities.**
- l) The trader shall not conduct trading on any day that there is a Shire of Dardanup approved 'event' on Reserve 24359 or Reserve 25417, unless otherwise approved in conjunction with this 'event'.**
- m) The trader shall cease trading upon notification from the Shire of any maintenance works or any other matter as determined by the Shire that may be required to be conducted on Reserve 24359 or Reserve 25417 which shall not recommence until such time as the trader is further notified in writing by the Shire.**
- n) 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.**
- o) 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) Traders shall ensure compliance with the *Environmental Protection (Noise) Regulations 1997* at all times.**
- iii) 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.**
- iv) The applicant is advised that the Collie River is within the Shire of Harvey. As such, the applicant is advised that they may have to obtain formal approval from the Shire of Harvey to use the Collie River in conjunction with this trade activity. The applicant is advised to contact the Shire of Harvey directly about this matter.**

CARRIED  
8/0

- 12.7 Title: Proposed Local Structure Plan and Proposed Amendment 196 to Town Planning Scheme No. 3 (Rezoning Portion of Lot 100 from 'General Farming' to 'Small Holding') – Lot 100 Wellington Mill Road – (Halsall & Associates on behalf of R. Harvie)

Reporting Department: Engineering and Development Services

Reporting Officer: Mr Jake Whistler - Senior Planning Officer

Legislation: Planning and Development Act 2005

PROCESS
Council resolved [279-17] to change the Order of Business. This item was dealt with on page 12 of these minutes.

- 12.8 Title: Shire of Dardanup Incident Management and Business Continuity Response Plan

Reporting Department: Development Services

Reporting Officer: Mrs Erin Hutchins – Coordinator Emergency & Ranger Services

Background

Council staff, with support from LGIS, have recently completed the Shire of Dardanup Incident Management and Business Continuity Response Plan (IMBCRP). The plan has been a long-term project requiring staff input from across the Shire and is presented to Council for information. A copy of the plan has been provided under separate cover to the Councillors. This document contains confidential information and is not to be made available to the public.

Disruptive incidents can come in varying types, sizes and levels of impact and business continuity planning is a key component in providing an adequate response to those incidents. 'Incidents' can include less dramatic events such as power or IT outages right through to major events such as the complete loss of a Shire building due to fire. The IMBCRP is a valuable tool that provides the Shire a level of assurance that it will anticipate and respond to any interruption in a planned and rehearsed manner.

'Business continuity' is defined as the capability of an organisation to continue the delivery of critical activities and services at acceptable predefined levels following a disruptive incident. It forms one part of an effective risk management program and should be closely aligned to incident management, emergency response and IT disaster recovery.

The Shire has developed its IMBCRP with the assistance from LGIS Risk Management. The main purpose of the plan is to provide a framework for restoring

the Shire to an acceptable level of operation and ensure continuity of time-critical business activities following disruption.

The IMBCRP has been customised to reflect the Shire's priorities, stakeholder expectations and existing capabilities. Senior Shire staff were actively involved in its creation with two separate workshops conducted by LGIS where staff were required to contribute to:

- Identifying key functions;
- Conducting business impact analysis; and
- Determining continuity strategies, requirements, dependencies and options.

LGIS provided the Shire with a draft IMBCRP based on the information garnered at the workshops which was reviewed and finalised by internal staff to accurately reflect the needs of our organisation.

#### Legal Implications

There is no legislative requirement for the Shire to have an IMBCRP, however it is seen to be best practice to ensure the ongoing delivery of critical activities and services during an incident.

Strategic Community Plan - None.

Environment - None.

#### Precedents

The current IMBCRP is the first version of this document to be prepared for the Shire of Dardanup.

#### Budget Implications

LGIS involvement in the project incurred costs totalling \$3,300 which was funded through the Sundry Consultants Expense Account.

#### Budget – Whole of Life Cost

There are minimal ongoing costs. In the future LGIS may provide assistance with the testing and/or exercising of the IMBCRP. Review of the plan will be completed in-house by staff in liaison with the Incident Management Team (IMT) and Internal Incident Support Team (IIST).

Council Policy Compliance - None.

Risk Assessment - Low.

As part of effective risk mitigation, the IMBCRP contributes to reducing overall risk to the Shire. The IMBCRP provides a clear plan for the Shire, should it ever experience a disruptive incident, to ensure delivery of critical activities and services at acceptable predefined levels.

Officer Comment

The Shire has a range of responsibilities to the community in the event of an incident. It is considered there would be an expectation within the community that core business should be continued, concurrent to any Shire involvement with any incident response, incident recovery and community function restoration.

The IMBCRP has been created in response to an identified gap in the Shire's own internal systems and processes for the provision of a coordinated approach during an incident and will avoid an ad hoc response. The IMBCRP sets out procedures that will enable the Shire to respond to accidents, disasters, emergencies, and/or threats and restore core functions in a timely manner.

The final stage of the project is to exercise the IMBCRP to test its effectiveness, as well as raising awareness and confidence levels within Shire staff. To ensure ongoing Shire preparedness and to build expertise and understanding of roles and processes, an ongoing exercise and maintenance/review program is essential and this aspect will be further explored by staff in consultation with the Incident Management Team (IMT) and Internal Incident Support Team (IIST).

The IMBCRP should be reviewed as follows;

- a) Contact lists reviewed and updated annually or when required;
- b) A review conducted after an event or incident in which the Incident Management and Business Continuity Response Plan was implemented;
- c) After training that exercises the plan; and
- d) An entire review undertaken every five years, as risks might vary due to climatic, environment and population changes.

It is suggested the IMBCRP should be exercised every three years.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation None.

**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

286-17      MOVED - Cr. P Robinson      SECONDED - Cr. P Perks

**THAT Council receive the Shire of Dardanup Incident Management and Business Continuity Response Plan 2017.**

CARRIED  
8/0

12.9 Title: Eaton Recreation Centre Courts, Car Parking & Eaton Skate Park Options

*Reporting Department: Corporate & Community Services*

*Reporting Officer: Mr Ben Jordan – Manager Recreation Centre*

Background -

At the Council meeting held 21 October 2017, Council resolved the following:

*THAT Council defer consideration of 'Item 12.7 - Eaton Recreation Centre Courts, Car Parking & Eaton Skate Park Options' to the Ordinary Council meeting to be held 1 November 2017, following the results of the Council election on 21 October 2017.*

The item is now being returned to Council for consideration.

At the Council meeting held on the 14 December 2016, Council resolved [346-16]:

*“THAT Council:*

1. *Approve the Eaton Recreation Centre Outdoor Court project totalling \$606,000 for inclusion the Building Asset Management Plan for construction during the 2018/2019 financial year.*
2. *Fund the Eaton Recreation Centre Outdoor Court project from the following sources:*

<i>Department Sport &amp; Recreation</i>	<i>\$202,000</i>
<i>Eaton POS Trust</i>	<i>\$202,000</i>
<i>Borrowings</i>	<i>\$202,000</i>
3. *Give delegated authority to the Chief Executive Officer to develop a business case for two undercover courts at the Eaton Recreation Centre and to be included in the Building Asset Management Plan, to be supported with a Business Plan developed in consultation with the Eaton Community College and the Education Department of Western Australia.”*

The Outdoor Courts proposal is for the construction of two all-weather outdoor courts to be located on the western side of the Centre, north of the current group fitness room. These new courts would allow for the introduction of further sports competitions at Eaton Recreation Centre (ERC), with the projected aim of being achieved in a financially sustainable manner.

Due to potential conflicts with other emerging projects at or around the Eaton Recreation Centre site, this project has not progressed towards its 2018/2019 construction schedule. This has been delayed so that all projects can be viewed and assessed against/with each other rather than being dealt with in isolation.

The conflicting projects that may have a potential impact on the two outdoor courts are the indoor courts business case and a four outdoor court project in collaboration with the Education Department. In addition there are other considerations such as



the future available space on the Glen Huon Oval site and the future relocation of the Eaton Skate Park.

The requirements of these three projects all have potential implications for the parcel of land within the Glen Huon Oval site to the West of Eaton Recreation Centre. In addition, it is known that at some point in the near future the current Skate Park will need to be relocated, with the likelihood this will also fall within the Eaton Town Centre/Glen Huon Oval precinct. The grassed area on the eastern side of Glen Huon Oval between the softball and football fields has also been identified as a desired space by softball as a warm up area, with very little open green space left on the Glen Huon site.

Legal Implications - None.

#### Strategic Community Plan

The construction of two outdoor courts to the value of \$606,000 has been included in the Strategic Building Plan for 2018/2019.

Redesign and improvement of the skate park is identified in the Strategic Community Plan.

Environment - None.

Precedents - None.

#### Budget Implications

\$202,000 is proposed to be sought from Eaton POS Trust as a contribution to the construction costs of the courts for which Ministerial approval is required.

#### Budget – Whole of Life Cost

Consideration of the different options for development in this area all have long term financial implications. These factors will need to be considered as part of the overall evaluation of options for the future.

Council Policy Compliance - None.

#### Risk Assessment

##### *Financial - Low*

Consideration of the financial risks associated with the various options will need to be considered as part of the overall evaluation of options for the future.

##### *Reputation - Medium*

There is the potential that by placing too many demands on the Glen Huon site and not locating facilities in locations that are supported by the community there could be a level of dissatisfaction from within the community.

### Officer Comment

- *Indoor Courts*

A Business Case for the addition of two indoor courts at the Eaton Recreation Centre has been prepared. The business case was prepared with the support of MCG Architects and identified two potential locations for additional indoor courts at the Centre.

In addition to assessing the financial viability and sustainability of the project, the actual site choice and its associated impacts are far reaching with the recommended option for the indoor courts being on the site of the proposed two outdoor courts. The second option is to construct the courts on the western side of the current car park which comes with its own challenges, although conflicting site location isn't one. There are questions on the potential impact two indoor courts may have on the viability on any outdoor courts.

- *Outdoor Courts*

The potential for an outdoor four court project has emerged from the Eaton Community College (ECC) and Education Department raising the possibility to re-explore the potential of co-locating their four outdoor courts at the Eaton Recreation Centre site. A co-location was initially considered in the planning phase of the two court outdoor project however, at the time wasn't deemed feasible due to ECC's preferred court alignment not being achievable, to which they are now happy to look at other options.

With ECC needing to reproduce their outdoor courts as their current locations are planned to house future buildings, a four court option could provide both construction and ongoing operation cost savings for all parties as well as increased programming potential for Eaton Recreation Centre with the two additional courts. Therefore for the Shire and the Education Department there is strong cause to investigate potential outcomes.

Overarching all of these decisions however, is whether there is realistically the space adjacent Eaton Recreation Centre to accommodate two or four courts, (indoor or outdoor), given the competing demands for space on the Glen Huon site. In addition to the inherent want for grassed space for team warm ups and general recreational play, is the realisation that in the near future the Eaton Skate park will be relocated, and the options within the town centre are limited.

- *Skate Park*

There is the understanding that the preferred placement criteria for the Skate Park is in the town centre where it is easily accessible and has good levels of passive surveillance. The Glen Huon site may well be considered the preferred and only location in the town centre; therefore the impact of this (or vice-versa) may have implications for development at Eaton Recreation Centre. Therefore rather than dealing with these projects in isolation, it is felt there is the need to resolve these collectively so that the decision of one won't impact on the outcome of another without due consideration taking place.

With this, it is proposed that a working group be formed to assess the future location of the Eaton Skate Park and Eaton Recreation Centre Courts projects. The objectives of working group would be expanded, however in the main would be to –

1. Identify suitable locations for the Eaton Skate Park;
2. Identify areas for future development on the Glen Huon site adjacent to the Eaton Recreation Centre;
3. Review the courts projects and make recommendations to Council on any future court project (if at all); and
4. Make recommendations on parking solutions for the Eaton Recreation Centre and Glen Huon site based on new/future development and current demands.

It is envisaged that the working group would be made up of three Councillors and Shire Staff, with the Principal of Eaton Community College and other lease holders of Glen Huon Reserve be invited to participate where appropriate.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

#### OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

THAT Council:

1. Establish a Working Group to investigate and recommend to Council a preferred location for the future Eaton Skate Park; and to review and recommend outcomes for additional courts and parking facilities at the Eaton Recreation Centre;
2. Form a Working Group to be made up of up of the Chief Executive Officer and three Councillors, being -

Cr. \_\_\_\_\_ ,  
 Cr. \_\_\_\_\_ ,  
 Cr. \_\_\_\_\_ ,

and relevant staff as required to advise the group.

3. Defer any funding applications or decisions relating to the Eaton Recreation Centre Two Outdoor Court Project until after the matter is resolved through the Working Group and Council.

#### *Discussion*

*Chief Executive Officer, Mr Mark Chester – I would like to add an amendment to the resolution so that this Committee work in conjunction with the Eaton Sports Committee. All the work we want to do at Pratt Road has a bearing on each other. It would be good to co-ordinate between both groups.*

*Cr. M T Bennett – I would like to add a further amendment, that a report be returned to Council with a recommendation by March 2018.*

Change to Officer Recommendation

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

*The resolution was amended to add that the Working Group and the Eaton Sport Committee work in conjunction and that a time be provided for a report to be returned to Council.*

**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

287-17      MOVED - Cr. P Robinson      SECONDED - Cr. P Perks

**THAT Council:**

1.      **Establish a Working Group to investigate and recommend to Council a preferred location for the future Eaton Skate Park; and to review and recommend outcomes for additional courts and parking facilities at the Eaton Recreation Centre;**
  
2.      **Form a Working Group to be made up of up of the Chief Executive Officer and three Councillors, being -**  
  
            **Cr. M T Bennett ;**  
            **Cr. C N Boyce; and**  
            **Cr. P Perks**  
  
            **and relevant staff as required to advise the group.**
  
3.      **Defer any funding applications or decisions relating to the Eaton Recreation Centre Two Outdoor Court Project until after the matter is resolved through the Working Group and Council.**
  
4.      **Instruct the Working Group to work in conjunction with the Eaton Sports Committee.**
  
5.      **Request that a report with recommendations to Council be brought back to Council in March 2018.**

CARRIED  
8/0



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25653	06/10/2017	Dane Carroll	Refund Of Cage Hire Bond	TRUST	150.00
EFT25654	06/10/2017	Eaton Basketball Association	Kidsport Recoup	TRUST	525.00
EFT25655	06/10/2017	Edna Gladys Starcevich	Return Of Key Bond - Hall Hire	TRUST	40.00
EFT25656	06/10/2017	All Aussie Truck And Bobcat Services	Clean Up Drains	MUNI	1,881.00
EFT25657	06/10/2017	Allwest Building Approvals Pty Ltd	Cert Of Design Compliance For Playground Shelter And Shade Sails	MUNI	357.50
EFT25658	06/10/2017	Amer Sports Australia Pty Ltd	Replacement Seat For Upright Bike (Maintenance Report (Sept 17)	MUNI	121.35
EFT25659	06/10/2017	Amity Signs	Supply And Install Street Signs On Existing Sign Posts	MUNI	320.98
EFT25660	06/10/2017	Ausmic Environmental Industries	Inspect And Treat Each Bridge In The Shire As Requested	MUNI	5,775.00
EFT25661	06/10/2017	Australia Post	Monthly Invoice For Mail And Postage - September	MUNI	1,772.15
EFT25662	06/10/2017	Australian Tax Office	PAYG Pay Run 06/10/2017	MUNI	65,430.00
EFT25663	06/10/2017	Baileys Fertilisers	Supply Of Baileys 3.1.1 Fertiliser	MUNI	1,246.30
EFT25664	06/10/2017	Brandicoot	Use Of Web Services, Support, Newsletter Subs Facebook & Twitter	MUNI	679.99
EFT25665	06/10/2017	Brownes Foods Operations Pty Ltd	ERC - Cafe/Resale Stock	MUNI	275.07
EFT25666	06/10/2017	Bunbury Coffee Machines	ERC - Cafe/Resale Stock	MUNI	679.00
EFT25667	06/10/2017	Bunbury Machinery	Hire Of Mini Digger. Depiazzi	MUNI	449.99
EFT25668	06/10/2017	Bunbury Mower Service	Mini Guide Bar	MUNI	60.00
EFT25669	06/10/2017	Bunbury Telecom Service Pty Ltd	Contract Help Desk Officer	MUNI	7,744.00
EFT25670	06/10/2017	Bunbury Trucks	Repair Seat And Seat Belt DA628	MUNI	877.60
EFT25671	06/10/2017	Bunnings Group Limited	Crèche And Vacation Care Items For School Holiday Program	MUNI	181.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25672	06/10/2017	Carbone Brothers Pty Ltd	Supply 100ton Gravel To Shire Depot	MUNI	3,152.01
EFT25673	06/10/2017	Cardno (Wa) Pty Ltd	Road Safety Audit Of Eaton Drive / Lavender Way / Blue Wren Drive To Support Funding Applications	MUNI	4,950.00
EFT25674	06/10/2017	Carmel Sutton	Tissue Paper Monsters - 2/10	MUNI	327.50
EFT25675	06/10/2017	Child Support Agency	Payroll Deductions	MUNI	245.62
EFT25676	06/10/2017	Ciphertel Pty Ltd (Gateway Internet Serv)	Ext Existing/Install Microwave Network For Data Services - Depot	MUNI	7,150.00
EFT25677	06/10/2017	City Of Bunbury	Pound Fees - September 2017	MUNI	412.50
EFT25678	06/10/2017	Civilcon	Banksia Rd Transfer Station - Repairs To Building,	MUNI	4,607.90
EFT25679	06/10/2017	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	12,772.75
EFT25680	06/10/2017	Courier Australia	Postage And Freight	MUNI	445.46
EFT25681	06/10/2017	Craven Foods	ERC - Cafe/Resale Stock	MUNI	311.92
EFT25682	06/10/2017	Dardanup Garage And Service Station	56,000 Km Service DA8200	MUNI	453.54
EFT25683	06/10/2017	Dardanup Rural Supplies	Sundry Items For Depot	MUNI	272.00
EFT25684	06/10/2017	Data #3 Limited	Annual Maintenance 12 Months - Sophos Firewall	MUNI	6,007.44
EFT25685	06/10/2017	Department Of Lands	Final Balance To Pay For Lot 501, 19 Mitchell Way.	MUNI	3,465.00
EFT25686	06/10/2017	Earth 2 Ocean Communications	Speaker Mics For Radios	MUNI	308.80
EFT25687	06/10/2017	Eaton Community Pharmacy	ERC - Cafe/Resale Stock	MUNI	29.15
EFT25688	06/10/2017	Eaton Home Hardware & Garden	Staff Safety Award	MUNI	50.00
EFT25689	06/10/2017	Elizabeth Robyn Leatherbarrow	Rates Refund For Assessment A1060	MUNI	779.23

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25690	06/10/2017	Fire & Safety WA	Bush Fire Brigade Safety Wear	MUNI	2,574.00
EFT25691	06/10/2017	Fit2work	Monthly Invoice For Australian Employee Police Checks - Sept 2017	MUNI	76.78
EFT25692	06/10/2017	Forpark Australia	Install Of Whirlwind At New Eaton Park	MUNI	8,087.20
EFT25693	06/10/2017	G Cubed	Warhammer - September	MUNI	289.00
EFT25694	06/10/2017	Garage Doors South West	ERC - Service Court Roller Door, Realign Vac Care Door On Tracks	MUNI	250.00
EFT25695	06/10/2017	Glanbia Performance Nutrition Pty Ltd	ERC - Cafe/Resale Stock	MUNI	296.00
EFT25696	06/10/2017	Govt Of WA - Central Regional TAFE	Prosecution Training Course For 2 Employees	MUNI	345.62
EFT25697	06/10/2017	Grace Records Management	Bin Exchange And Records Management - 01/09/2017 - 30/09/2017	MUNI	436.18
EFT25698	06/10/2017	Greenacres Turf Group	Supply/Install Turf Rolls To The Eaton Foreshore Car Park Surrounds	MUNI	15,741.00
EFT25699	06/10/2017	Harvey Norman	Apple Lightning To Digital Av Adapter	MUNI	134.00
EFT25700	06/10/2017	Health Insurance Fund Of WA	Payroll Deductions	MUNI	333.45
EFT25701	06/10/2017	Heatleys	Safety Work Wear For Outside Crew	MUNI	889.85
EFT25702	06/10/2017	Hitachi Construction Machinery Aust Pty Ltd	Repair Loader Turbo Line DA873	MUNI	469.88
EFT25703	06/10/2017	Image Bollards	Items For Security Gate At New Depot	MUNI	1,493.25
EFT25704	06/10/2017	Insight Call Centre Services	After Hours Call Centre Service - August 2017	MUNI	459.75
EFT25705	06/10/2017	Isabel Cody	Reimb For The Purchase Of Clothing To Be Worn As Uniform	MUNI	48.99
EFT25706	06/10/2017	Janine Cochrane	Nature/Garden Mobiles	MUNI	412.81
EFT25707	06/10/2017	Jason Signmakers	Sign - Remember 50 In Built Up Areas	MUNI	308.00
EFT25708	06/10/2017	Jim's Test And Tag	Test And Tags - Dardanup Sporting Clubrooms	MUNI	977.68



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25709	06/10/2017	Landscape & Maint Solutions Pty Ltd	Mowing Contract	MUNI	4,565.66
EFT25710	06/10/2017	LGIS Risk Management Services	Regional Risk Coordinator Program - 1st Instalment To 30/09/2017	MUNI	5,579.20
EFT25711	06/10/2017	Lion Breathalysers Australia	Lion Sd400 Sa41105 Alcolmeter	MUNI	1,838.10
EFT25712	06/10/2017	Living Springs	8 X Bottles Water. 15.9 Litre	MUNI	88.00
EFT25713	06/10/2017	Malatesta Road Paving And Hotmix	Road Maintenance	MUNI	400.00
EFT25714	06/10/2017	Marketforce	Advertising Invoices For September	MUNI	1,041.71
EFT25715	06/10/2017	MJB Industries Pty Ltd	22 X 375 Class 4 Pipes. 5 X 450 Class 4 Pipes.	MUNI	14,399.00
EFT25716	06/10/2017	NCM Plumbing & Gas	ERC - Address Water Hammer Issues In Pipes - West Toilets	MUNI	1,250.00
EFT25717	06/10/2017	Nec It Solutions Australia	Nintex Workflow Enterprise Premium Annual Maint - 2017/2018	MUNI	13,640.00
EFT25718	06/10/2017	Neil Nicholson	Reimbursement For Parking Costs While In Perth	MUNI	15.12
EFT25719	06/10/2017	NSCO Consulting	Effective Communication Styles Training - Martin Pelusey Rd	MUNI	544.50
EFT25720	06/10/2017	Onsite Rental Group	Banksia Rd Transfer Station Sept - Hire Of 6x3 Portable Building,	MUNI	383.65
EFT25721	06/10/2017	Perfect Landscapes	Mowing Contract	MUNI	10,582.00
EFT25722	06/10/2017	Peter May Autos	B' Class Service On Land Cruiser Lt. (Rooftop Rotating Beacons)	MUNI	803.95
EFT25723	06/10/2017	Peter Stampoultzis	Reimb For Travel Expenses While In Perth - Hotel And Breakfast	MUNI	205.50
EFT25724	06/10/2017	PFD Food Services Pty Ltd	ERC - Cafe/Resale Stock	MUNI	420.15
EFT25725	06/10/2017	PFI Cleaning Supplies	Cleaning Products	MUNI	34.85
EFT25726	06/10/2017	Picton Tyre Centre Pty Ltd	4 Tyres 200/60/R17 & Wheel Alignment Da429	MUNI	1,026.00
EFT25727	06/10/2017	Pollen Nation	Flower Crown Workshop - 3/10	MUNI	330.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25728	06/10/2017	Prestige Products	ERC - Cleaning Materials	MUNI	633.60
EFT25730	06/10/2017	Prime Supplies	Drill Press Pedestal 750w 23mm No2 Mt K&K	MUNI	1,003.65
EFT25731	06/10/2017	Promote You	Men's And Ladies Polo Tops - All Sizes. Price Includes Embroidery	MUNI	2,105.40
EFT25732	06/10/2017	Public Libraries WA	Public Libraries WA Membership 2017/18	MUNI	165.00
EFT25733	06/10/2017	Quirine Peter Olsthoorn	Rates Refund For Assessment A7249	MUNI	944.35
EFT25734	06/10/2017	Safetycard Australia	Monitoring Fees For Safetycard	MUNI	176.00
EFT25735	06/10/2017	Sanity Bunbury	DVD Stock Eaton	MUNI	74.97
EFT25736	06/10/2017	Schweppes Australia Pty Ltd	ERC - Cafe/Resale Stock	MUNI	193.64
EFT25737	06/10/2017	Site Safe Temporary Fencing South West	Eaton Drive Extension - Hire Of Temporary Fence	MUNI	1,372.00
EFT25738	06/10/2017	SOS Office Equipment	Photocopier Meter Readings	MUNI	2,258.75
EFT25739	06/10/2017	South West Isuzu	C' Type Service On The Wellington Mills 1.4 Appliance	MUNI	1,200.00
EFT25740	06/10/2017	Southern Lock And Security	Repairs To Door Locks	MUNI	138.75
EFT25741	06/10/2017	Geographe Ford/Bunbury Hyundai	60k Service 008DA	MUNI	677.15
EFT25742	06/10/2017	State Wide Turf Services	Supply And Apply Destiny @100g/Ha At Selected Locations	MUNI	1,430.00
EFT25743	06/10/2017	Synergy	Electricity Accounts	MUNI	3,699.75
EFT25744	06/10/2017	T & V Fencing	Remove/Dispose Gates. Supply/Install To Match Existing Design.	MUNI	2,117.50
EFT25745	06/10/2017	Technology One Ltd	Icon Software - Technology One - Annual Maintenance 2017/18	MUNI	15,492.76
EFT25746	06/10/2017	The Workwear Group	Office Staff Uniform	MUNI	185.30
EFT25747	06/10/2017	Thinkwater Bunbury	I20 Stainless Steel Rotator Sprinklers	MUNI	139.35

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25748	06/10/2017	Totally Workwear	Clothing For Paul Haag	MUNI	627.06
EFT25749	06/10/2017	TSN Management	50ea X Navy Blue Silk Ties, Cobalt Silk Ties, Navy/Cobalt Scarves	MUNI	5,412.00
EFT25750	06/10/2017	Tyrepower Bunbury	Repair Valve Da9774	MUNI	124.00
EFT25751	06/10/2017	Vitalis Chifamba	Reimb For The Purchase Of Clothing To Be Worn As Uniform	MUNI	30.00
EFT25752	06/10/2017	Vogue Furniture	Office Furniture	MUNI	2,778.00
EFT25753	06/10/2017	WA Mechanical Services Pty Ltd	Quarterly Air Con. Maintenance Schedule - Dardanup Office	MUNI	454.08
EFT25754	06/10/2017	West Australian Newspapers Ltd	Newspaper Subscription 21/09/2017 - 14/12/2017	MUNI	161.83
EFT25755	06/10/2017	Western Australia Treasury Corporation	Loan Repayment - Lot 4579 Panizza Road	MUNI	14,536.15
EFT25756	06/10/2017	WINC Australia Pty Ltd	Stationery	MUNI	212.11
EFT25757	06/10/2017	Woolworths Ltd	Purchase Of Sundry Items For Meetings And Staff Kitchen	MUNI	563.21
EFT25758	06/10/2017	Zipform Pty Ltd	Printing Of 2017/18 Dog And Cat Renewals And Mail Out	MUNI	2,258.10
EFT25759	13/10/2017	Bunbury And Districts Little Athletics Club	Kidsport Recoup	TRUST	858.00
EFT25760	13/10/2017	Bunbury Basketball Association	Kidsport Recoup	TRUST	187.00
EFT25761	13/10/2017	Eaton Basketball Association	Kidsport Recoup	TRUST	145.00
EFT25762	13/10/2017	All Aussie Truck And Bobcat Services	Carting Sand For Top Dressing	MUNI	594.00
EFT25763	13/10/2017	Alzbeta Baladova Hair & Make Up Artist	Makeup Masterclass - September	MUNI	350.00
EFT25764	13/10/2017	Amity Signs	Symbolic Mowing In Progress Signs	MUNI	1,528.45
EFT25765	13/10/2017	Aurecon Australia Pty Ltd	JTPS -Shire Of Harvey/Shire Of Dardanup Prof Services to 21/7/17	MUNI	1,592.58
EFT25766	13/10/2017	Australind/Eaton Medical Centre	Medical And Hearing Test For Paul Haag - Pre Employment	MUNI	160.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25767	13/10/2017	Awards Australia Pty Ltd	Regional Achievement And Community Awards – L Botica	MUNI	230.00
EFT25768	13/10/2017	Beatrice Baker	Rates Refund For Assessment	MUNI	778.67
EFT25769	13/10/2017	Bell Fire Equipment Company Pty Ltd	Fire Training Dardanup Depot	MUNI	550.00
EFT25770	13/10/2017	Better Telco Solutions Pty Ltd	Shoretel Software Maintenance Support Renewal - No Phones 1yr	MUNI	2,468.40
EFT25771	13/10/2017	Brian Tawanda Mazvidza	Crossover Rebate - B/L2014150491 Lot 1195, 2 Kanalla Ave,	MUNI	249.00
EFT25772	13/10/2017	Brownes Foods Operations Pty Ltd	ERC - Cafe/Resale Stock	MUNI	104.11
EFT25773	13/10/2017	Buckingham Family Butchers	ERC - Cafe/Resale Stock	MUNI	75.00
EFT25774	13/10/2017	Building Commission	September Reconciliation	MUNI	2,136.28
EFT25775	13/10/2017	Bunbury Machinery	Hire Mini Digger	MUNI	363.00
EFT25776	13/10/2017	Burekup Cricket Club	2017/2018 Grant - Facilities Upgrade	MUNI	5,000.00
EFT25777	13/10/2017	Buswest	Bus Hire For Vacation Care - Swimming At Llc	MUNI	165.00
EFT25778	13/10/2017	Caltex Australia Petroleum Pty Ltd	Fuel Account For September	MUNI	14,148.88
EFT25779	13/10/2017	Cardno (WA) Pty Ltd	Road Safety Audit Of Crooked Brook Road	MUNI	4,180.00
EFT25780	13/10/2017	Carmel Sutton	Bath Bomb Workshop - August	MUNI	499.19
EFT25781	13/10/2017	CB Traffic Solutions	Traffic Management. 27/9/2017 - 29/9/2017	MUNI	2,537.70
EFT25782	13/10/2017	Gateway Internet Services	Depot Connectivity Issue	MUNI	181.50
EFT25783	13/10/2017	Cleanaway	Waste Removal Service	MUNI	720.00
EFT25784	13/10/2017	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	6,022.08
EFT25785	13/10/2017	Coates Hire Ltd	Hire Of Barriers September	MUNI	392.04

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25786	13/10/2017	Construction Training Fund : BCITF	September Reconciliation	MUNI	845.61
EFT25787	13/10/2017	Corinne Shaw	Reimbursement For Meals And Travel Expenses While In Mandurah	MUNI	88.00
EFT25788	13/10/2017	Courier Australia	Postage And Freight	MUNI	47.15
EFT25789	13/10/2017	Dapco Tyre And Auto Centre	30,000km Service For DA017	MUNI	401.93
EFT25790	13/10/2017	Dardanup Rural Supplies	Sundry Items For Depot	MUNI	173.30
EFT25791	13/10/2017	Dardanup Senior Citizens	2017/18 Grant - Purchase Yarn - To Create Rugs For Charity	MUNI	1,000.00
EFT25792	13/10/2017	Desley Wilson	ERC Netball Umpire 10/10/2017	MUNI	66.00
EFT25793	13/10/2017	DocuSign Inc	DocuSign Annual Subscription Renewal 2017-2018	MUNI	3,450.00
EFT25794	13/10/2017	Donna Bastow	ERC Basketball Umpire 11/10/2017	MUNI	176.00
EFT25795	13/10/2017	Eaton Basketball Association	2017/2018 Grant - Community Grant Funding	MUNI	1,000.00
EFT25796	13/10/2017	Eaton Community Pharmacy	Sun Clear Zinke Spf 50 And First Aid Items For Parks And Gardens	MUNI	415.92
EFT25797	13/10/2017	Eaton Home Hardware & Garden	Star Pickets For Rural Street Number	MUNI	87.45
EFT25798	13/10/2017	Erin Hutchins	Refund Employee Study Payroll Deductions - Semester 2, 2017	MUNI	270.00
EFT25799	13/10/2017	Fencewright	10 X Gate Remotes	MUNI	1,060.18
EFT25800	13/10/2017	Forpark Australia	Whirlwind With Rope Basket And All Abilities Seat	MUNI	14,282.40
EFT25801	13/10/2017	Fuji Xerox Australia Pty Ltd	Photocopier Lease Agreement	MUNI	324.50
EFT25802	13/10/2017	GCS Hire Pty Ltd	Hire Of Rubber Tyre Roller And Return. September	MUNI	2,105.96
EFT25803	13/10/2017	GCS Integrated Services Pty Ltd	Hire Of Toilet September 2017.	MUNI	202.71
EFT25804	13/10/2017	Goldenwest Blinds And Curtains	Additional Blinds For Windows Missed Off Original Order	MUNI	340.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25805	13/10/2017	Government Of WA - Central Regional Tafe	Training - Conduct Prosecutions - Certificate Iv In Local Government	MUNI	172.81
EFT25806	13/10/2017	Gov Of WA - North Metropolitan Tafe	Dip. Of Community Development Semester 2 - Mrs Melanie Serra	MUNI	383.35
EFT25807	13/10/2017	Grow Cook Eat Create Inc	2017/2018 Grant - Purchase Of Fridge	MUNI	996.00
EFT25808	13/10/2017	Harvey Norman	Electric Urn For Library Use For Workshops And Public Events	MUNI	145.00
EFT25809	13/10/2017	Harvey Water	Dam Safety Charge (2 Of 3), Swiac Asset Levy (2 Of 3), Swimco Development Levy (2 Of 3), Water Storage Charge (2 Of 3)	MUNI	142.30
EFT25810	13/10/2017	Helen Ammon	Reimbursement For Working With Children Check	MUNI	164.21
EFT25811	13/10/2017	Hynes Contracting	Clear Tree Off Road Parking Road	MUNI	330.00
EFT25812	13/10/2017	Jake Whistler	Reimb For The Purchase Of Clothing To Be Worn As Uniform	MUNI	69.95
EFT25813	13/10/2017	Janine Cochrane	Kids Paper Plate Dreamcatchers - 5/10	MUNI	199.99
EFT25814	13/10/2017	Jim's Test And Tag	Test And Tag - Burekup Hall	MUNI	567.60
EFT25815	13/10/2017	Justine Eichner	ERC Basketball Umpire 11/10/2017	MUNI	176.00
EFT25816	13/10/2017	Kaitlyn O'dea	ERC Netball Umpire 10/10/2017	MUNI	67.50
EFT25817	13/10/2017	Karyn Rowe	ERC Netball Umpire 09/10/2017	MUNI	67.50
EFT25818	13/10/2017	Kenny Pomare	ERC Basketball Umpire 11/10/2017	MUNI	44.00
EFT25819	13/10/2017	Kings Tree Care	Remove 16 Blue Gums Along Vera Pl. Prune Pine Tree	MUNI	4,312.00
EFT25820	13/10/2017	Kmart	Stationery For Managers Office At New Depot	MUNI	73.00
EFT25821	13/10/2017	Landgate	Gross Rental Valuation	MUNI	741.53
EFT25822	13/10/2017	Lauren Vincent	ERC Basketball Umpire 11/10/2017	MUNI	22.00
EFT25823	13/10/2017	Lions Club Of Eaton Inc	2017/2018 Grant - Purchase Equipment Used In Event Management	MUNI	718.20

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25824	13/10/2017	Local Government Supervisors Association Of WA Inc	Full Membership To Local Government Supervisor Association (LGSA) - David Mort	MUNI	55.00
EFT25825	13/10/2017	Madeline Black	ERC Netball Umpire 10/10/2017	MUNI	135.00
EFT25826	13/10/2017	Marketforce	Advertising For September	MUNI	4,647.44
EFT25827	13/10/2017	Matthew Wilson	ERC Basketball Umpire 11/10/2017	MUNI	44.00
EFT25828	13/10/2017	Mckayhla Pomare	ERC Basketball Umpire 11/10/2017	MUNI	22.00
EFT25829	13/10/2017	Mcleods Barristers And Solicitors	Legal Advice - Makerspace Agreement	MUNI	156.06
EFT25830	13/10/2017	Michelle Pope - Oils With Mish	DIY Perfume Workshop - 14/8	MUNI	200.00
EFT25831	13/10/2017	Modern Teaching Aids Pty Ltd	Table - Vacation Care Activity Table	MUNI	329.96
EFT25832	13/10/2017	Natasha Bowron	ERC Netball Umpire 10/10/2017	MUNI	67.50
EFT25833	13/10/2017	Nec It Solutions Australia	Sharepoint Support	MUNI	4,358.75
EFT25834	13/10/2017	Nicola Tyrrell	Yoga Instructor At Eaton Recreation Centre	MUNI	110.00
EFT25835	13/10/2017	Nites Electrical	Replace RCD At Dardanup Clubrooms. Repair Veranda Light	MUNI	1,276.03
EFT25836	13/10/2017	P E Civil	Site Prep - Laying Of New Turf. North Side Football Change Rooms	MUNI	4,020.50
EFT25837	13/10/2017	Paige Vincent	ERC Basketball Umpire 11/10/2017	MUNI	22.00
EFT25838	13/10/2017	PFD Food Services Pty Ltd	ERC - Cafe/Resale Stock	MUNI	183.55
EFT25839	13/10/2017	PFI Cleaning Supplies	Single Ply Toilet Paper	MUNI	186.65
EFT25840	13/10/2017	Pindan Construction	RFT 0015848 Eaton Sports Pavilion	MUNI	65,827.78
EFT25841	13/10/2017	Prime Supplies	Chemical Spill Kit	MUNI	1,313.72

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25842	13/10/2017	Promote You	Embroidery On Uniforms	MUNI	61.60
EFT25843	13/10/2017	Qmani Pty Ltd	SMS Monthly Charge 01/09/2017 - 30/09/2017	MUNI	82.50
EFT25844	13/10/2017	QSIC Pty Ltd	ERC - Fitness Music	MUNI	132.00
EFT25845	13/10/2017	Ryan Baker	ERC Basketball Umpire 11/10/2017	MUNI	176.00
EFT25846	13/10/2017	Schweppes Australia Pty Ltd	ERC - Cafe/Resale Stock	MUNI	421.81
EFT25847	13/10/2017	Scott Michael Bryant	Crossover Rebate For B/L2016170277 Lot 1200 12 Kanalla Ave,	MUNI	254.00
EFT25848	13/10/2017	Shineservices - Robin Shine	EAP Consultations - September 2017	MUNI	1,300.00
EFT25849	13/10/2017	Signs Plus	Name Badges	MUNI	18.50
EFT25850	13/10/2017	Southern Lock And Security	4x Keys To New Transfer Station Office	MUNI	22.00
EFT25851	13/10/2017	Geographe Ford/Bunbury Hyundai	60,000 Km Service. DA8170	MUNI	560.00
EFT25852	13/10/2017	Spotlight Pty Ltd	Junior Cushions For Library Use	MUNI	41.97
EFT25853	13/10/2017	Sudhanshu Mishra	Reimbursement For Meals And Accommodation While In Perth	MUNI	409.77
EFT25854	13/10/2017	Synergy	Electricity Accounts	MUNI	32,698.20
EFT25855	13/10/2017	T & V Fencing	Supply And Install Bollards.	MUNI	18,505.30
EFT25856	13/10/2017	Tenille Barbetti	2017/2018 Grant - State Hockey Team Representation	MUNI	400.00
EFT25857	13/10/2017	Teny Puot	ERC Basketball Umpire 11/10/2017	MUNI	176.00
EFT25858	13/10/2017	The Sebel Mandurah	Accommodation -. WA Dept Of Health Mosquito Management Course	MUNI	772.50
EFT25859	13/10/2017	Therese Price	ERC Netball Umpire 09/10/2017	MUNI	67.50
EFT25860	13/10/2017	Tint City	ERC - Window Treatments To Fitness Centre Windows	MUNI	6,685.00



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25861	13/10/2017	Toni Hotchin	ERC Netball Umpire 10/10/2017	MUNI	45.00
EFT25862	13/10/2017	Tracey Tupaea	ERC Netball Umpire 09/10/2017	MUNI	44.00
EFT25863	13/10/2017	True Blue Turf	Glen Huon Oval – Supply/Install Turf -Softball Diamonds & North Of Football Change Rooms,	MUNI	38,115.00
EFT25864	13/10/2017	Vanessa Black	ERC Netball Umpire 10/10/2017	MUNI	112.50
EFT25865	13/10/2017	Veolia Environmental Serv (Aust) Pty Ltd	Sweep Streets As Requested	MUNI	462.28
EFT25866	13/10/2017	Vitalis Chifamba	Reimb For Travel, Accommodation And Meals While In Perth	MUNI	731.89
EFT25867	13/10/2017	Vogue Furniture	Office Furniture - Dev Services	MUNI	1,489.00
EFT25868	13/10/2017	WALGA	Review Of Hr Guidelines For Remuneration & Reward	MUNI	852.00
EFT25869	13/10/2017	Water Corporation	Reserve At 66 Hazelgrove Cr, Millbridge	MUNI	13.43
EFT25870	13/10/2017	Wendy Vogel	Purchase Of Land For Gnomesville Carpark - Contribution Towards Sellers Bank Costs As Approved By Mark Chester	MUNI	500.00
EFT25871	13/10/2017	WA Mechanical Services Pty Ltd	ERC - Quarterly Aircon Servicing.	MUNI	522.50
EFT25872	13/10/2017	Westbooks	Book Stock Eaton And Dardanup Libraries.	MUNI	198.80
EFT25873	13/10/2017	Western Power	Supply Upgrade Glen Huon Reserve (R50882) - Softball Club	MUNI	16,647.00
EFT25874	13/10/2017	Woolworths Ltd	ERC - Cafe/Resale Stock	MUNI	135.19
EFT25875	20/10/2017	Alex Carter-Raftos	ERC Basketball Umpire 18/10/2017	MUNI	110.00
EFT25876	20/10/2017	Allen Mountford	Councillors Meeting Fee/Reimb Claim 20/07/2017 - 19/10/2017	MUNI	3,018.48
EFT25877	20/10/2017	Aqua Pure	12 Month Hire Of Aqua Pure Drinking Water At Dardanup Office	MUNI	686.40
EFT25878	20/10/2017	Ardross Estates (Sa) Pty Ltd	Rates Refund For Assessment A4353	MUNI	1,431.72

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25879	20/10/2017	Australian Tax Office	PAYG Pay Run 20/10/2017	MUNI	61,522.00
EFT25880	20/10/2017	AXIO Maintenance And Construction	ERC - Fix New Change Table, Repair Corner Plate And Bench Seat	MUNI	671.00
EFT25881	20/10/2017	Ben Gregory	Reimbursement For The Purchase Of Tafe Textbook	MUNI	104.95
EFT25882	20/10/2017	Big W	Book Stock	MUNI	180.00
EFT25883	20/10/2017	Blackwoods	Safety Work Wear	MUNI	161.32
EFT25884	20/10/2017	BOC Ltd	Monthly Hire Of Oxygen Bottle	MUNI	11.57
EFT25885	20/10/2017	Boyles Plumbing And Gas	Repair Damaged Fire Hydrant At Eaton Admin	MUNI	1,472.90
EFT25886	20/10/2017	Brandicoot	Use Of Web Services/Support, Newsletter, Facebook And Twitter	MUNI	337.00
EFT25887	20/10/2017	Bunbury Auto Group (Parts And Service)	40,000km Service DA9406	MUNI	615.80
EFT25888	20/10/2017	Bunbury Auto One	Light Repairs	MUNI	118.55
EFT25889	20/10/2017	Bunbury Harvey Regional Council	Regional Waste Education Program, Hook Bin Hire, Refuse Disposal	MUNI	2,642.77
EFT25890	20/10/2017	Bunbury Holden	90,000km Service Da005	MUNI	2,852.84
EFT25891	20/10/2017	Bunbury Machinery	Machine Hire For Collie River Road Works.	MUNI	971.67
EFT25892	20/10/2017	Bunnings Group Limited	Table Repairs And Racks	MUNI	535.05
EFT25893	20/10/2017	CB Traffic Solutions	Hire Of Traffic Management 02/10/2017 - 13/10/2017	MUNI	11,330.28
EFT25894	20/10/2017	Chantel Brown	Staff Reimbursement For The Purchase Of Microphone Headsets	MUNI	35.00
EFT25895	20/10/2017	Child Support Agency	Payroll Deductions	MUNI	73.63
EFT25896	20/10/2017	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	5,846.34
EFT25897	20/10/2017	Corinne Shaw	Reimb For The Purchase Of Clothing To Be Worn As Uniform	MUNI	176.10

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25898	20/10/2017	Courier Australia	Postage And Freight	MUNI	120.55
EFT25899	20/10/2017	Craven Foods	ERC - Cafe/Resale Stock	MUNI	319.43
EFT25900	20/10/2017	Danny Harris	Councillors Meeting Fee/Expenses Reimb 20/07/2017 - 19/10/2017	MUNI	3,055.44
EFT25901	20/10/2017	Dapco Tyre And Auto Centre	New Tyres & Wheel Alignment - Subaru Forester DA10091	MUNI	1,103.00
EFT25902	20/10/2017	Dardanup Aeromodellers Society Inc	2017/2018 Grant - Purchase Of Generator	MUNI	1,000.00
EFT25903	20/10/2017	Dardanup Equestrian Centre	2017/2018 Grant - Purchase Of CCTV Cameras	MUNI	2,090.00
EFT25904	20/10/2017	Desley Wilson	ERC Netball Umpire 17/10/2017	MUNI	132.00
EFT25905	20/10/2017	Donna Bastow	ERC Basketball Umpire 18/10/2017	MUNI	154.00
EFT25906	20/10/2017	Eaton Community College	Shared Expenses For Library With Eaton Community College	MUNI	2,934.59
EFT25907	20/10/2017	Eaton Environmental Services	ERC - Spider And Wasp Treatment	MUNI	275.00
EFT25908	20/10/2017	Eaton Home Hardware & Garden	ERC - Replacement Shower Handset For Disabled Shower	MUNI	73.23
EFT25909	20/10/2017	Evelyn Butchart	Catering	MUNI	455.00
EFT25910	20/10/2017	Fire & Safety WA	Bush Fire Brigade Clothing	MUNI	891.00
EFT25911	20/10/2017	GCS Hire Pty Ltd	Machine Hire	MUNI	6,390.23
EFT25912	20/10/2017	Geographe Civil	Millard/Lofthouse Subsidence Repairs	MUNI	33,384.69
EFT25913	20/10/2017	Glanbia Performance Nutrition Pty Ltd	ERC - Cafe/Resale Stock	MUNI	287.97
EFT25914	20/10/2017	Glen Huon Primary School	2017 - 2018 Allocated Funding As Per Budget.	MUNI	150.00
EFT25915	20/10/2017	Harvey Norman	Modem For Landline - Internet Connection	MUNI	176.00
EFT25916	20/10/2017	Health Insurance Fund Of WA	Payroll Deductions	MUNI	333.45

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25917	20/10/2017	Heatleys	Disposable Gloves All Sizes	MUNI	122.43
EFT25918	20/10/2017	Isubscribe Pty Ltd	Magazine Subscriptions For 12 Months	MUNI	1,099.90
EFT25919	20/10/2017	Jake Whistler	Reimb-Purchase Of Fuel While DA613 Was In For Service	MUNI	21.42
EFT25920	20/10/2017	James Lee	Councillors Meeting Fee/ Expenses Reimb 20/07/2017 - 19/10/2017	MUNI	3,270.00
EFT25921	20/10/2017	Jason Signmakers	Road And Safety Signs	MUNI	937.94
EFT25922	20/10/2017	Jenna Murray	Reimb - Purchase Of Fuel For DA648. Exceeded Fuel Card Limit	MUNI	101.76
EFT25923	20/10/2017	Jo Jingles South West	Early Learning Programs - October	MUNI	1,840.00
EFT25924	20/10/2017	Joachim Gustav Adolf Maiwald	Rates Refund For Assessment A1388	MUNI	62.87
EFT25925	20/10/2017	June Keil	Kids Spring Veggie Growing - 6/10	MUNI	200.00
EFT25926	20/10/2017	Justine Eichner	ERC Basketball Umpire	MUNI	110.00
EFT25927	20/10/2017	Karyn Rowe	ERC Netball Umpire	MUNI	157.50
EFT25928	20/10/2017	Kenny Pomare	ERC Basketball Umpire	MUNI	110.00
EFT25929	20/10/2017	Kings Tree Care	Millars Creek-Southern - Crown Separation Pruning - Dual Use Path	MUNI	1,848.00
EFT25930	20/10/2017	Les Mills Asia Pacific	Monthly Music Licence Fees	MUNI	1,171.78
EFT25931	20/10/2017	Lions Club Of Millbridge	2017 - 2018 Allocated Funding As Per Budget (Seniors Dinner).	MUNI	1,200.00
EFT25932	20/10/2017	Luke Davies	Councillors Meeting Fee/Reimbursement 20/07/2017 - 19/10/2017	MUNI	3,043.56
EFT25933	20/10/2017	Madeline Black	ERC Netball Umpire 17/10/2017	MUNI	90.00
EFT25934	20/10/2017	Mainspray	Herbicide Application Intersection Of Harris Rd/Martin Pelusey	MUNI	104.50
EFT25935	20/10/2017	Michael Bennett	Councillors Meeting Fee/Reimbursement 20/07/2017 - 19/10/2017	MUNI	9,000.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25936	20/10/2017	Nightguard Security Service	ERC - Security For Wildcats Game	MUNI	360.23
EFT25937	20/10/2017	Paige Vincent	ERC Basketball Umpire 18/10/2017	MUNI	66.00
EFT25938	20/10/2017	Parmelia Hilton Hotel	Overnight Accommodation And Meals. Thursday 12 October 2017	MUNI	661.00
EFT25939	20/10/2017	Patricia Perks	Councillors Meeting Fee And Expenses Reimbursement Claim	MUNI	852.70
EFT25940	20/10/2017	Pete Lewis	Live Music - 6/10	MUNI	70.00
EFT25941	20/10/2017	Peter Robinson	Councillors Meeting Fee/Reimbursement 20/07/2017 - 19/10/2017	MUNI	4,148.50
EFT25942	20/10/2017	PFD Food Services Pty Ltd	ERC - Cafe/Resale Stock	MUNI	208.25
EFT25943	20/10/2017	PFI Cleaning Supplies	ERC - Cleaning Supplies	MUNI	1,173.65
EFT25944	20/10/2017	Pioneer Health Albany	Pre Employment Medical K Bird General Hand - Works 17/10/2017	MUNI	170.50
EFT25945	20/10/2017	Pollen Nation	Press Flower Mandalas - October	MUNI	320.00
EFT25946	20/10/2017	Prime Supplies	Post Caps	MUNI	202.99
EFT25947	20/10/2017	Promote You	Embroidery On Uniforms	MUNI	23.10
EFT25948	20/10/2017	Reflective Fabrications Of Australia	Eaton Admin Warden Vests & Hats	MUNI	315.04
EFT25949	20/10/2017	Rhianna Kathleen Scheffner	Reimb For The Purchase Of Clothing To Be Worn As Uniform	MUNI	39.95
EFT25950	20/10/2017	Ryan Baker	ERC Basketball Umpire 18/10/2017	MUNI	110.00
EFT25951	20/10/2017	Scope Business Imaging	Ink Cartridges For Digital Imaging Printer	MUNI	1,026.40
EFT25952	20/10/2017	Simient Pty Ltd	Lanteria - Services To Configure HR System	MUNI	6,304.38
EFT25953	20/10/2017	Site Safe Temporary Fencing South West	Rehire Of Site Fence For Extra Month 14/09/2017 - 14/10/2017	MUNI	451.00
EFT25954	20/10/2017	Sj Traffic Management	Traffic Management Plan Revision- Bull And Barrel 2017	MUNI	677.60

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25955	20/10/2017	Solahart South West	ERC - Repair To Faulty Hot Water Unit	MUNI	550.00
EFT25956	20/10/2017	Southern Lock And Security	ERC - Replacement GMK Keys	MUNI	45.00
EFT25957	20/10/2017	Southwest Blocklaying And Machine Hire	Supply And Lay Approx. 110m Of Limestone Blocks 2 Courses High	MUNI	11,132.00
EFT25958	20/10/2017	Suez Recycling And Recovery	Kerbside Recycling Processing - September 2017	MUNI	3,320.64
EFT25959	20/10/2017	Synergy	Electricity Accounts	MUNI	87.10
EFT25960	20/10/2017	Telstra	Telephone Accounts	MUNI	2,928.74
EFT25961	20/10/2017	Teny Puot	ERC Basketball Umpire 18/10/2017	MUNI	132.00
EFT25962	20/10/2017	Terau Aroha Tamatea	ERC Netball Umpire 16/10/2017	MUNI	88.00
EFT25963	20/10/2017	The Workwear Group	Office Staff Uniform	MUNI	3,541.09
EFT25964	20/10/2017	Therese Price	ERC Netball Umpire 17/10/2017	MUNI	67.50
EFT25965	20/10/2017	Thinkwater Bunbury	Retic Repairs	MUNI	785.85
EFT25966	20/10/2017	Toni Hotchin	ERC Netball Umpire 17/10/2017	MUNI	22.50
EFT25967	20/10/2017	Top Of The Stairs Puppets	Puppet Show And Workshop - Oct	MUNI	350.00
EFT25968	20/10/2017	Total Eden Pty Ltd	Super Saw Pipe Cutter	MUNI	22.00
EFT25969	20/10/2017	Tracey Tupaea	ERC Netball Umpire 17/10/2017	MUNI	44.00
EFT25970	20/10/2017	Traffic Force	Traffic Control - Controlled Burn - Ferguson Rd	MUNI	462.99
EFT25971	20/10/2017	Tyrrell Gardiner	Councillors Meeting Fee/Reimbursement 20/07/2017 - 19/10/2017	MUNI	3,027.72
EFT25972	20/10/2017	Vanessa Black	ERC Netball Umpire 16/10/2017	MUNI	112.50
EFT25973	20/10/2017	Waterloo Nursery	Eucalyptus Luecoxlyn	MUNI	40.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT25974	20/10/2017	Winc Australia Pty Ltd	Stationery	MUNI	1,358.69
EFT25975	20/10/2017	Woodlands	Star Picket Safety Caps	MUNI	547.25
EFT25976	20/10/2017	Woolworths Ltd	Staff And Council Kitchen Stock	MUNI	377.70
44833	06/10/2017	Department Of Justice	Magistrates Hearing - Dog Attack	MUNI	119.35
44834	06/10/2017	Shire Of Dardanup	Building Application 2017180093. - Glen Huon Playground	MUNI	61.65
44835	20/10/2017	Shire Of Dardanup - Please Pay Cash	Petty Cash	MUNI	226.55
DD13103.1	06/10/2017	WA Super	Superannuation Contributions	MUNI	38,585.31
DD13103.2	06/10/2017	MLC Super Fund	Superannuation Contributions	MUNI	324.42
DD13103.3	06/10/2017	IOOF Portfolio Service Super Fund	Superannuation Contributions	MUNI	149.62
DD13103.4	06/10/2017	Colonial First State First Choice Wholesale	Superannuation Contributions	MUNI	581.54
DD13103.5	06/10/2017	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	242.40
DD13103.6	06/10/2017	Rest Superannuation	Superannuation Contributions	MUNI	131.56
DD13103.7	06/10/2017	Australiansuper	Superannuation Contributions	MUNI	959.75
DD13103.8	06/10/2017	Burton Superannuation Fund	Superannuation Contributions	MUNI	261.11
DD13103.9	06/10/2017	ANZ Smart Choice Super	Superannuation Contributions	MUNI	316.22
DD13103.10	06/10/2017	Media Super	Superannuation Contributions	MUNI	224.14
DD13103.11	06/10/2017	Construction & Building Industry Super	Superannuation Contributions	MUNI	360.89
DD13103.12	06/10/2017	Hostplus	Superannuation Contributions	MUNI	272.01
DD13136.1	20/10/2017	WA Super	Superannuation Contributions	MUNI	36,297.39

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD13136.2	20/10/2017	Hostplus	Superannuation Contributions	MUNI	272.01
DD13136.3	20/10/2017	MLC Super Fund	Superannuation Contributions	MUNI	326.07
DD13136.4	20/10/2017	IOOF Portfolio Service Super Fund	Superannuation Contributions	MUNI	153.18
DD13136.5	20/10/2017	Rest Superannuation	Superannuation Contributions	MUNI	218.20
DD13136.6	20/10/2017	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	242.40
DD13136.7	20/10/2017	Australiansuper	Superannuation Contributions	MUNI	935.95
DD13136.8	20/10/2017	Burton Superannuation Fund	Superannuation Contributions	MUNI	270.11
DD13136.9	20/10/2017	ANZ Smart Choice Super	Superannuation Contributions	MUNI	316.22
DD13136.10	20/10/2017	Media Super	Superannuation Contributions	MUNI	240.45
DD13136.11	20/10/2017	Construction & Building Industry Super	Superannuation Contributions	MUNI	340.24
DD13136.12	20/10/2017	Amp Superannuation Savings Trust	Superannuation Contributions	MUNI	42.75
DD13111.1	06/10/2017	Lightning Tools Ltd	Lightningtools Software Renewal 21/10/2017 - 21/10/2018.	MUNI	545.01
DD13149.1	20/10/2017	linet Ltd	Monthly Charge For Business-4 Service 01/11/2017 - 01/12/2017	MUNI	219.89



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
<b>REPORT TOTALS</b>					<b>875,980.71</b>
EFT	25653 - 25976				792,744.32
Muni	44833 -				407.55
Cheque	44835				
Payroll					82,063.94
International					545.01
BPAY					219.89
<b>TOTAL</b>					<b>875,980.71</b>

*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 MARK L CHESTER**  
Chief Executive Officer

CARRIED  
8/0

**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**

289-17      MOVED -      Cr. C N Boyce                      SECONDED -      Cr. T Gardiner

**THAT Council deal with 'Road Closure of Collie River Road at Bridge No. 4930 (Krone's Bridge) as Business of an Urgent Nature.**

CARRIED  
8/0

14.1      Title: Road Closure of Collie River Road at Bridge No. 4930 (Krone's Bridge)

*Reporting Department: Engineering & Development Services*

*Reporting Officer: Mr Luke Botica – Director Engineering & Development Services*

*Legislation: Local Government Act 1995*

Background -

Council is requested to consider endorsing the temporary closure of Collie River Road to prevent public access to Bridge No. 4930 over the Collie River and to issue a local public notice to this effect in accordance with the requirements of the Local Government Act 1995. The closure is required until such time that urgently needed repairs is carried out on the bridge. The closure is in the interest of public safety.

Bridge No. 4930 over the Collie River (commonly known as "Krone's Bridge") is a Shire of Harvey bridge asset which is accessed via Collie River Road from the Shire of Dardanup. The bridge provides access to a short section of road reserve on the Shire of Harvey side of the river, which in turn provides access to a private property and public reserve on the river, both situated in the Shire of Harvey.

Following a detailed bridge condition assessment by Main Roads WA in 2016, the Shire of Harvey installed temporary props to support deteriorated bridge sections in December 2016. Following further discussions with the Main Roads WA, Shire of Harvey staff approached Shire of Dardanup staff last week seeking the immediate closure of the bridge to ensure the safety of the public until such time as the bridge is

repaired. As the bridge is accessed from the Shire of Dardanup, the road closure would need to be considered by the Shire of Dardanup. The road has been closed adjacent to the limestone carpark and turnaround not far from the bridge as from Friday 27 October 2017.

It should be noted that the Shire of Harvey staff have negotiated limited access to the property across the bridge; however all other members of the public have no access until the road is opened again in future.

### Legal Implications -

Section 3.50 and 3.50A of the Local Government Act 1995 are applicable for any closures of vehicle thoroughfare:

#### **3.50. Closing certain thoroughfares to vehicles**

- (1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*
- [(3) *deleted*]
- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*
  - (a) *give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
  - (b) *give written notice to each person who —*
    - (i) *is prescribed for the purposes of this section; or*
    - (ii) *owns land that is prescribed for the purposes of this section;**and*
  - (c) *allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*
- (6) *An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*
- [(7) *deleted*]
- (8) *If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.*

- (9) *The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.*

*[Section 3.50 amended by No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]*

**3.50A. Partial closure of thoroughfare for repairs or maintenance**

*Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —*

- (a) *is for the purpose of carrying out repairs or maintenance; and*  
(b) *is unlikely to have a significant adverse effect on users of the thoroughfare.*

**Strategic Community Plan** - None.

**Environment**

The bridge works will be undertaken with consideration of the environment in the vicinity of the bridge.

**Precedents**

Bridge works is a common activity undertaken in local government.

Similarly, road closures of varying durations have occurred on many occasions in the Shire, including closures for bridge works.

There is a long history spanning more than 25 years relating to this particular bridge, involving its upkeep and maintaining access to the public reserve and property on the Shire of Harvey side of the Collie River.

**Budget Implications**

The Shire of Harvey are considering the cost of repairs to the bridge at the Council meeting scheduled for 31 October 2017. It has been recommended by Shire of Harvey staff that the Shire of Dardanup be approached to contribute to the cost of the repairs. Costs have been quoted in the vicinity of \$82,000 however, this will be presented to Council via a separate report at the next Council meeting scheduled on 22 November 2017.

**Budget – Whole of Life Cost**

The life-cycle cost of the bridge will be discussed in a separate report at the next Council meeting scheduled on 22 November 2017.

**Council Policy Compliance** - None.

**Risk Assessment** - High

The detailed bridge condition assessment revealed that certain components of the bridge have reached a stage of advanced deterioration. Leaving the bridge open to traffic is consider a high and unnecessary risk. The closure of the road will reduce the risk to public safety significantly.

Officer Comment

A variable message board has been placed at the intersection of Collie River Road and Shenton Road warning of the closure and traffic management to physically prevent public access to the bridge has been arranged by the Shire of Harvey (placed on Collie River Road in the Shire of Dardanup). Once endorsement is obtained from Council to issue a local public notice, a fixed sign will be installed.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority for the road closure  
Absolute Majority for the Unbudgeted expenditure.

Change to Officer Recommendation None.

Discussion:

*Chief Executive Officer, Mr Mark Chester – The officer report had requested that the costs be brought back to Council at the 22 November meeting. The Chief Executive Officer of Shire of Harvey has requested that the Shire of Dardanup make a decision at today's meeting. The Shire of Harvey resolution on this matter is subject to the Shire of Dardanup making a 50% contribution to the repairs. Council can make a decision today about the financial contribution, and this matter is open to Council to decide. The bridge is owned by the Shire of Harvey, it is their asset not ours and their share is 62% as per the high water mark based on the Joint Town Planning Scheme share for the new Collie River Bridge*

*Director Engineering & Development Services, Mr Luke Botica provided photos to Council to show the current condition of the bridge and explained the inspection process undertaken by Main Roads WA (MRWA). The money requested is for repairs to get the bridged serviceable, not to fix the whole bridge.*

*Cr Janice Dow – What percentage of the bridge is on the Dardanup side?*

*Director Engineering & Development Services, Mr Luke Botica – Most of the bridge is in Shire of Harvey, there is probably less the 15m on our side. Technically speaking, how it is recorded in the asset register is that this is a Shire of Harvey asset. They are requesting a contribution to help them out.*

*Cr. C N Boyce – What is the benefit to our Shire.*

*Director Engineering & Development Services, Mr Luke Botica – Looking through our records, in the past when we have looked at the bridge, Council have wanted to maintain access through the bridge to a reserve that is located within the Shire of Harvey.*

*Cr. M T Bennett – This has been an ongoing battle for the past 25 years. We have been in negotiations previously with Dr Krone to try and pay for a new bridge, he backed away and he also wanted sole access to the bridge. Members of Burekup community use this reserve. I have driven over this bridge and I didn't appreciate being on that bridge at all. Dr Krone has access*

to his property through a Ford 20m downstream from the bridge. We need to work out if we really want this bridge.

Cr. L D Harris – The cost of the repairs is \$82,000 why are they asking for \$41,000? Is there any bridge funding available or where is the money coming from?

Director Engineering & Development Services, Mr Luke Botica- Previously for works undertaken we have contributed from 18.5% to 50%. There will be no bridge funding available for the works, MRWA would of instructed the Shire of Harvey to do the repairs. If funding was required we could take the money out of the Roads to Recovery allocation for the 2018/19 period. We will have access to this money now, but will be taken from the 2018/19 allocation which will reduce the funds for that period.

Cr. P Robinson – Some of the members of our community have expressed they would like to use the bridge. We should do our level best to make sure our community members can cross over the bridge and it is safe to do so. I think we should put some money into this.

Cr. L D Harris – I support the community interest in this but what is our realistic contribution towards the works.

Cr. P Perks – Dr Krone won't be putting any money up for this as his property is up for sale.

Cr. C N Boyce – Can I move we contribute \$10,000.

## COUNCIL RESOLUTION

**MOVED -** Cr. C N Boyce                      **SECONDED -** Cr J Dow

**THAT Council contribute \$10,000 to the repairs required on Bridge 4930 (Krone's Bridge) and advise the Shire of Harvey.**

### Discussion:

Cr. P Robinson stated that he wished to move an amendment, that Council contribute 25% of the costs of \$82,000 being \$20,500.

## AMENDMENT RESOLUTION

290-17                      **MOVED -** Cr. P Robinson                      **SECONDED -** Cr. L D Harris

**THAT Council contribute 25% of the cost of the \$82,000 being \$20,500 to the repairs required on Bridge 4930 (Krone's Bridge) and advise the Shire of Harvey.**

CARRIED

5/4

On the casting vote of the  
Shire President

*Note: The amendment was put and the vote was carried 5/4 on the casting vote of the presiding member.*

*Note: The Amendment resolution became the primary motion. The presiding member put the primary motion as follows.*

### COUNCIL RESOLUTION

291-17            MOVED -    Cr. C N Boyce                      SECONDED -    Cr. J Dow

**THAT Council contribute 25% of the cost of the \$82,000 being \$20,500 to the repairs required on Bridge 4930 (Krone's Bridge) and advise the Shire of Harvey.**

CARRIED

5/3

By Absolute Majority

### OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

292-17            MOVED -    Cr. L D Harris                      SECONDED -    Cr. T Gardiner

**THAT Council:**

- 1. Endorses the temporary closure of Bridge No. 4930 (Krone's Bridge) on the south side of the Collie River on Collie River Road to the general public with essential limited access only for Lot 28 Collie River Road (Tyndale Farm) until bridge repairs have been completed;**
- 2. In accordance with Sections 3.50 and 3.50A of the Local Government Act 1995, gives local public notice of the proposed closure including details of the purpose, location and duration of the closure;**
- 3. Acknowledges the advice from the Shire of Harvey that the owner of Lot 28 has been consulted regarding the temporary closure, and being the only property affected by the closure, no further invitations for submissions are required; and**
- 4. A copy of the closure notice is sent to the Commissioner of Main Roads WA as required by Section 3.50 of the Local Government Act 1995.**

CARRIED

8/0

**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

293-17            MOVED -    Cr. C N Boyce                            SECONDED -    Cr. T Gardiner

**THAT Council deal with ‘Appointment of Councillors, Staff, Community and Departmental Representatives to Various Council & Community Member Committees’ as Business of an Urgent Nature.**

14.2            Title: Appointment of Councillors, Staff, Community and Departmental Representatives to Various Council & Community Member Committees

*Reporting Department: Executive*

*Reporting Officer: Donna Bailye – Executive Governance Officer*

*Legislation: Local Government Act 1995*

Background -

At the Special Meeting of Council held 25 October 2017, Council appointed members to the various Council and Community Member committees.

Advertising of the calling of nominations was undertaken by the Shire, with nominations closing on 25 October 2017.

Legal Implications

Local Government Act 1995, Section 5.8, 5.9 and 5.10

Strategic Community Plan            -            None

Environment                            -            None.

Precedents                              -            None

Budget Implications -            None.

Budget – Whole of Life Cost        -            None.

Council Policy Compliance        -            None.

Risk Assessment                      -            None.

Officer Comment                      -

Following the Special Council meeting of 25 October 2017, officers have received emails from two community members wishing to nominate for the following Committees:



<b>Name</b>	<b>Committee</b>
Mr Ken Lowth	Roadwise Committee
Mr Ken Lowth	Eaton Townscape Committee
Ms Julie King	Eaton Townscape Committee

It is recommended that the two community members be endorsed to the respective Committees.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority

Change to Officer Recommendation None.

## **OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

294-17      MOVED - Cr. P Perks                      SECONDED - Cr. L Davies

**THAT the following community members be elected to the following Council and Community Member Committees:**

- **Eaton Townscape Committee**
  - Mr Ken Lowth      -      Community Member
  - Ms Julie King      -      Community Member
- **Roadwise Committee**
  - Mr Ken Lowth      -      Community Member

CARRIED  
8/0  
By Absolute Majority

### **15      PUBLIC QUESTION TIME**

None.

### **16      MATTERS BEHIND CLOSED DOORS**

None.

**17 CLOSURE OF MEETING**

The Presiding Officer advised that the date of the next Ordinary Meeting of Council will be Wednesday 22 November 2017, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at 6.27pm.



Shire of Dardanup

## CONFIRMATION OF MINUTES

**“As the person presiding at the meeting at which these minutes were confirmed on 22 November 2017 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)  
C8639D26FBD24E0...