



CONFIRMED

MINUTES

ORDINARY MEETING

Held

12 December 2018

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 FOR THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 12 DECEMBER 2018, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

Acknowledgement of Country

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

Affirmation of Civic Duty and Responsibility

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

Emergency Procedure

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

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

2.1 Attendance

Cr. Michael Bennett	-	Shire President (Chairperson)
Cr. Peter Robinson	-	Deputy Shire President
Cr. Carmel Boyce	-	Elected Member

Cr. Tyrrell Gardiner	-	Elected Member
Cr. Luke Davies	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Mr Mark Chester	-	Chief Executive Officer
Mr Phil Anastasakis	-	Director Corporate & Community Services
Mr Luke Botica	-	Director Engineering & Development Services
Ms Cathy Lee	-	Manager Governance & HR
Mrs Gaylene Godfrey	-	PA to Chief Executive Officer & Shire President
Mr Steve Potter	-	Manager Development Services
Mrs Natalie Hopkins	-	Manager Financial Services
Mrs Lee Holben	-	Manager Community Services

2.2 Apologies

Cr. James Lee	-	Elected Member
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3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

4.1 Ms Monique Campbell – Item 12.1 Proposed Amendment 195 to Town Planning Scheme No. 3 – Lot 9 (231) Hynes Road, Waterloo

Ms Campbell read aloud her submission contained in the agenda addressing the following:

- *Increased traffic along an already busy route. The intense business proposed increases the risk for accidents, both at the Hynes Road/Clifton Road intersection, and also at the Forrest Highway and South West Highway intersections. On most days at least 400 cars per hour travel the Hynes Road route.*
- *Unsuitable for the area. They want to put a high impact business on a relatively small lot. It is an incompatible land use.*
- *Business not suitable for this area, which is comprised of small rural residential lots (approx 5 acres).*
- *Surrounding property values will likely be negatively affected.*
- *Fencing and Landscaping in regards to adjoining properties. A substantial buffer is required.*

- *Car parking in relation to neighboring properties.*
- *Noise pollution from large numbers of people gathering.*
- *Increase in burglaries due to possible drugs, chemicals etc being kept on site.*
- *Water runoff. There is a small pond at the back of the house that collects winter rain runoff. If this is filled then water will likely runoff into neighboring properties, which are already waterlogged in the winter months. Substantial fill/drainage is required to prevent this from happening.*
- *Entrance to property is not suitable to handle the volumes of traffic that will enter, without a severe impact to other road users.*
- *Visibility along Hynes Road from entrance to property is not suitable to handle this amount of increased traffic.*
- *Unacceptable waiting times to exit/enter neighboring properties, and roads due to increased traffic.*

Shire President, Cr. M T Bennett thanked Ms Campbell for her presentation.

4.2 Mr Peter Bass – Item 12.1 Proposed Amendment 195 to Town Planning Scheme No. 3 – Lot 9 (231) Hynes Road, Waterloo

Mr Bass read aloud the following statement:

“The changing of Rural Residential to another title to encompass a funeral parlour seems odd. The Hynes Road Rural Residential had this title for over 35 years, when it was moved to change its title in 2012/13. It was at this time I aggressively opposed this, but the proponent has been looking for a suitable site for six or seven years.

I stated in my submission there were other sites that could be suitable, mainly the old sewerage site that is contaminated for almost anything other than a funeral parlour site.

The Shire has done many deals over time and this site several years ago was offered to Council at about a million dollars. It has the power, the access could come from the old BORR alignment to Hynes Road.

How many Councillors attending this meeting came along Hynes Road and how many of them contacted the residents of Hynes Road. Are they OUR REPRESENTATIVES: and they are costing each rate payer the best part of \$10 per year? It used to be an HONOUR JOB!”

Shire President, Cr. M T Bennett thanked Mr Bass for his presentation.

Shire President, Cr. M T Bennett referred to historical zoning amendments at Golding Crescent in 1992 to have industry mixed with residential, this was soon proven to be a mistake. He advised that the structure plans for Wanju will out in the middle of January, he encouraged residents to make submissions at this time.

Mr Nat Fimmano asked Cr. M T Bennett why the Shire is proposing to put a funeral parlour on Hynes Road when he just said that mixed zoning doesn't work?

Shire President, Cr. M T Bennett believes that a funeral parlour will have very little impact on traffic. Most funerals are between 10.00am and 3.00pm so will not result in increased traffic at times when Hynes Road is really busy such as earlier in the morning and late afternoon.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 21 November 2018

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

385-18 MOVED - Cr. P S Robinson SECONDED - Cr. L Davies

THAT the Minutes of the Ordinary Meeting of Council held on 21 November 2018, be confirmed as true and correct subject to no corrections.

CARRIED
7/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

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.

- *Cr. L Davies declared a Financial Interest as a Closely Associated Person in Item 12.5 Proposed Disposal of Balance of Lot 500 on Deposited Plan 66681 – Eaton Fair Project as he works for Coles who lease space from Citygate.*
- *Cr. L Davies declared a Financial Interest as a Closely Associated Person in Item 12.6 Purchase and Disposal of Land in the Eaton Town Centre – Eaton Fair Project as he works for Coles who lease space from Citygate.*
- *Cr. L Davies declared a Financial Interest as a Closely Associated Person in Item 12.11 Amendment 202 to Town Planning Scheme No. 3 – Lot 500 Council Drive, Eaton and Portions of Lots 501, 507 and 1108 Recreation Drive, Eaton – Citygate Properties Pty Ltd as he works for Coles who lease space from Citygate.*

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 Title: Proposed Amendment 195 to Town Planning Scheme No. 3 – Lot 9 (231) Hynes Road, Waterloo (McRobert Planning on behalf of Margate Enterprises Pty Ltd)

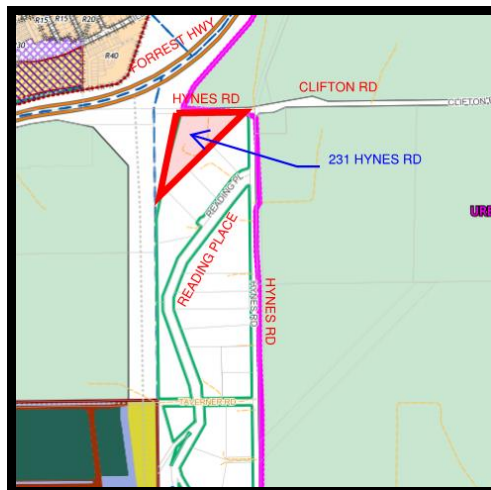
Reporting Department: Engineering & Development Services
Reporting Officer: Mrs Suzanne Occhipinti - Senior Planning Officer
Legislation: Planning and Development Act 2005

Overview

Council is requested to consider a proposed scheme amendment (Amendment 195) to rezone Lot 9 (231) Hynes Road, Waterloo from “Small Holding” to “Small Holding” zone and “Additional Use” zone, with the proposed additional use permitted being ‘Funeral Parlour’.

It is recommended that Council advises the Western Australian Planning Commission that it supports the proposed scheme amendment.

Location Plan



Site Plan



Background

Lot 9 is approximately 4.09ha and contains a dwelling and ancillary outbuildings. It is zoned ‘Small Holding’ and is roughly triangular in shape with the northern section of

Hynes Road running along its northern boundary, a 'Primary Regional Road' reservation abutting its western boundary and four other 'Small Holding' zoned properties abutting the diagonal boundary to the south-east.

At its meeting held on 25 January 2017, Council resolved [04-17] to initiate Scheme Amendment 195, which proposed to amend the Shire of Dardanup Town Planning Scheme No. 3 (TPS3), (Amendment 195) as follows:

THAT Council resolves that

1. *Pursuant to Pt. 5, Div. 1, R. 35 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 Amendment 195 is considered a 'complex amendment' for the following reasons:*
 - a) *The amendment is not addressed by the Shire of Dardanup Local Planning Strategy; and*
 - b) *The amendment relates to a development that is of a scale, or will have an impact, that is significant relative to development in the locality.*
2. *Pursuant to Pt. 5, Div. 1 R. 37(1)(b) proceeds to advertise the amendment (subject to officer recommended modifications in red) to the Town Planning Scheme No. 3 by:*
 - a) *Amending Lot 9 Hynes Road, Waterloo from 'Small Holding' zone to 'Small Holding' zone and 'Additional Use' zone.*
 - b) *Including in Appendix IV of Shire of Dardanup Town Planning Scheme No. 3, Additional Use No. 20 as per the following:*
 - c) *Amending the scheme maps accordingly.*

NO	STREET	PARTICULARS OF LAND	ADDITIONAL USE PERMITTED	CONDITIONS
20	Hynes Road	Lot 9	'Funeral Parlour' 'Place of Worship' 'Reception Centre'	<p>(a) <i>All Additional Uses are subject to obtaining development approval from Council in accordance with clauses 7.1 and 7.2 of Town Planning Scheme No. 3.</i></p> <p>(b) <i>The Additional Uses of 'Place of Worship' and 'Reception Centre' are incidental to the use 'Funeral Parlour' and will only be permitted for use in conjunction with the purpose of conducting funerals and not for any other purpose that may otherwise be indicated in the applicable landuse definitions contained in cl. 1.8.2.</i></p> <p>(c) <i>Prior to a Development Application being considered by Council, the landowner is required to prepare and submit a Local Development Plan for approval to address:</i></p> <ul style="list-style-type: none"> • <i>Location of all buildings;</i> • <i>Intended use for all buildings;</i> • <i>Size (in m²) of all buildings;</i> • <i>Location and number of carparking bays;</i> • <i>Provision for overflow parking;</i> • <i>Access and egress arrangements;</i> • <i>Landscaping; and</i> • <i>Fencing.</i> <p>(d) <i>All development shall be in accordance with the Local Development Plan approved by Council.</i></p> <p>(e) <i>Council will only grant Development Approval for the 'Place of Worship' and/or</i></p>

NO	STREET	PARTICULARS OF LAND	ADDITIONAL USE PERMITTED	CONDITIONS
				<p><i>the 'Reception Centre' subject to them being part of a combined approval with the 'Funeral Parlour'.</i></p> <p><i>Any Development Approval granted by Council for the 'Additional Permitted Uses' shall prohibit the embalming and/or cremation of bodies on-site at any time.</i></p>

Subsequent to Council's resolution the matter was referred to the Western Australian Planning Commission (WAPC) seeking approval to advertise. In response the WAPC advised certain modifications were required prior to the amendment being advertised as follows:

- *modify the amendment to amend the Shire's scheme definition of 'Funeral Parlour' to be consistent with the definition contained in the Planning and Development (Local Planning Schemes) Regulations 2015 (i.e. add reference 'to conduct funeral services');*
- *delete the proposed additional uses of 'Place of Worship' and 'Reception Centre', as these are now adequately covered by the updated and Regulation compliant 'Funeral Parlour' definition; and*
- *delete Conditions (b) and (e), as they are no longer required given the change to the 'Funeral Parlour' definition and the removal of the other additional uses.*

A copy of the modified application is provided in (Appendix ORD: 12.1A).

The modified amendment was subsequently advertised, which resulted in a total of 21 submissions being received. Of note were the concerns raised by Main Roads Western Australia (MRWA) and Department of Fire and Emergency Services (DFES), which required resolution prior to the matter being further progressed as per the following:

- Main Roads Western Australia (MRWA) advised that it was not supportive of intensification of land use in the manner concerned in this location given the road geometry, traffic volumes on the road and the potential for traffic conflict to occur.
- Department of Fire and Emergency Services (DFES) advised that the scheme amendment should be deferred until such time as a Bushfire Hazard Level (BHL) Assessment or BAL contour map, and a Bushfire Management Plan (BMP), were prepared and submitted for consideration.

The following represents a summary of the progress of this amendment, since the closure of the advertising period on 18 September 2017:

- 13 October 2017 – Council officers provide all submissions to the applicant for review, requesting advice as to how they wish to proceed.
- May 2018 – Council officers contact the applicant and query whether they either intend to address the matters raised in the correspondence of 13 October 2017, or alternatively whether they wish the application be determined based on the information at hand. The applicant's consultant advises that he is awaiting instruction from his client, and will be addressing

the submissions and the matters raised. The applicant requests an extension of time to prepare a response.

- 6 June 2018 – Council Officers request an extension of time from WAPC.
 - 12 June 2018 – WAPC grants an extension of time to December 2018.
 - 7 September 2018 – Officers again request the applicant provide an update as to progress made with their client, and whether the concerns raised have been addressed. Officers also again request the information previously required by DFES, in order to progress the application. The applicant advises that they have been liaising with MRWA and will provide a response shortly.
 - 10 September 2018 – Correspondence is received from MRWA advising that it no longer objects to the proposal due to the proposed amended Bunbury Outer Ring Road (BORR) alignment.
 - 3 October 2018 – Applicant provides a response to the submissions received, an amended Traffic Study, a Bushfire Hazard Level (BHL) assessment and a Bushfire Management Plan (BMP). A copy of the additional information is provided in (Appendix ORD: 12.1B).
 - 30 October 2018 – DFES reviews BHL assessment and BMP, and advises Council that it does not object to the proposal.
- *Advertising*

The modified amendment was advertised from 17 July 2017 to 27 September 2017, and involved the following:

- Public Notice placed in the South Western Times on 20 July 2017;
- Plans and documents explaining the scheme amendment were displayed at Council Offices in Eaton and Dardanup for the duration of the advertising period;
- Letters sent to approximately 19 surrounding landowners; and
- Letters sent to the following agencies:
 - Western Power;
 - Water Corporation;
 - Department of Health;
 - Department of Aboriginal Affairs (now included with functions of Department of Planning, Lands and Heritage);
 - Department of Fire and Emergency Services (DFES);
 - Main Roads Western Australia (MRWA);
 - Department of Agriculture and Food (now Department of Primary Industries and Regional Development);
 - Department of Parks and Wildlife (now Department of Biodiversity, Conservation and Attractions);
 - Harvey Water;
 - Aqwest;
 - Department of Lands (now Department of Planning, Lands and Heritage);
 - Department of Water (now Department of Water and Environmental Regulation); and

- Department of Environment Regulation (now Department of Water and Environmental Regulation).

In response to the advertising, 21 submissions were received. It is noted that a planning consultant (Halsall and Associates) made a single submission representing nine objector 'parties', however some of those parties also made individual submissions and therefore have not been counted twice. Copies of all submissions are provided in (Appendix ORD: 12.1C), and are summarised in the below Schedule of Submissions:

	Submitter	Submitter Comment	Officer Comment
1.	Water Corporation	Comment. Notes that reticulated water and sewerage is currently not available to the subject land.	Noted.
		Advises that proposed changes to the Scheme do not appear to affect Water Corporation assets or operations.	Noted.
		Advises that above comments are to be provided to the land owner, developer and/or their representative.	The landowner's representative (consultant) has been provided a copy of all submissions.
2.	Department of Health	No objection. Advises that any proposed developments are required to be in accordance with the draft <i>Country Sewerage Policy</i> .	Noted. This will be addressed at Development Approval stage.
		The amendment should require that all developments are to have access to a sufficient supply of potable water that is of the quality specified under the <i>Australian Drinking Water Quality Guidelines 2004</i> .	Noted. This will be addressed at Development Approval stage.
		Approval is required for any on-site waste water treatment process. The necessary requirements may be referenced and downloaded from: https://ww2.health.wa.gov.au/Articles/U_Z/Water-legislations-and-guidelines	Noted. This will be addressed at Development Approval stage.
3.	Department of Aboriginal Affairs (now included with Department of Planning, Lands and Heritage)	Comment. Advises that there is one reported Aboriginal site within the area of the Proposal. The reported site is ID 4865 (Bunbury 09).	Noted, however at the time of the ethnographic assessment undertaken for Wanju in 2014, it was determined by the consultant that ID 4865 was incorrectly recorded and was actually along Robertson Drive within the City of Bunbury, rather than being near Hynes Road in the Shire of Dardanup.
		The AHD recommends that developers undertaking activities	Noted. The owner's consultant has been provided with copies

	Submitter	Submitter Comment	Officer Comment
		<p>within the area of the proposal take into consideration the DPLH's Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the Proposal.</p> <p>These guidelines have been developed to assist proponents to identify any risks to Aboriginal heritage and to mitigate risk where heritage sites may be present.</p>	of all submissions.
4.	Department of Fire and Emergency Services (DFES)	<p>Objection received 24 July 2017:</p> <p>The Department of Fire & Emergency Services (DFES) provide the following comments with respect 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> <p>The proposed LPS Amendment is located within an area that has been designated as a 'bushfire prone area' by the Fire and Emergency Services Commissioner pursuant to the <i>Fire and Emergency Services Act 1998</i>. In accordance with the requirements SPP 3.7, any strategic proposal within a bushfire prone area is to be accompanied by:</p> <p>a) the results of a BHL assessment determining the applicable hazard level across the subject land, in accordance with the methodology set out in the Guidelines. BHL assessments should be prepared by an accredited Bushfire Planning Practitioner; or</p> <p>b) where the lot layout of the proposal is known a BAL Contour Map to determine the indicative acceptable BAL ratings across the subject site, in accordance with the Guidelines. BAL Contour Maps should be prepared by an accredited Bushfire Planning Practitioner;</p> <p>c) the identification of any bushfire hazard issues arising from the relevant assessment; and</p> <p>d) clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages. This information can be provided in the form of a Bushfire Management Plan or an amended Bushfire Management Plan where</p>	The applicant subsequently provided the information required by DFES which later withdrew its objection.

	Submitter	Submitter Comment	Officer Comment
		<p>one has been previously endorsed.</p> <p>The proposed land use will also need to demonstrate compliance to Policy Measure 6.6 - Vulnerable or High-risk land uses of SPP 3.7.</p> <p>Given the proposed strategic proposal has the potential to increase the threat of bushfire to people, property and infrastructure, it is considered that it should not be supported until such time that the bushfire risk and hazard reduction measures are established and understood.</p> <p>DFES recommends that this scheme amendment be deferred to allow the proponent to submit the required information in accordance with SPP 3.7 and the Guidelines.</p>	
		<p>No objection received 30 October 2018:</p> <p>Advises that the BHL Report has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages.</p>	Noted.
5.	Main Roads Western Australia (MRWA)	<p>Objection received 5 September 2017:</p> <p>Preliminary response that Main Roads is not supportive of intensification of the land use in the manner concerned in the location given the road geometry, traffic volumes on the road and the potential for traffic conflict to occur. It does raise the question as to whether the use should be directed to the LIA.</p>	Noted.
		<p>No objection received 6 September 2018:</p> <p>Notes the proposal was referred to Main Roads given the impact and alignment of the Bunbury Outer Ring Road in the Greater Bunbury Region Scheme in relation to the subject land.</p>	Noted.
		<p>Notes that the WAPC has now given support for an amended alignment further to the east, and whilst the existing alignment still remains in the GBRS, the basis for Main Roads'</p>	Noted.

	Submitter	Submitter Comment	Officer Comment
		previous comment has now been removed and it is advised that Main Roads do not have any objection to the proposal.	
6.	Department of Agriculture and Food (now Department of Primary Industries and Regional Development)	No objection.	Noted.
7.	Department of Parks and Wildlife (now Department of Biodiversity, Conservation and Attractions)	Comment. Advises that wastewater from funeral parlours may contain high levels of biological waste and chemicals which can impact the wastewater system and/or contaminate groundwater.	The applicant has advised that no embalming, burial or cremation is proposed. This restriction is reflected in the proposed Additional Use No.20 condition in Appendix IV, which prohibits such activities.
		The Water Corporation website includes information related to funeral parlours and a copy is attached for your information. Parks and Wildlife Service suggests that this application is referred to the Department of Water and Environmental Regulation and the Water Corporation in relation to waste water management and potential groundwater impacts.	The application was referred to DWER for comment and the Department's submission is included in this schedule.
8.	Aqwest	No comment provided.	Noted.
9.	Department of Lands (now Department of Planning, Lands and Heritage)	DPLH did not respond however the WAPC provided the following comments prior to the matter being advertised publicly: The Commission considers that the following modifications to the documents are required before the amendment is advertised: <ul style="list-style-type: none"> modify the amendment to amend the Shire's scheme definition of 'Funeral Parlour' to be consistent with the definition contained in the Planning and Development (Local Planning Schemes) Regulations 2015 (i.e. add reference 'to the conduct of funeral services'); 	The proposal was amended accordingly prior to advertising.
		<ul style="list-style-type: none"> delete the proposed additional uses of 'Place of Worship' and 'Reception Centre', as these are now adequately covered by the updated and Regulation compliant 'Funeral Parlour' definition; and 	As above.

	Submitter	Submitter Comment	Officer Comment
		<ul style="list-style-type: none"> delete Conditions (b) and (e), as they are no longer required given the change to the 'Funeral Parlour' definition and the removal of the other additional uses. 	As above.
		In consultation with Main Roads WA and the Department of Planning, the local government should give detailed consideration to the long term traffic management and road network impacts in the locality associated with the proposed 'Other Regional Road', 'Forrest Highway' and 'Hynes Road' upgrades, required as a result of regional road network improvements and the development of Wanju.	<p>Council Officers sought advice from Main Roads WA, which has withdrawn its initial objection. MRWA noted that this was due to the proposed changes to the BORR alignment.</p> <p>Council's Engineering Department has reviewed the amended Traffic Study provided by the applicant, and has advised that it addresses all concerns that had previously been raised by the Council Officers.</p>
		In particular, detailed consideration should be given to future land requirements and potential vehicular access restrictions to the subject land.	<p>The applicant engaged an industry accredited transport engineering firm to undertake a Traffic Study for the proposal.</p> <p>The Traffic Study report states that "the access will operate well under all forecast scenarios", and "site access will need to be located at least 111m west of the bend in Hynes Road at the Clifton Road intersection".</p> <p>Officers note that the existing access is approximately 140m west of the edge of the bend in Hynes Rd and therefore meets the location requirement.</p> <p>Officers note that other than the Main Roads owned lot immediately west of the subject site, there are no other crossovers to any lot along the east-west section at the northern end of Hynes Rd. All other lots are accessed from the north-south section of Hynes Rd.</p>
10.	Department of Water (now Department of Water and Environmental Regulation)	<p>No objection.</p> <p>Advises that landowner will be required to address water supply and stormwater management matters as part of any development application.</p>	Noted.
11.	Department of Environmental Regulation (now Department of Water)	<p>No objection.</p> <p>Advises that landowner will be required to address water supply and</p>	Noted.

	Submitter	Submitter Comment	Officer Comment
	and Environmental Regulation)	stormwater management matters as part of any development application.	
12.	Myrtle Bass	<p>Objection.</p> <p>States that she and her husband have invested forty-one years into their property and are quite proud of their achievement.</p>	Noted.
		<p>Along with their neighbours they have enjoyed a healthy lifestyle caring for horses, cattle and sheep etc. and since the threat of a funeral parlour 300 metres from their property, find their health and well-being severely impacted.</p>	Noted.
		<p>States that after reading the traffic report, they can dispute some of the findings.</p> <p>Notes that between 3:30pm and 5:00pm it is not unusual to encounter vehicles lined up as far back as the entrance of lot 9 and beyond on some occasions, all waiting to enter Forrest Highway which causes frustration and risks are then taken.</p>	<p>It is noted that since the objector's submission was received, the intersection has been upgraded.</p> <p>MRWA and the Shire's Engineering staff have both reviewed the updated traffic report and have advised that it is acceptable.</p>
		<p>Notes that just over one year ago a friend was seriously injured in a truck roll-over at this intersection and he is still receiving therapy and rehabilitation.</p>	Noted.
		<p>States that shortly after this incident the submitter was returning from Bunbury and had to take quick evasive action when a driver so eager to enter the north bound lane, failed to notice her about to enter Hynes Road. Notes that fortunately they were able to not collide.</p>	Noted.
		<p>Agrees that the speed limit being reduced to 80km per hour on the south bound lane has provided a marked improvement, although some motorists choose to ignore the 80km per hour sign.</p>	Noted.
		<p>Notes that they are all aware this section of the highway has been classified a notorious "Black Spot" zone and understands it is rated as one of the highest in the state.</p>	<p>Officers understand the recent upgrades to the intersection of Hynes Rd and Forrest Highway has been subject to Black Spot funding.</p> <p>Upgrade works have included the installation of street lighting, construction of a right turn north acceleration lane, and works to improve visibility at the left turn</p>

	Submitter	Submitter Comment	Officer Comment
			from Forrest Highway into Hynes Rd.
		Points out that sadly another fatality has occurred since the release of the study.	Noted.
		Believes that the assumption "that a few extra vehicles" per day for six days a week will not create more of a problem is a grossly negligent and careless statement.	Noted.
		Concludes that a Funeral Parlour will not in any way enhance or aesthetically fit into a rural area. Most other funeral parlours are more appropriately situated in a Light Industry Precinct.	Noted. If the scheme amendment is approved it will still require a further development application to be submitted for consideration prior to construction, which will allow an opportunity for Council to consider details such as elevation drawings and landscaping. Officers consider the proposed location is acceptable for a funeral parlour intended for the purpose of holding funeral services (rather than the preparation of bodies etc.).
		States that as for the extra traffic that will be generated, there is no justification to rezone this Lot 9 property.	The application was referred to MRWA, which advised that it does not object to the proposal.
		Believes that Council will be condemned for this ill-conceived proposal.	Noted.
13.	Peter Bass	Objection. Notes that the objector is in close proximity, some 300m to the property in question, and vehemently opposes the Council's proposed changes to the zoning from 'small holding' to 'small holding' and 'additional use' for the purpose of a 'funeral parlour'.	Objection noted. Officers wish to clarify that it is not Council's proposal, as indicated in the objection, but rather that of the owner of the land. Council is required to process all applications it receives as prescribed under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> . Officers also wish to clarify that ultimately it will be the WAPC's decision, as Council only has the authority to make a recommendation to the WAPC on such applications.
		States (the proposal is) highly injurious and affliction to all	Noted.

	Submitter	Submitter Comment	Officer Comment
		<p>residences on Reading Place and Hynes Road.</p> <p>Noting that these are all lifestyle properties and at this point in time only three have no houses on them.</p>	
		<p>Advises that there are four residences that this proposal will impact on immediately.</p>	Noted.
		<p>States that as for the remaining twenty five or so residences it gives rise to further zone changes, which he and most others find repugnant.</p> <p>The 80ha were put on the market as small holdings – life style properties in 1976 and to his knowledge no one has requested a zone change.</p>	<p>Noted, however any future proposals will need to be assessed on their merits.</p> <p>Council is required to process all applications it receives as prescribed under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>.</p>
		<p>Notes that traffic on Hynes Road has gone from far less than 100 vehicles per day to 4000 per day and to say “a few more vehicles” will not matter is simply “pie in the sky” particularly the entrance to Forrest Highway, which backs up to lot 9 entrance on a daily basis.</p>	<p>It is unclear where the initial figure (less than 100 vehicles per day) has come from or how recently that number was experienced.</p> <p>The amended Traffic Study notes that typically peak times for vehicles entering and exiting the site will be outside peak times experienced on the road presently (around 3.45pm and 5pm).</p>
		<p>Notes that there have been not one but three or four fatalities and several serious accidents have occurred on the intersection of Hynes Road and Clifton Road and even on Hynes Road straight section has its share of minor skirmishes.</p>	Noted.
		<p>States that the proposal is not consistent with the Local Planning Strategy.</p> <p>When there are well in excess of 1000ha zoned Urban Development east of Hynes Road plus Water Corps land to the west and Industrial Land to the south.</p> <p>There could also be an area to the north if and when the Bunbury Outer Ring Road Planning is completed.</p>	<p>Noted.</p> <p>Council needs to process all applications it receives as prescribed under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>.</p> <p>Council does not have the opportunity to suggest another site, as it is only permitted to provide a recommendation on the application submitted.</p> <p>The proposed Scheme Amendment is to be considered having regard to the LPS and this will be discussed in the ‘Officer Comment’ section of this</p>

	Submitter	Submitter Comment	Officer Comment
			report.
14.	Monique Campbell	<p>Objection</p> <p>Believes there will be increased traffic along an already busy route. The intense business proposed increases the risk for accidents, both at the Hynes Road / Clifton Road intersection, and also at the Forrest Highway and South West Highway intersections. Noting on most days at least 400 cars per hour travel the Hynes Road route.</p>	<p>Noted.</p> <p>MRWA and the Shire's Engineering staff have both reviewed the updated traffic report and have advised that it is acceptable from a traffic movement perspective.</p> <p>Traffic concerns will be discussed in the 'Officer Comment' section of the report.</p>
		<p>Believes the proposal is unsuitable for the area.</p> <p>They want to put a high impact business on a relatively small lot.</p> <p>It is an incompatible land use.</p>	<p>The proposed Scheme Amendment is to be considered having regard to the LPS and this will be discussed in the 'Officer Comment' section of this report.</p>
		<p>Notes that business is not suitable for this area, which is comprised of small rural residential lots (approx. 5 acres).</p>	<p>As above.</p>
		<p>Believes surrounding property values will likely be negatively affected.</p>	<p>It is noted the property values are not a planning consideration.</p>
		<p>Notes that for fencing and landscaping in regards to adjoining properties, a substantial buffer is required.</p>	<p>Noted – fencing and landscaping will be considered at the development application stage should the Scheme Amendment be approved.</p> <p>Officers consider the standard setbacks applicable to the Small Holding zone should also be implemented for the future development of this property.</p>
		<p>Notes the car parking in relation to neighbouring properties.</p>	<p>The submitter has not explained how car parking will impact her.</p> <p>Officers note that no application for development application has been submitted. Site layout will need to be considered during a future planning stage, should the Scheme Amendment be approved.</p> <p>Officers consider the standard setbacks applicable to the Small Holding zone should also be implemented for the future development of this property.</p>
		<p>Notes the noise pollution from large numbers of people gathering.</p>	<p>Officers consider that offsite noise impacts can be managed</p>

	Submitter	Submitter Comment	Officer Comment
			<p>and minimised, if not altogether avoided, by thoughtful development layout and design at future planning stage.</p> <p>As with any land use, the operator is required to comply with the Noise Regulations relevant to the land use.</p>
		Notes an increase in burglaries due to possible drugs, chemicals etc. being kept on site.	Crime prevention is not a planning consideration.
		<p>States water runoff. There is a small pond at the back of the house that collects winter rain runoff. If this is filled then water will likely runoff into neighbouring properties, which are already waterlogged in the winter months.</p> <p>Advises that substantial fill/drainage is required to prevent this from happening.</p>	<p>Stormwater disposal will need to be addressed at future planning stage, through an application for Development Approval.</p> <p>All stormwater will be required to be contained onsite.</p>
		Believes entrance to the property is not suitable to handle the volumes of traffic that will enter, without a severe impact to other road users.	<p>MRWA and the Shire's Engineering staff have both reviewed the updated traffic report and have advised that it is acceptable from a traffic movement perspective.</p> <p>Traffic concerns will be discussed in the 'Officer Comment' section of the report.</p>
		States that visibility along Hynes Road from entrance to property is not suitable to handle this amount of increased traffic.	As above.
		Believes that there will be unacceptable waiting times to exit/enter neighbouring properties, and road roads due to increased traffic.	As above.
15.	Steve and Rhonda Kirkpatrick	<p>Objection.</p> <p>Concerns regarding the volume of traffic this will bring, as this area is already listed as a black spot.</p>	<p>MRWA and the Shire's Engineering staff have both reviewed the updated traffic report and have advised that it is acceptable from a traffic movement perspective.</p> <p>Traffic concerns will be discussed in the 'Officer Comment' section of the report.</p>
		The area also has a huge drainage	Stormwater disposal will need to

	Submitter	Submitter Comment	Officer Comment
		problem in the winter. Parking etc. would be a huge problem.	be addressed at future planning stage, through an application for Development Approval. All stormwater will be required to be contained onsite.
16.	Andrew Blee (consultant for Halsall and Associates) representing: i. Nat and Debbie Fimmano; ii. Peter and Myrtle Bass; iii. Monique Campbell; iv. Julie Carson v. Steve and Rhonda Kirkpatrick; vi. John and Sue Bell; vii. Chris Snibson; viii. Les Doe; and ix. Tom and Lorraine Phelps. Note that individual objections were also received from the following persons, and therefore have not been counted twice: • Peter Bass • Myrtle Bass • Monique Campbell • Steve and Rhonda Kirkpatrick. This item is considered to be an objection by six objectors only	Notes that in order for Shire to consider an additional use, it needs to be determined if it can adequately fit with the objectives of that particular zone and any other issues be appropriately managed. States that in this regard, the objectives of the 'Small Holding' zone under the Shire's Town Planning Scheme No. 3 is: <i>"To provide for residential development within a rural setting, where the predominant land use is residential."</i> Notes that this is a specific objective that clearly values and protects the residential use of the land, further indicating that any other land use should be secondary to this use. The proposal as clearly outlined in the Traffic Study, proposes to remove the existing residence and associated infrastructure from the property and construct a purpose built 'funeral parlour' that can cater for up to 600 people at any one time. They have therefore, by their own admission, pointed out that the proposal is not in accordance with the objective of the Scheme and therefore should not be considered.	The purpose of an 'Additional Use' is to permit a specified use on a specified parcel of land that is not otherwise permitted in a particular zone. Therefore a proposed 'additional use' by definition may not be entirely consistent with the objectives of the zone. The Scheme amendment process considers all matters, including the suitability of the use and its potential impacts and introduces suitable scheme provisions to control future development. Officers are of the opinion the proposed additional use can be introduced without undue impact on neighbouring landowners which is addressed in further detail in the officer comment section of the report. As above. As above. Noted. The Scheme amendment will enable the land to be used for any of the permissible uses applicable to the 'Small Holding' zone in the zoning table in the Scheme, plus the proposed

	Submitter	Submitter Comment	Officer Comment
			<p>'Additional Use' if supported.</p> <p>There is no requirement for the land to be used for the residential component, however a dwelling will remain a permissible land use on the land, if the owner wishes to retain the existing dwelling or construct a new dwelling in the future.</p>
		<p>The proposal will result in the property being used purely for commercial purposes.</p>	<p>As above.</p>
		<p>States that the commercial nature of the proposal is further highlighted by the zoning table, with a 'funeral parlour' only considered in the 'Business – Commercial', 'Mixed Business', 'General Industry' and 'Light Industry' zones.</p> <p>A single dwelling is not permitted in any of these zones clearly demonstrating that a 'funeral parlour' is not appropriate in areas that are primarily for residential development.</p>	<p>The proposal is principally for a chapel and function/service rooms for funeral services, and does not include a mortuary, crematorium or burials often associated with funeral parlours.</p> <p>Officers do not dispute that a funeral parlour is commercial in nature, however officers consider the additional use can be managed in such a way as to minimise impacts on residential land uses.</p> <p>It is a universally accepted planning principle that uses permitted should not lead to land use conflict.</p> <p>It is considered that the Additional Use proposed can be managed through the planning process so as not to lead to land use conflict.</p>
		<p>Further to the above, the Local Planning Strategy clearly identifies that future zoning and land use considerations for the land zoned 'Small Holding' along Hynes Road will be dealt with through the preparation of Local Planning Scheme No. 9.</p>	<p>Noted.</p>
		<p>This proposal which effectively changes the use of land to commercial is outside of that process and therefore contrary to the Strategy.</p>	<p>The proposal adds one additional use, which is specified, on one property, rather than changing the 'base' zoning of the subject lot.</p> <p>The proposal does not change the use of the land to 'commercial' per se, in that it does not allow any other type of commercial activity on the lot other than the specified funeral parlour.</p>

	Submitter	Submitter Comment	Officer Comment
		The whole purpose of deferring consideration of this land through the Scheme process is to allow a holistic approach to future development that is fair and reasonable to all landowners in the area.	The proposed Scheme Amendment is to be considered having regard to the LPS and this will be discussed in the 'Officer Comment' section of this report.
		This ad-hoc approach provides no certainty and negatively impacts on properties that will remain primarily as residential for the foreseeable future.	As above.
		It is considered that the proposed amendment does not adequately address the impacts this proposal will have on the amenity of surrounding properties.	Noted, however officers consider the additional use can be managed in such a way as to minimise impacts on residential land uses.
		This is in part based on the lack of information relating to how the site will be developed in the application.	Council needs to process proposed scheme amendments as prescribed under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> . Officers note that no application for Development Approval has been submitted. Site layout will be considered as part of a future application for development approval, should the Scheme Amendment be approved by the WAPC.
		Believes that similar to major rezonings where a Structure Plan may be required, the proposal should have required a Local Development Plan or some other concept plan be included with the application to clearly inform landowners and Council what is proposed, not after the Amendment has gone through.	Officers consider the layout of the site can be suitably assessed through the development approval process.
		Notes that fortunately there was enough information in the Traffic Study to better understand the proposal and therefore the impact it will have on the amenity and character of the area.	Noted.
		As mentioned previously, the Traffic Study identifies the following key information on the proposal: <ul style="list-style-type: none"> • The removal of the existing dwelling and infrastructure; • The construction of an estimated 2500m² funeral complex; • 150 formal parking bays and overflow grassed areas along the south eastern 	Noted.

	Submitter	Submitter Comment	Officer Comment
		<p>boundary;</p> <ul style="list-style-type: none"> • Access to the north onto Hynes Road; and • Cater for up to 600 people. <p>Notes that the visual impact of this proposal will be significant. The proposed building is some 10 times larger than a single dwelling.</p> <p>The proposed car-parking is shown as being located along the boundary abutting the existing 'small holding' lots which both have existing dwellings.</p> <p>This will result in up to 300 cars at peak capacity being visible from these dwellings along with the substantial building.</p> <p>It is considered that this is not in keeping with the amenity and character of the area which is predominately rural and low density in nature.</p>	<p>Prior to development taking place a development application will need to be submitted and approved, if the Scheme amendment is supported.</p> <p>The draft plan contained within the Traffic Study is indicative only.</p> <p>The development application will need to provide plans with sufficient detail to enable adequate assessment.</p> <p>It is noted that the draft plan indicates car parking along the south-eastern boundary, however officers are of the opinion that the future development of the site should comply with the standard 10m development setback applicable to the 'Small Holding' zone along the boundary and have introduced a new provision in the officer recommendation accordingly.</p>
		<p>States that the traffic impacts will also have a significant impact on the amenity and character of the area.</p> <p>This is based on the nature of funerals and how they operate.</p> <p>All vehicles will be accessing the site at the one time or close to one another.</p> <p>This will result in potentially 300 vehicles accessing a premises in close proximity to existing dwellings.</p> <p>Whilst the traffic study identifies that the road system can cope with this much traffic, it is outside of what is normal for this area and again demonstrates its negative impact on landowners in the area.</p> <p>Notes that Halsall and Associates are not traffic engineers, but the impact of vehicles is relatively untested particularly on a regular basis and has a potential to put strain on this area and impact on general road users.</p>	<p>The application was referred to MRWA, which advised that it does not object to the proposal.</p> <p>The Traffic Study was also reviewed by Council's Engineering Department, which advised that it addressed all concerns that had been previously raised by officers.</p> <p>Traffic concerns will be discussed in more detail in the 'Officer Comment' section of the report.</p>

	Submitter	Submitter Comment	Officer Comment
		<p>Further, if an issue was to occur entering the site such as an accident or breakdown there is only room for approximately 50 vehicles to stack along Hynes Road before there are major issues at the intersection with Forrest Highway.</p> <p>The proposal could cater for 300 vehicles with 75% coming from this direction.</p>	
		<p>Notes that there are a number of potential noise implications associated with the proposal that have not been addressed.</p>	<p>Officers consider that offsite noise impacts can be managed and minimised, if not altogether avoided, by thoughtful development layout and design at future planning stage.</p> <p>As with any land use, the operator is required to comply with the Noise Regulations relevant to the land use.</p>
		<p>The obvious major noise generator is the cumulative impact of the vehicles entering and exiting the site on a regular basis.</p>	<p>Noted.</p>
		<p>The proposed location of the car-parking abutting the existing 'Small Holdings' lots will exacerbate this.</p>	<p>Officers note that no application for Development Approval has been submitted. Site layout will need to be considered during a future planning stage, should the Scheme Amendment be approved.</p> <p>Officers are suggesting that a 10m setback provision be included along the south-eastern property boundary which will reduce the impact on neighbouring landowners.</p>
		<p>This service held at the premises also has potential noise implications including singing, music and the service itself.</p>	<p>Noted, however it is expected that services would mostly be conducted within the confines of the chapel, which should limit any impact of noise on neighbouring landowners.</p>
		<p>These are all impacts that are not currently commensurate of the amenity and character and the area and will therefore cause a negative impact.</p>	<p>Noted.</p>
		<p>Notes that whilst it is not a planning outcome, all the impacts on amenity above have the ability to negatively impact on land values in the area.</p>	<p>Property values are not a planning consideration.</p>

	Submitter	Submitter Comment	Officer Comment
		<p>With no certainty for the area moving forward at this point in time, this is a major concern for the landowners.</p> <p>The proposal also sets an undesirable precedent for similar businesses to enter this area and therefore further eroding the amenity and character and landowners existing assets.</p> <p>Notes that it appears from the information provided on the website by the Shire, that no Bushfire Management Plan has been prepared as part of this application.</p> <p>The site is partially within a Bushfire Prone area according to the DFES mapping.</p> <p>It is acknowledged that the proposal is only for an 'Additional Use', however the proponent has indicated that the development will be a substantial change to what is there.</p> <p>Further the introduction of a large number of people and vehicles that may be required to evacuate from the area quickly needs to be considered, given that surrounding landowners also need to evacuate.</p> <p>The proposal will potentially impact on how this will occur effectively and the landowners have a right to understand up front how this is proposed to be managed.</p>	<p>Council is required to consider any proposal on its merits.</p> <p>A Bushfire Management Plan has since been submitted, and was referred to DFES for comment.</p> <p>DFES did not object to the proposal.</p>
		<p>States that the objection clearly demonstrates the impact that this proposal will have on the amenity and character of the area.</p> <p>The objective of this zone is to protect residential development and only allow for ancillary uses which is not proposed in this case.</p> <p>The landowners are looking for more certainty for the area to ensure that a holistic approach to development into the future is considered and many of the issues raised above can be addressed in a more strategic manner.</p> <p>The landowners therefore respectfully request that Council recommend to the WAPC that the proposal not be supported.</p>	<p>Noted.</p>

Note: No response was received from Harvey Water or Western Power.

The applicant was provided with a copy of the submissions, and thereafter submitted a response to the objections raised and provided additional information to address the concerns of MRWA and DFES. A copy of the applicant's responses to the submissions and the additional information is provided in (Appendix ORD: 12.1B).

Legal Implications

The WAPC is the determining authority of the proposed Scheme amendment and therefore would be the respondent to any application for review at the State Administrative Tribunal (SAT).

Strategic Community Plan

- Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)
- Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

Environment

Scheme Amendment 195 was referred to the Environmental Protection Authority (EPA), which advised that the amendment was not required to be assessed under the *Environmental Protection Act 1986*, and that it was not necessary for the authority to provide any advice or recommendations.

Department of Water and Environmental Regulation (DWER) did not object to the proposal, and noted that water supply and stormwater management will need to be addressed as part of a future development application.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

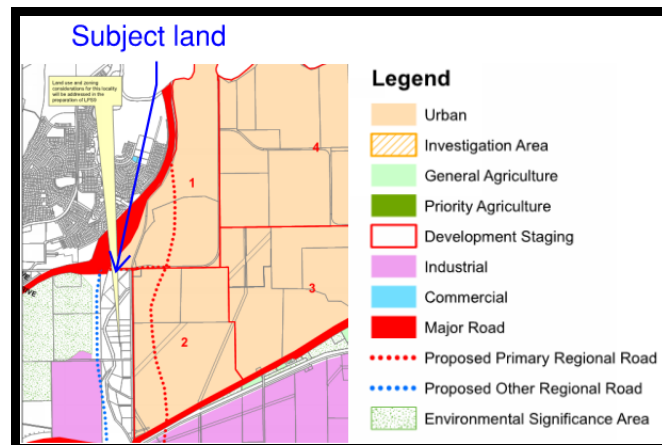
Officer Comment

The following section provides an assessment of the proposed Scheme Amendment No. 195 under various planning documents relevant to the proposal:

- Shire of Dardanup Local Planning Strategy (Strategy);
- Shire of Dardanup Town Planning Scheme No. 3 (TPS3);
- Planning and Development (Local Planning Schemes) Regulations 2015; and
- Greater Bunbury Region Scheme (GBRS).

In addition to the above the potential traffic impacts are also discussed as this was the issue that caused greatest concern amongst local residents.

- *Shire of Dardanup Local Planning Strategy (LPS)*



Map 1: Extract from the Shire of Dardanup Local Planning Strategy 2015

The Shire of Dardanup Local Planning Strategy (LPS) was endorsed by the Western Australian Planning Commission (WAPC) on 4 May 2015, and provides strategic direction for the Shire from a land use planning perspective. The LPS notes the following for the ‘*Small Holding*’ area in the locality of Hynes Road (yellow coloured call-out box in the above diagram):

‘Land use and zoning considerations for this locality will be addressed in the preparation of LPS9’

Local/Town Planning Scheme No. 9 (TPS9) has not yet been finalised, and therefore it is acknowledged that the long-term future intent for land in the Hynes Road area has not yet been determined. There is both the option of retaining the area as predominantly a rural residential type area as it currently is, or alternatively, there may be the possibility of providing for a mix of residential with appropriate small business type activities, due to its location and proximity to Wanju. However, as this matter has not been resolved at this point in time, the proposed Scheme amendment should be considered in light of both possible options, that is; Council will need to consider its suitability in the event that either outcome should occur in the future.

The LPS notes that all existing land zoned ‘Small Holding’ zone will be rezoned to ‘Rural-Residential’ in LPS9. If Council ultimately determines to limit commercial activity on the subject properties by simply rezoning them from ‘Small Holdings’ to ‘Rural Residential’ rather than considering an alternative mixed-use zone as discussed above, officers consider the proposed additional use does not conflict with the ongoing use of the general area for residential purposes.

In particular, the fact that it is the sole property which achieves access from the northern section of Hynes Road that runs in an east-west direction means that it has an element of separation from the other ‘Small Holding’ properties. With appropriate design and landscaping, officers consider that an appropriate outcome can be achieved that limits off-site impacts.

- *Town Planning Scheme No. 3*

Comment was made in the Schedule of suggesting that the proposal was at odds with the objectives of the ‘Small Holding’ zone.

In responding to these concerns officers consider that it is unlikely that any additional use in the Scheme is entirely consistent with the relevant zoning objectives. When determining the permissibility level in the zoning table, it can safely be assumed that if a use is either permitted ('P') or discretionary ('D' or 'A') then it is consistent with zone objectives and can therefore be considered for approval on any property in the relevant zone.

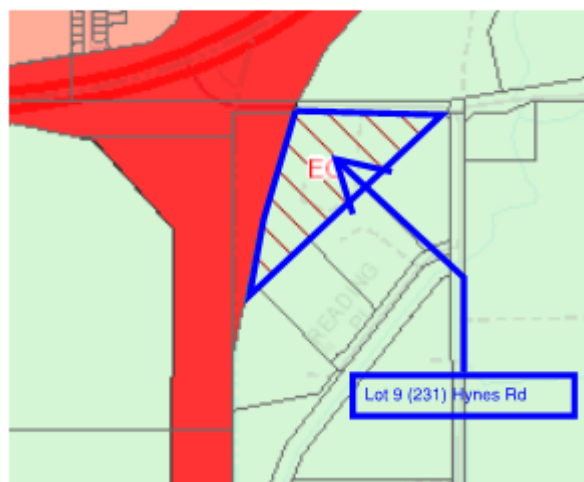
The purpose of making provision for additional uses in town planning schemes is to provide Council and the WAPC with the opportunity of considering specified uses on particular parcels of land for which the use may not be appropriate for approval on all land under the zoning. The additional use provides for a land use to be considered on its merits and supported accordingly, with relevant provisions to control future development. As such, the land use may not strictly comply with the objectives of the zone, because if it did, it would generally be a permissible or discretionary land use for any property under that zoning.

For example under TPS3 there are currently existing additional uses of 'consulting rooms' for specified properties in the 'Residential' zone and 'septage disposal' on a property in the 'General Farming' zone. Neither of these land uses would strictly comply with the objectives of the 'Residential' or 'General Farming' zones however have been supported as they were appropriate to their specific locations.

Despite the above, officers believe that due consideration needs to be given so a land use does not eventuate that has the capacity to create land use conflict with other properties being used for the primary purpose under the zoning, in this case for rural residential purposes. In assessing the proposal in this context, it is considered any impacts can be adequately addressed through the development approval assessment phase.

- *Greater Bunbury Region Scheme (GBRS)*

Subject lot zoned Rural under the GBRS



The subject land and surrounding lots are zoned 'Rural' under the GBRS. As the proposal abuts a 'Primary Regional Road' reservation it was referred to Main Roads WA (MRWA) for comment. The authority initially opposed the proposal based on the previous BORR alignment proposed, however has since withdrawn its objection due to the alignment now being proposed significantly further to the east.

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

The Regulations were gazetted on 19 October 2015 and are applicable to Council's final consideration of the matter, when determining whether to advise the WAPC if it is supportive of the amendment.

In considering the proposal Council has three options in accordance with Part 5, Div. 2, s.41(3) as follows:

1. Council may resolve to support the amendment to the local planning scheme without modification; or
2. Council may support the amendment to the local planning scheme with proposed modifications to address issues raised in the submissions; or
3. Council may resolve not to support the amendment to the local planning scheme.

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

A package of reforms was introduced during December 2015 to help protect lives and property against the threat of bushfires throughout Western Australia. This included *State Planning Policy 3.7 - Planning in Bushfire Prone Areas* (SPP 3.7); *Guidelines for Planning in Bushfire Prone Areas* (Guidelines); and the *Planning and Development (Local Planning Schemes) Regulations 2015 Part 10A – Bushfire risk management* which contains deemed provisions relating to bushfire risk management.

The applicant has provided a Bushfire Hazard Level assessment, and a Bushfire Management Plan in accordance with the SPP3.7 and the Guidelines. These documents have been assessed by officers and referred to DFES for comment. DFES raised no concerns and indicated that the report adequately identified issues to be approved at the development stage.

DFES noted that a Bushfire Attack Level (BAL) contour map and compliance with SPP3.7 would need to be demonstrated at a subsequent planning stage. If the Scheme Amendment is approved, Development Approval will be required for a Funeral Parlour. A BAL contour map and amended Bushfire Management Plan will be required to be submitted as part of that application.

- *Traffic Study*

Much of the concern raised by submitters regarded traffic impacts, particularly in light of several incidents involving casualties and fatalities near the intersection of Hynes Road and the Forrest Highway. Since the application was submitted, the intersection of Hynes Road and the Forrest Highway has been upgraded, with works including a dedicated accelerating lane for north bound traffic on Forrest Highway exiting Hynes Road, lighting to the intersection, and increased sightlines through vegetation removal.

Whilst some traffic is likely to access the site via the South Western Highway entry to Hynes Road, it is expected that the majority of visitors will enter and exit from the Forrest Highway end, given its close proximity to the subject land. The Traffic Study report submitted provides more detail regarding likely traffic movements, and

considers “that the likely split between the two Hynes Road approaches would be 75% from Forrest Highway and 25% from South Western Highway”. Given this split, and that there are no other Small Holding zoned lots between the subject land and the Forrest Highway, traffic impacts to nearby residents are expected to be minimal.

Further, the Traffic Study showed minimal waiting times and back of line queuing distances at peak times. Officers note that likely peak traffic times for visitors and staff to and from the subject land do not overlap with existing peak traffic times being experienced in the area. The Traffic Study notes that expected resultant traffic movements are “well within capacity”.

The updated Traffic Study was referred to Council’s Engineering Department for comment, which advised that it addressed the concerns that had been previously raised by officers. The amended Traffic Study is provided in (Appendix ORD: 12.1B).

Officers note that Main Road WA (MRWA), which previously objected to the proposal, has withdrawn its objection.

Officer Comment

As previously advised Council has three options in considering this proposal as follows:

1. To support the amendment without modification; or
2. To support the amendment with proposed modifications to address issues raised in the submissions; or
3. Not to support the amendment.

Furthermore, the Regulations provide for Council to advertise a modification if the local government is of the opinion that the proposed modification is significant.

In light of the above, it is recommended that Council advises the Western Australian Planning Commission that it supports the proposed scheme amendment subject to modifications; however further advertising of the modifications is not required as they are of an insignificant nature that do not fundamentally amend the intent of the original amendment.

- *Recommended Modifications*

Upon reviewing the submissions received and the proposed Scheme provisions officers consider that it may be desirable to make some minor amendments to facilitate an efficient approvals process going forward and to introduce measures to protect the amenity of neighbouring landowners abutting the south-eastern boundary.

- *Local Development Plan / Development Approval*

The advertised amendment includes ‘Conditions’ by which any future development will be assessed and makes reference to a ‘Local Development Plan’ (LDP) which is required to address a number of planning considerations. As the development is also subject to a development application being submitted and considered for approval, officers consider the additional step of a LDP, prior to a DA being submitted, is not necessary. As such, modifications to the wording of this part of the amendment are recommended,

so that it will simply require a single development approval in the future (if the Scheme amendment is approved).

- *Development Setbacks*

Whilst a formal plan was not submitted as part of the Scheme amendment, the applicant did submit a draft concept plan as part of their traffic study which indicatively showed car parking directly along the south eastern boundary. Officers consider that any future development of the land should be required to comply with the development setbacks that are generally applicable to the Small Holding zone, particularly along the south-eastern boundary to reduce visual and noise impacts on neighbouring landowners. An additional provision has been included to this effect which clearly indicates that all development (not just buildings or structures) is to comply with the development setbacks applicable to the Small Holding zone and which would result in a 10m setback from this boundary.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

386-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. **Acknowledges modifications to the original amendment made prior to advertising as required by the Western Australian Planning Commission pursuant to Part 5, Division 2, Section 37(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 as follows:**
 - a) **amend the Shire's scheme definition of 'Funeral Parlour' to be consistent with the definition contained in the Planning and Development (Local Planning Schemes) Regulations 2015;**
 - b) **delete the proposed additional uses of 'Place of Worship' and 'Reception Centre'; and**
 - c) **delete proposed Conditions (b) and (e).**
2. **Pursuant to Part 5, Division 1, r.50(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves to support Amendment 195 (including modifications made by the WAPC prior to advertising) to the Shire of Dardanup Town Planning Scheme No. 3, subject to further modifications (underlined):**
 - a) **Rezoning Lot 9 Hynes Road, Waterloo from 'Small Holding' zone to 'Small Holding' zone and 'Additional Use' zone, as shown on the Amendment Map.**

b) Including in Appendix IV of Shire of Dardanup Town Planning Scheme No. 3, Additional Use No. 20, as follows:

NO	STREET	PARTICULARS OF LAND	ADDITIONAL USE PERMITTED	CONDITIONS
20	Hynes Rd	Lot 9	'Funeral Parlour'	<p>(a) All Additional Uses are subject to obtaining development approval from Council in accordance with clauses 7.1 and 7.2 of Town Planning Scheme No. 3.</p> <p>(b) <u>An Application for Development Approval is to address:</u></p> <ul style="list-style-type: none"> • Location of all buildings; • Intended use for all buildings; • Size (in m²) of all buildings; • Location and number of <u>vehicle parking bays</u>; • Provision for overflow parking; • Access and egress arrangements; • <u>Retention of stormwater on site</u>; • <u>Landscaping (minimum of 10% of site area)</u>; and • Fencing. <p>(c) <u>All development, including vehicle parking, but excluding landscaping, is to comply with standard boundary setbacks applicable to the Small Holding zone as follows:</u></p> <ul style="list-style-type: none"> • <u>Primary setback – 20m</u> • <u>All other setbacks – 10m</u> <p>(d) Any Development Approval granted by Council for the 'Additional Use Permitted' shall prohibit the embalming and/or cremation of bodies on-site at any time.</p>

c) Amending Clause 1.8.2 'Land Use Definitions' of the Scheme text as follows:

funeral parlour

means premises used —

- i. to prepare and store bodies for burial or cremation;**
- ii. to conduct funeral services.**

d) Amending the Scheme Map and Text accordingly.

3. Pursuant to Part 5, Div.3, s 51(b) of the Regulations resolves not to advertise modifications to the amendment which are considered an insignificant departure from the nature and intent of the advertised amendment.
4. Pursuant to Pt. 5, Div. 3, r. 53 of the Regulations provides the Western Australian Planning Commission a copy of Amendment 195 and all relevant information with a request for final approval by the Minister for Planning.

CARRIED
5/2

12.2

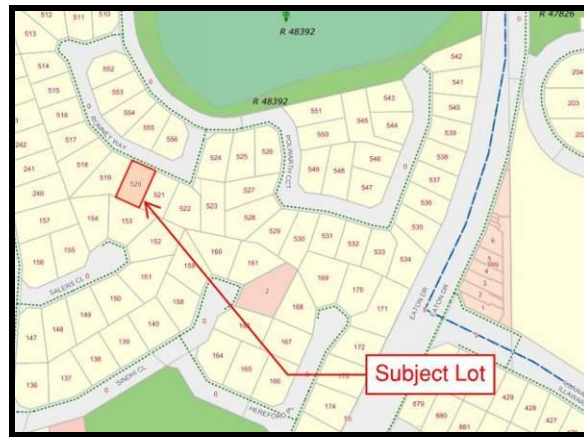
Title: Application for Development Approval – Lot 520 (22) Romney Way, Eaton – Proposed Dwelling and Retaining Wall – (WA Country Builders)

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Gareth Webber - Planning Officer
Legislation: Local Government Act 1995

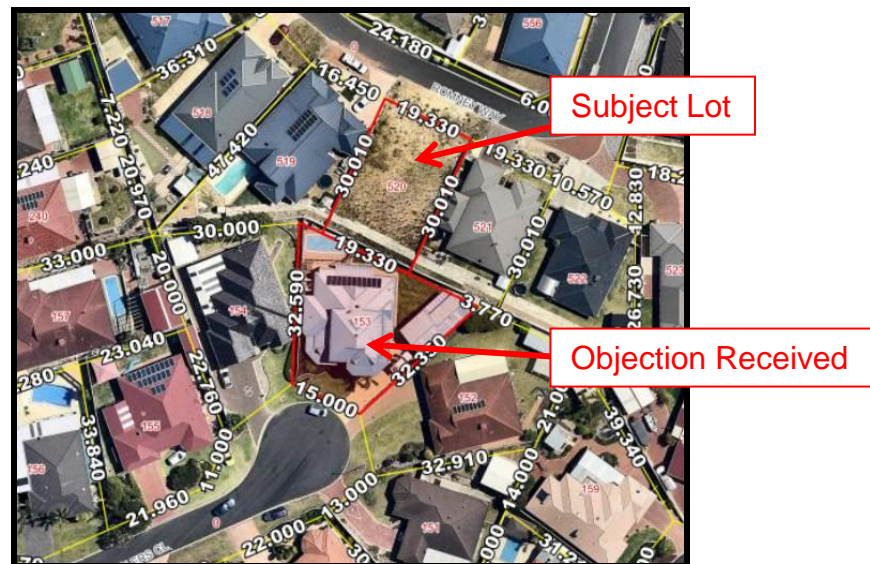
Overview

Council has received an Application for Development Approval for a proposed dwelling and retaining wall at Lot 520 (22) Romney Way, Eaton which is seeking a variation to the 'deemed-to-comply' provisions of the Residential Design Codes (R-Codes). The proposal was advertised to neighbours for comment with one objection received. Officers are recommending the proposal be approved subject to appropriate conditions.

Location Plan



Site Plan



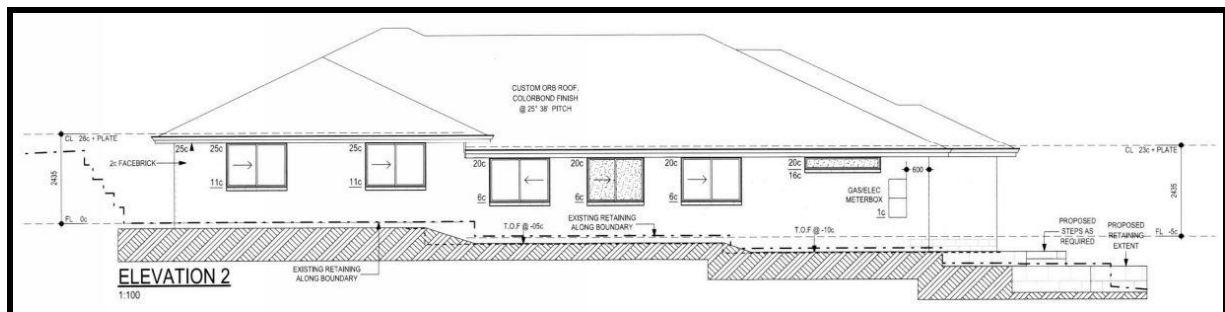
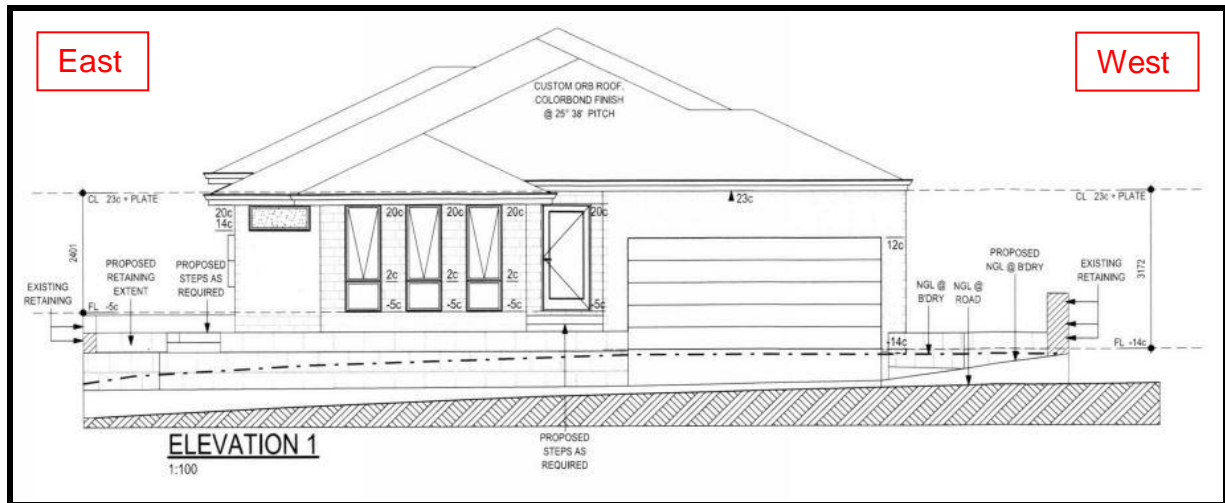
Background

Council has received an Application for Development Approval for the construction of a dwelling and retaining walls at Lot 520 (22) Romney Way, Eaton. The 580m² lot is zoned 'Residential – R15' under the Shire of Dardanup Town Planning Scheme No. 3 (TPS3) and is located within an established residential area surrounded by similarly zoned 'Residential' properties.

Details of the proposal are contained in (Appendix ORD: 12.2A) and are summarised below:

- Dwelling
 - Occupies an area of 263.47m²;
 - Setback 4.01m from the primary street boundary, 4.11m from the rear lot boundary, 3m from the eastern side lot boundary and 3.04m from the western side lot boundary; and
 - Constructed of brick with a custom orb Colorbond roof.
- Retaining Wall

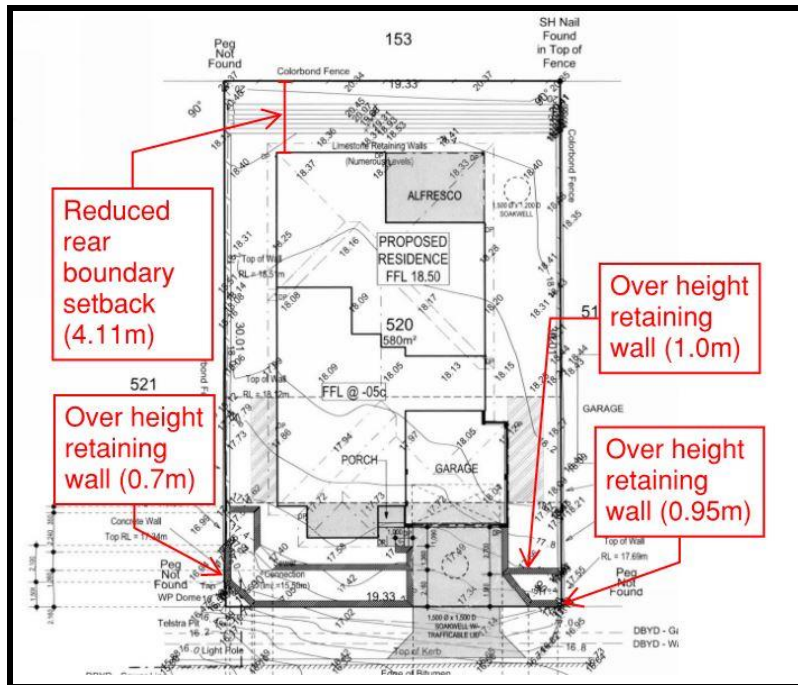
- Nil setback from primary street boundary and side lot boundaries;
- Comprises of four sections, two tiers to the east of the driveway and two tiers to the west of the driveway; and
- Eastern lower tier of the retaining wall is 0.7m in height, eastern upper tier of the retaining wall is 0.4m in height, western lower tier of the retaining wall is 0.95m in height and western upper tier of the retaining wall is 1.0m in height.



Officers have assessed the application against the Residential Design Codes (R-Codes) which contains both 'deemed to comply' and 'design principles' criteria. If a proposal does not meet the 'deemed to comply' criteria, it can still be considered acceptable for approval if it satisfies the 'design principles'.

For the subject application the following has been determined with regard to the relevant 'deemed to comply' criteria:

- The proposed rear boundary setback of 4.11m is 1.89m less than the deemed-to-comply 6.0m rear boundary setback in the R-Codes.
- The retaining wall proposing a height of up to 1.0m is 0.50m higher than the deemed-to-comply maximum height of 0.50m in the R-Codes.
- The proposed excavation and fill up to 0.7m is 0.20m greater than the deemed-to-comply maximum of 0.50m in the R-Codes.



• Notification of Application

Council officers sent a letter of notification to all directly adjoining landowners requesting comment on the application.

As a result of the advertising one objection was received from the landowner directly to the rear of the subject property. No responses were received from either of the other two landowners notified (side boundaries).

Upon receiving the objection, the applicant was advised of the nature of the objections and has provided some additional responses to the concerns raised. These were subsequently provided to the neighbouring landowner a second time who was given an opportunity by Planning staff to reconsider and withdraw their objection or proceed with their objection. The adjoining landowner has chosen to proceed with their objection.

A full copy of the objection received is contained in (Appendix ORD: 12.2B). The following Schedule of submissions includes both the submitter’s comments and the applicant’s responses, as well as officer comments.

Submitter	Comment	Applicant’s Response	Officer Comment
Robert (Bob) Fitzgerald <i>Adjoining landowner (rear) – 8 Salers Way</i>	Objection. 1. Believes that proposal would not be in keeping for the area that they live in.	Notes that the aerial photography shows there are a number of dwellings on Romney Way, and adjacent streets, that have in fact not met the 6.0m rear setback. Notes that the rear neighbours dwelling has not achieved the 6.0m setback to the majority of the dwelling including the alfresco.	Noted – officers agree with applicant’s comments. A number of dwellings in this locality have reduced development setbacks including the submitter, due to the lot sizes, configurations and zoning of R15 which has a ‘deemed to comply’ setback of 6.0m.

Submitter	Comment	Applicant's Response	Officer Comment
		Does not understand how the adjacent landowner can view the proposal as not keeping with the development of the area.	
	2. Advises that his home is at the back boundary of 22 Romney Way and the change of the setback means the entertaining / alfresco area of proposed dwelling is closer to the fence which will increase noise levels when activities are undertaken in that area.	Notes that while their alfresco is closer than the 6.0m setback required, there is a 1.85m difference in height between the subject lot and the property to the rear with a 1.8m high fence on top, totalling 3.65m high. Notes that the adjoining landowner to the rear also has an alfresco that is setback less than 6.0m. Notes that the adjoining landowner to the rear also has a pool that is basically abutting the rear fence which would cause far more noise to the subject lot.	Pursuant to the 'design principles' of Part 5.1.3 of the R-Codes, only the impact of the size and bulk of the dwelling, ensuring adequate sunlight and ventilation to the building and open spaces on the site and adjoining properties, and overlooking issues are to be considered.
	3. Notes that as the proposed dwelling is on a block much lower than his own, having the proposed dwelling closer to the boundary will mean that the roof will radiate heat over the fence.	Is unsure where the objector is coming from with regards to radiant heat affecting their lot. Notes that the dividing fence is 3.65m high so are unsure how being setback 4.11m in lieu of 6.0m is going to have any significant effect.	Radiant heat is not a matter that requires consideration under the Shire of Dardanup Town Planning Scheme No. 3 or the Residential Design Codes of Western Australia.

Legal Implications

Appeal rights exist for the applicant only through the State Administrative Tribunal.

Strategic Community Plan

- Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)
- Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)

Environment - None.

Precedents

Council officers under delegation from Council have approved numerous dwellings with reduced boundary setbacks under the R-Codes, when neighbour consent has been provided.

The property from which the objection was received (8 Salers Way) was granted Development Approval for a two storey dwelling and outbuilding with a reduced rear boundary setback in 1998, however it is noted that it had a different owner at that time. Although the approved plans do indicate the exact setback of the dwelling from the rear boundary, officers estimate it to be approximately three metres, based on aerial photography. Details of the Development Approval for that property are contained in (Appendix ORD: 12.2C).

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

As indicated previously in this report, the application has been assessed against State Planning Policy 3.1 – *Residential Design Codes of Western Australia* (R-Codes) and it has been determined that it is at variance to several aspects of the 'deemed to comply' provisions.

The applicant has provided written justification for the proposed variations to the 'deemed to comply' provisions of the R-Codes which are summarised as follows:

- Notes there are existing variations in topography of the street and surrounding area, including the gradient of the 1.53m fall from the front verge to the starting point of the proposed dwelling.
- Considers that in order to maintain an acceptable driveway gradient and retain all existing earthworks within the lot, there was a need to provide retaining along the boundary.
- Notes that to minimise the amount of fill and retaining required, the house has been stepped in order to build to the natural contours of the land.
- The impact on adjoining landowners has been reduced with the finished floor level being 400mm higher than the eastern neighbour and the same as the western neighbour.
- Notes that the western neighbour has also developed in the same manner having a retaining wall exceeding 0.5m within the front setback area.
- Believes that the proposed dwelling and retaining wall will reduce the impact of building bulk and will not have adverse effect on sun or ventilation to neighbouring properties.

- Considers that the proposed fill and retaining walls will preserve a sense of natural topography of the site while enabling reasonable development to occur, ensuring streetscape is preserved and amenity of adjoining properties is retained.

A full copy of the submitted justification is provided in (Appendix ORD: 12.2D).

When a proposal does not meet the 'deemed-to-comply' provisions of the R-Codes, it can still be approved subject to addressing the criteria contained in the 'design principles' as follows:

P3.1 Buildings setback from lot boundaries or adjacent buildings on the same lot so as to:

- *Reduce impacts of building bulk on adjoining properties*

The rear side of the proposed dwelling is 13.29m in length, 2.4m in height and is setback 4.11m from the rear lot boundary. The subject lot also has a natural ground level (NGL) approximately 1.85m lower than the adjacent property to the rear. Based on the setback and height of the proposed dwelling, it is considered that the bulk and scale of the proposal will have a considerably low impact on the adjoining landowners and a nil impact on the property at the rear.

- *Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties:*

The adjacent land owner to the rear of the subject lot is at a considerably higher natural ground level than that of the proposed dwelling.

The solar access for adjoining sites has been accessed in accordance with the deemed-to-comply requirements under Part 5.4.2 of the R-Codes with less than 25% of the adjoining properties site area being overshadowed.

- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties*

It is considered that this design principle is intended for two-storey development and for ancillary development 0.5m above ground level where overlooking of adjoining neighbours is a potential issue. The adjoining lot to the rear (8 Salers Way) has a natural ground level approximately 1.85m higher than the subject lot with a 1.8m fence above. As there are no overlooking or privacy concerns, this design principle is irrelevant to the subject application.

P7.1 Development that considers and responds to the natural features of the site and requires minimum excavation/fill

The proposed dwelling has been stepped in order to try and build to the natural contours of the land as well as minimise the amount of fill and retaining required.

P7.2 Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street

The impact on adjoining landowners has been reduced with the finished floor level being 400mm higher than the eastern neighbour and the same as the western neighbour. It is noted that the western neighbour has a similar retaining wall so the proposed retaining wall respects the existing levels as viewed from the street.

P8 Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1

The proposed retaining wall will allow an acceptable driveway gradient and all existing earthworks within the lot to be retained. The proposed retaining wall will be tiered to minimise the impact on the streetscape and is considered not to have a detrimental effect on adjoining properties. It is noted that there were no objections received from neighbouring landowners with regards to the proposed retaining wall.

It is recommended that Council approves the proposed dwelling as it is considered to address the 'design principles' criteria under Clause 5.1.3 of the R-Codes.

It is recommended that Council approves the proposed retaining wall as it is considered to address the 'design principles' criteria under Clause 5.3.7 and Clause 5.3.8 of the R-Codes and no objections were received from adjoining landowners with respect to this aspect of the proposal.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

387-18 MOVED - Cr. C N Boyce SECONDED - Cr. T G Gardiner

THAT Council approves the Application for Development Approval for a dwelling and retaining wall at Lot 520 (22) Romney Way, Eaton subject to the following conditions:

- 1. The layout of the site and the size, design and location of the works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.**
- 2. All stormwater from the proposed building(s) and hardstand areas shall be contained on site as indicated on the approved plans in accordance with Council specifications (Policy CP060 – Stormwater Discharge from Buildings) to the satisfaction of Council prior to the use of the proposed development.**

3. All crossovers shall be located and constructed in accordance with Council specifications (Policy CP050 – Crossovers in Townsites and Rural Areas) to the satisfaction of Council prior to the use of the proposed development.

Advice Notes:

- i. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- ii. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- iii. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.
- iv. The applicant is advised that this is not a Building Permit. A Building Permit should be obtained prior to the commencement of construction.

CARRIED
6/1

12.3 Title: Delegations in Relation to Rates

Reporting Department: Executive

Reporting Officer: Ms Cathy Lee - Manager Governance & HR

Legislation: Local Government Act 1995

Overview

Delegations for adoption by Council. These are in addition to the annually reviewed Delegations endorsed in June 2018.

Background

The Local Government Act 1995 empowers Council to delegate certain power and authority to the Chief Executive Officer to carry out the functions of Council, Section 5.46 requires the delegations to be reviewed at least annually. A number of duties are to be performed by officers authorized by the local government; these areas are included for Council to endorse.

Legal Implications

Local Government Act 1995:

Section 5.42 – Provides that a local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Local Government Act.

Section 5.43 – Council cannot delegate to a Chief Executive Officer any power that requires an absolute majority of the Local Government.

Section 5.44 – Provides power to the Chief Executive Officer to delegate to any employee of the local government, the discharge of any of the Chief Executive Officer's duties or powers.

Section 5.45 (a) – Delegations are for the period of time specified, or if no time is specified then the delegation is indefinite.

Section 5.45 (b) – Any decision to amend or revoke a delegation is to be by an absolute majority vote.

Section 5.46 (2) – Requires that at least once in every financial year, delegations are to be reviewed by the delegate.

Section 6.39 (2)(b) – A local government may amend the rate record for the 5 years preceding the current financial year.

Section 6.50 – Provision for the local government to determine a date that a rate or service charge becomes due and payable.

Section 6.56 – A local government may recover a rate or service charge that remains unpaid after it becomes due and payable as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.

Section 6.64 (1)&(3) – A local government may take action against land where rates or service charges remain unpaid.

Section 6.69 (2) – Right to pay rates, service charges and costs, and stay proceedings - the local government may, upon such terms and conditions as are agreed between the parties, accept payment of the outstanding rates or service charges.

Section 6.71 – Power to transfer land to local government subject to the provisions of the Transfer of Land Act 1893.

Section 6.74 – Power to have land re-vested in Crown if rates in arrears 3 years.

Strategic Community Plan

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

Environment - None.

Precedents - Council consider delegations at least annually.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

Outlined in the below resolution is a list of delegations that are in addition to the delegations given during Council's review and consideration for the 2018/19 financial year. These delegations are aligned with the WALGA model.

Section 5.42 of the Local Government Act empowers Council to delegate authority to the Chief Executive Officer, it is then up to the Chief Executive Officer to delegate authority to other officers.

The Chief Executive Officer is authorised by the Act, section 5.44 to delegate powers to other officers. Such delegations will be made to the relevant officers that have the relevant qualifications and experience in relation to the delegated powers.

Council Role - Legislative.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

388-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council delegate powers and duties to the Chief Executive Officer as empowered by the Local Government Act 1995, Regulations, as follows:-

GENERAL DELEGATIONS (GD)

GD34 - Rate Record Amendment

The Chief Executive Officer be delegated authority to determine any requirement to amend the rate record for the five years preceding the current financial year [s.6.39(2)(b)], on the condition that the delegate complies with the requirements of s 6.40 of the Local Government Act 1995.

GD35 - Determine Due Date for Rates or Service Charges

The Chief Executive Officer be delegated authority to determine the date on which rates or service charges become due and payable to the Shire of Dardanup [s.6.50].

GD36 - Recovery of Rates or Service Charges

The Chief Executive Officer be delegated authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].

GD37 - Recovery of Rates Debts - Actions to Take Possession of the Land

The Chief Executive Officer be delegated authority* to:

1. Take possession of land and hold the land as against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including:
 - i. lease the land, or
 - ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months:
 - a) cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or
 - b) cause the land to be transferred to the Shire of Dardanup [s.6.71].
2. Lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
3. Agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, services charges and costs within seven days of and prior to the proposed sale [s.6.69(2)].

***Condition:**

In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous three years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.

CARRIED

7/0

By Absolute Majority

12.4 Title: Request for Budget Allocation to the Eaton Drive Extension Project (Shire Job Number J12657)

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Nathan Ryder – Manager Operations
Legislation: Local Government Act 1995

Overview

Officers are recommending that Council authorises unbudgeted expenditure for the Eaton Drive Extension project. The expenditure is fully funded by the Regional Road Group.

Background

Council is requested to approve a budget allocation for the Eaton Drive Extension project (Shire Job No. J12657) in the 2018-2019 budget in relation to works that were not completed last financial year.

No budget allocation was carried forward to FY2018-2019 since the works were intended to be complete by the end of last financial year. However, due to circumstances outside of the control of the Shire, not all works were able to be completed.

The outstanding works comprised:

- Supply and installation of bollards;
- Supply and installation of a maintenance gate; and
- Completion of rock pitching and drainage works.

The total cost of the above works, now complete, was \$27,815.

The following table outlines the expenditure and funding items over two financial years:

FY	Expenditure	RRG Funds	JTPS Funding	Net Cost to Council
2017-2018	\$612,068	\$318,400	\$241,883	
2018-2019	\$27,815	\$79,600	\$0	
TOTALS	\$639,883	\$398,000	\$241,883	\$0

The Eaton Drive Extension project is partly funded by the Joint Town Planning Scheme and the Regional Road Group.

The minimum expenditure required over FY2017-2018 and FY2018-2019 is \$597,000 in order to comply with the Regional Road Group grant conditions. The conditions have been met and the Shire can now acquit the funds.

Council is therefore requested to authorise unbudgeted expenditure of \$27,815 to the Eaton Drive Extension Project (J12657) and acknowledge that this will be fully funded by the Regional Road Group.

Legal Implications

The Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. Expenditure from municipal fund not included in annual budget

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

* Absolute majority required.

- (1a) In subsection (1) —
- additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) Where expenditure has been incurred by a local government —
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

- **Local Government Act 1995**

S6.10. *Financial Management Regulations*

Regulations may provide for —

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

- **Local Government (Financial Management) Regulations 1996**

R11. *Payments, procedures for making etc.*

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

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

Strategic Community Plan

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

Environment - None.

Precedents

Changes to the budget are a common occurrence.

Budget Implications

The projected budget expenditure of \$27,815 is fully funded by the final claim received from the Regional Road Group (Project P21113210).

Budget – Whole of Life Cost

The change is expected to have minimal impact on the life cycle management of Shire assets.

Council Policy Compliance - None.

Risk Assessment - Low.

The recommended changes to the budget will ensure that there is minimal effect on the Shire's projected surplus.

Officer Comment - None.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

389-18 MOVED - Cr. P S Robinson SECONDED - Cr. L Davies

THAT Council authorises unbudgeted expenditure of \$27,815 and unbudgeted income of \$79,600 (Regional Road Group Project P21113210) in the 2018-2019 Budget for the Eaton Drive Extension Project (J12657).

CARRIED
7/0

By Absolute Majority

12.5 Title: Proposed Disposal of Balance of Lot 500 on Deposited Plan 66681 – Eaton Fair Project

Reporting Department: Engineering & Development Services
 Reporting Officer: Mr Luke Botica - Director Engineering & Development Services
 Legislation: Local Government Act 1995, Land Administration Act 1997

DECLARATION OF INTEREST

Cr. L Davies declared a Financial Interest as a Closely Associated Person in Item 12.5 Proposed Disposal of Balance of Lot 500 on Deposited Plan 66681 – Eaton Fair Project as he works for Coles who lease space from Citygate.

Cr. L Davies left the room [5.40pm]

Overview

Council is requested to:

- Acknowledge the 'in principle' approval provided by the Minister for Lands for the sale of the balance of Lot 500 to the Shire at a discounted price of \$1.00 plus GST subject to conditions;
- Instruct the Chief Executive Officer to undertake the activities necessary to fulfil the conditions for approval as stipulated by the Minister in her letter dated 15 October 2018 (State ref 72-13364).

Background

The Shire of Dardanup has received correspondence from the Minister for Lands, Hon Rita Saffioti MLA advising her 'in principle' approval subject to conditions for the proposed sale of the balance of Lot 500 on Deposited Plan 66681 to the Shire of Dardanup. This is further detailed in the following extract from her letter:

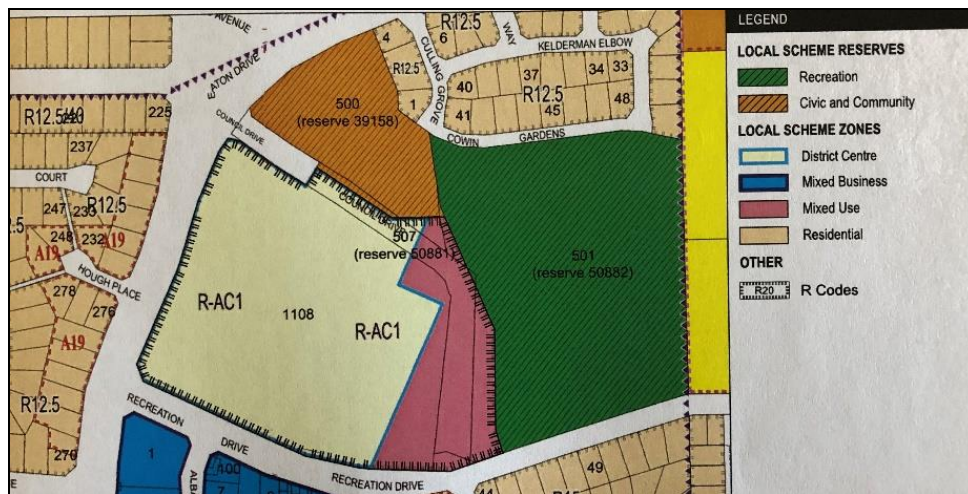
"...I am prepared to provide 'in principle' approval to the sale of the land at the discounted price of \$1.00 plus GST. This approval is subject to the Shire of Dardanup:

- *Demonstrating that it has Western Australian Planning Commission support for the amendment of the Eaton Fair Activity Centre Plan to include the proposed changes to Lot 601 and the relocation of the administration buildings and associated services; and*
- *Undertaking public consultation for the proposed disposal providing the opportunity for submissions prior to final decision by Council.*

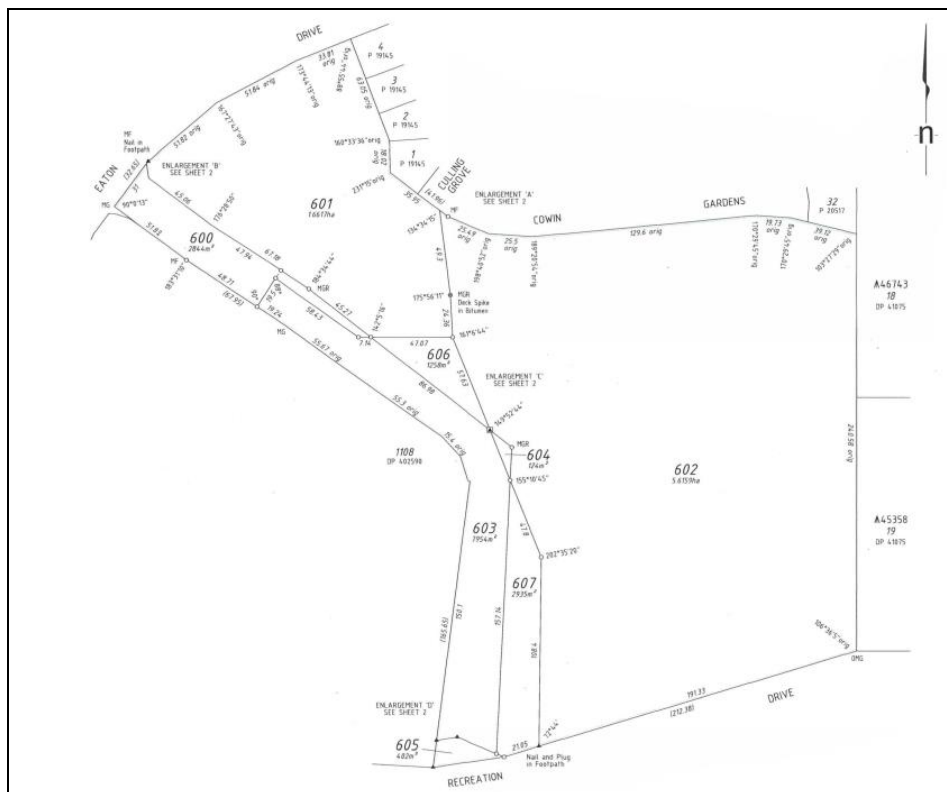
It should be noted that the following achievement of the above conditions this proposal will require final approval pursuant to section 74 of the Land Administration Act 1997."

The Minister provided this advice in response to correspondence from the Shire Chief Executive Officer, which detailed the proposed acquisition of Lot 500 by the Shire and its disposal to Citygate in order to relocate and fund a new Shire administration and library building.

It should be noted that Lot 500 is a reserve on which the current Shire administration building and skate park are situated. The following diagram (existing Scheme map) depicts the location of Lot 500.



Lot 601 referred to by the Minister relates to the new lot created from the balance of Lot 500 in accordance with the 2017 Heads of Agreement between Citygate Properties Pty Ltd and the Shire. The deposited plan that will create this new lot has been lodged and is currently being processed by Landgate. The following extract from the deposited plan depicts the new lot numbers.



It should be noted that the new lots 600, 603 and 605 are currently Council Drive. Ultimately, lots 600, 601, 603, 605, 606 and 607 will be amalgamated with Lot 1108 (Eaton Fair) through the arrangement agreed in the 2017 and 2018 Heads of Agreements between Citygate Properties Pty Ltd and the Shire.

In regards to the condition stipulated by the Minister in the first dot point above, Shire staff have received an amendment to the Eaton Fair Activity Centre Plan from consultants acting on behalf of Citygate Properties Pty Ltd and is currently being

processed by Shire staff in accordance with the requirements of the Planning and Development Act and Regulations. Staff are seeking authorisation from Council for the Chief Executive Officer to undertake advertising of the proposed acquisition of Lot 500 from the State and its disposal to Citygate Properties Pty Ltd in accordance with the amended Eaton Fair Activity Centre Plan and the signed 2018 Heads of Agreement between Citygate Properties Pty Ltd and the Shire of Dardanup.

Legal Implications

In her correspondence to the Shire, the Minister has confirmed that the proposal does not fall within the parameters of the Public Recreation Reserve Disposal Guidelines and therefore, is unable to be sold at 5% of the unimproved market valuation. The Minister has indicated that the land would be sold to the Shire at a discounted price of \$1.00 plus GST, subject to conditions being met.

The Minister also advised that once the stipulated conditions have been met, further approval from the Minister will need to be sought in accordance with the Land Administration Act 1997:

74. *Minister's powers as to sale of Crown land*

- (1) *The Minister may sell Crown land and may, without limiting the generality of that power —*
 - (a) *invite expressions of interest in Crown land; and*
 - (b) *invite public tenders for the purchase of Crown land; and*
 - (c) *offer for sale or re-offer for sale Crown land at any time; and*
 - (d) *withdraw Crown land from offer for sale at any time before acceptance of that offer; and*
 - (e) *lodge positive covenants or restrictive covenants or memorials concerning the performance of conditions of sale of Crown land; and*
 - (f) *sell Crown land by public auction, public tender or private treaty; and*
 - (g) *sell Crown land subject to easements or reservations; and*
 - (h) *sell Crown land by way of terms contracts requiring instalment payments.*
- (2) *Subject to this Part, the Minister may in relation to Crown land —*
 - (a) *determine, and alter at any time before sale, conditions and covenants on title, prices, reserve prices, terms, conditions, interest rates and penalty interest rates; and*
 - (b) *require a performance bond in respect of any such sale; and*
 - (c) *select by ballot successful applicants for the purchase of Crown land; and*
 - (d) *pay a commission to a person acting on behalf of the Minister in the sale of Crown land.*
- (3) *The Minister is not obliged to disclose any reserve price determined in relation to Crown land under subsection (2).*

Strategic Community Plan

- Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)
- Strategy 4.1.3 - To encourage business to develop: Support the capacity of local firms and industry to establish, grow and employ. (Service priority: Moderate)

- Strategy 4.1.4 - To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)
- Strategy 4.2.1 - To be a visitor destination: Become a choice destination for tourists, visitors and our own residents. (Service Priority: Very High)
- Strategy 4.3.2 - To provide adequate commercial and industrial land to meet the future needs of industry. (Service Priority: Very High)

Environment - None.

Precedents -

Council has previously purchased land from the State and sold it to Citygate Properties Pty Ltd in the Eaton Town Centre to facilitate expansion of Eaton Fair.

Budget Implications -

The Minister's offer to the Shire to purchase the land at \$1.00 plus GST represents a significant saving to the Shire. The Shire was expecting the land to be offered at 5% of the market valuation, which could have been in the vicinity of \$200,000 to \$250,000. This saving can be allocated to the construction of the new administration and library building.

Budget – Whole of Life Cost

Council had previously considered and endorsed a business plan for the project. The saving in purchase cost will further improve the bottom line of the business plan.

Council Policy Compliance - None.

Risk Assessment - Low.

The process for purchasing and selling Lot 500 will be undertaken in accordance with the advice from the Minister and the Land Administration Act 1997.

Officer Comment

Shire staff have prepared a Gantt Chart which lists and schedules the tasks required for the Shire to ultimately relocate into the new administration and library building. This includes the following main achievements:

- Western Australian Planning Commission (WAPC) approval of the amended Eaton Fair Activity Centre Plan;
- WAPC approval of an amendment to the Shire of Dardanup Town Planning Scheme to facilitate the expansion of Eaton Fair and the relocation of the Shire administration centre and library;
- Excision and transfer of various portions of land between the Shire and Citygate Properties Pty Ltd, including relocation of public infrastructure in accordance with the 2017 Heads of Agreement between the Shire and Citygate Properties Pty Ltd;

- Excision and transfer of various portions of land between the Shire and Citygate Properties Pty Ltd, including Lot 500, new lot for the Shire administration and library building, and the relocation of public infrastructure, in accordance with the 2018 Heads of Agreement between the Shire and Citygate Properties Pty Ltd;
- The further development of concepts, detailed design and construction of the new Shire administration and library building, as well as fitout and relocation of Shire staff and operations.

The correspondence received from the Minister is identified in the Gantt Chart. According to the schedule, it is proposed to advertise the intent to purchase and sell the balance of Lot 500 in late January 2019 with submissions and a report being brought to Council in April 2019. Hence the purpose of this report is to obtain authorisation from Council to proceed to the next steps in the project in order to secure the purchase of the balance of Lot 500.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

390-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. **Acknowledges the 'in principle' approval provided by the Minister for Lands, in correspondence dated 15 October 2018 (State ref: 72-13364), for the sale of the balance of Lot 500 Council Drive, Eaton, to the Shire at a discounted price of \$1.00 plus GST subject to conditions as stipulated in the Minister's correspondence;**
2. **Instructs the Chief Executive Officer to undertake the activities necessary to fulfil the conditions for approval as in the Minister's correspondence, being:**
 - a) **Demonstrating Western Australian Planning Commission support for the amendment of the Eaton Fair Activity Centre Plan to include the proposed changes to Lot 601 and the relocation of the administration buildings and associated services; and**
 - b) **Undertaking public consultation for the proposed disposal, providing the opportunity for submissions prior to the final decision by Council to seek the approval of the Minister pursuant to section 74 of the Land Administration Act 1997.**

Advice Note:

- i) **Lot 601 is the new lot to be created from the balance of Lot 500.**

CARRIED
6/0

12.6 *Title: Purchase and Disposal of Land in the Eaton Town Centre – Eaton Fair Project*

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Luke Botica - Director Engineering & Development Services

Legislation: Local Government Act 1995, Land Administration Act 1997

DECLARATION OF INTEREST

Cr. L Davies declared a Financial Interest as a Closely Associated Person in Item 12.6 Purchase and Disposal of Land in the Eaton Town Centre – Eaton Fair Project as he works for Coles who lease space from Citygate.

Cr. L Davies had left the room at [5.40pm] and had not returned.

Overview

Council is requested to delegate authority to the Shire President and Chief Executive Officer to execute all documentation required for the purchase of Lot 606 and 607 shown on deposited plan 412288 from the Crown and its subsequent disposal to Citygate Properties Pty Ltd in accordance with the 2017 Heads of Agreement between Citygate Properties Pty Ltd and the Shire of Dardanup.

Background

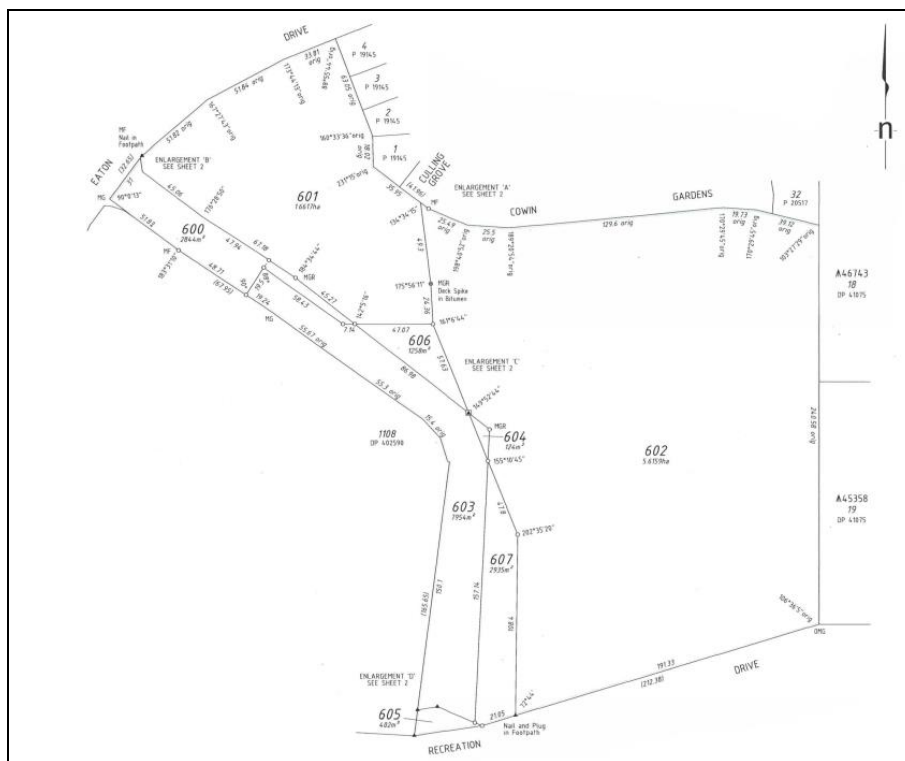
The Shire of Dardanup entered into a Heads of Agreement with Citygate Properties Pty Ltd in 2017 which detailed an arrangement whereby portions of the Lot 500 (current reserve on which the existing Shire office is located) and Lot 501 (the Glen Huon Reserve) are excised and purchased from the Crown by the Shire at 5% of the market value and then disposed of to Citygate Properties Pty Ltd at full market value. A portion of Council Drive will be excised as well and sold directly to Citygate Properties Pty Ltd by the Department of Lands. Once all portions are purchased and titles transferred to Citygate Properties Pty Ltd, they will then amalgamate the various smaller lots with Lot 1108 (Eaton Fair).

The proposed land transactions are in accordance with the currently endorsed Eaton Fair Activity Centre Plan and will enable further expansion of Eaton Fair as well as provide additional revenue required to cover project expenditure associated with the

recent construction of the football and softball pavilions and their associated infrastructure.

The deposited plan that excises the various lots has been lodged and is currently being processed by Landgate. An extract from the deposited plan is provided in this report and the following table provides a description of each lot:

Lot	Description
600	Balance of Council Drive following excision of a portion to be on sold to Citygate Properties Pty Ltd.
601	Balance of Lot 500 (location of current Shire administration centre and skatepark) following excision of a portion to be on sold to Citygate Properties Pty Ltd.
602	Balance of Lot 501 (Glen Huon Reserve) following excision of portions to be on sold to Citygate Properties Pty Ltd.
603	Portion of Council Drive to be sold to Citygate Properties Pty Ltd by Department of Lands and amalgamated with Lot 1108 (Eaton Fair).
604	Portion of Council Drive to form part of the Glen Huon Reserve (may be amalgamated but not critical, but expected to form part of the management order for the Glen Huon Reserve).
605	Closed portion of Recreation Drive to be sold to Citygate Properties Pty Ltd by Department of Lands and amalgamated with Lot 1108 (Eaton Fair).
606	Portion of Lot 500 and Lot 501 to be excised, purchased from the Crown at 5% market value and then on sold to Citygate Properties Pty Ltd at full market value and amalgamated with Lot 1108 (Eaton Fair).
607	Portion of Lot 501 to be excised, purchased from the Crown at 5% market value and then on sold to Citygate Properties Pty Ltd at full market value and amalgamated with Lot 1108 (Eaton Fair).



It should be noted that the new lots 600, 603 and 605 are currently Council Drive. Ultimately, lots 600, 601, 603, 605, 606 and 607 will be amalgamated with Lot 1108

(Eaton Fair) through the arrangement agreed in the 2017 and 2018 Heads of Agreements between Citygate Properties Pty Ltd and the Shire.

At the time of writing this report, the Shire has not yet received an offer from the Department of Lands for the purchase of Lots 606 and 607 at 5% market value. Staff are expecting to receive the offer in the coming weeks. The purpose of this report is to provide the Shire President and Chief Executive Officer with the necessary powers to act on behalf of the Council to execute offer and acceptance documentation for the purchase of the two lots and then to be able to dispose of the lots to Citygate Properties as per the market valuation.

Legal Implications

The Shire of Dardanup has the option to purchase Lot 606 and 607 at a price being 5% of the market valuation. The valuation will be provided by the Department of Lands and the land will be excised in accordance with the Land Administration Act 1997. The Shire has the option of selling the land once acquired to Citygate Properties Pty Ltd. The section of Council Drive and Recreation Drive to be sold to Citygate Properties Pty Ltd will be undertaken by the Department of Lands and the Shire will not receive any proceeds from the sale.

The proposed changes in land tenure and boundaries is in accordance with the currently endorsed Eaton Fair Activity Centre Plan.

There is a substantial portion of public infrastructure, such as underground drainage infrastructure, road pavements, pathways and utilities, that will be affected by the change in land ownership and management. Arrangements will be put in place to ensure that the infrastructure remains serviceable until such time it is relocated or other arrangements are implemented in accordance with the Heads of Agreements.

The portions of land to be amalgamated will be done so through a subdivision approval process. This will enable conditions to be placed on the proponent to relocate infrastructure, utilities and other services, as well as create easements for protection of assets and access.

The proposed acquisition and disposal of the land has been previously communicated to the public and considered by Council. Therefore, no further public consultation is required on the proposal.

Strategic Community Plan

- Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making. (Service Priority: High)
- Strategy 4.1.3 - To encourage business to develop: Support the capacity of local firms and industry to establish, grow and employ. (Service priority: Moderate)
- Strategy 4.1.4 - To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)
- Strategy 4.2.1 - To be a visitor destination: Become a choice destination for tourists, visitors and our own residents. (Service Priority: Very High)
- Strategy 4.3.2 - To provide adequate commercial and industrial land to meet the future needs of industry. (Service Priority: Very High)

Strategy 4.3.2 - To provide adequate commercial and industrial land to meet the future needs of industry. (Service Priority: Very High)

Environment - None.

Precedents

Council has previously purchased land from the State and sold it to Citygate Properties Pty Ltd in the Eaton Town Centre to facilitate expansion of Eaton Fair.

Budget Implications

The Shire is expecting the two lots to be offered at 5% of the market value. Once purchased by the Shire, the Shire will then dispose of the land to Citygate Properties Pty Ltd at full market value. Both of these transactions are allocated in the budget. The revenue from the sale is required to cover project expenditure associated with the recent construction of the football and softball pavilions and their associated infrastructure.

Budget – Whole of Life Cost

Council had previously considered and endorsed a business plan for the project. The current land transactions are part of a larger proposal that will see the Shire relocate to a new administration and library building in the Eaton Town Centre.

Council Policy Compliance - None.

Risk Assessment - Low.

The process for purchasing and disposing of Lot 606 and 607 will be undertaken in accordance with the Land Administration Act 1997 and Local Government Act 1995.

Officer Comment

The deposited plan (412288) referred to in this report has been prepared for the purpose of excising the various portions of land from the existing lots that make up the Eaton Town Centre. Each of these lots will need to be purchased and/or disposed of, to ultimately achieve the layouts proposed in the Eaton Fair Activity Centre Plan. Further deposited plans will be lodged as lots change ownership and are amalgamated into Lot 1108 (Eaton Fair).

A Gantt Chart has been prepared by Shire staff which lists and schedules the tasks required for the Shire to achieve its ultimate goal of relocating into the new administration and library building as soon as possible. The acquisition and disposal of Lot 606 and 607 is an integral part of the overall program. The timely acquisition and disposal will assist the Shire in achieving its goal.

The purpose of this report is to provide the Shire President and Chief Executive Officer with the necessary powers to act on behalf of the Council to execute offer and acceptance documentation for the purchase of lots 606 and 607 and then to be able to dispose of the lots to Citygate Properties. This delegation will enable the acquisition and disposal to occur in future without the need to wait for Council meetings.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

391-18 MOVED - Cr. P R Perks SECONDED - Cr. J Dow

THAT Council provides delegated authority to the Shire President and Chief Executive Officer to execute all documentation required for:

1. **The purchase of Lot 606 and 607 shown on deposited plan 412288 from the Crown at the price of 5% of market valuation; and**
2. **Disposal of Lot 606 and 607 shown on deposited plan 412288, once acquired by the Shire of Dardanup, to Citygate Properties Pty Ltd at the price of 100% of market valuation.**

Advice Note:

- i) **Market valuation is as determined and provided by the Department of Lands.**

CARRIED
6/0

Note: Cr. L Davies returned to the room [6.00pm].

12.7 *Title: Request for Budget Allocation and Approval for Payment of Invoices in relation to LGA contributions for repairs to Bridge 3665A (Recreation Road) and Bridge 4861 (Ironstone Road).*

Reporting Department: Engineering & Development Services
Reporting Officer: Mr Nathan Ryder – Manager Operations
Legislation: Local Government Act 1995

Background

Council is requested to approve budget allocations for the following bridge renewal works:

- Bridge 3665A, Recreation Road
- Bridge 4861, Ironstone Road

In addition, Council is requested to approve authorisation for the Chief Executive Officer to sign an invoice received from Main Roads WA, which exceeds the current delegated authority limit.

All works are now complete and the final costs are known. The budget amendment and request for authorisation of payment of the invoice is hereby brought to Council for deliberation.

Legal Implications

The Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. Expenditure from municipal fund not included in annual budget

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

** Absolute majority required.*

- (1a) *In subsection (1) —*
- additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.*
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.*

- **Local Government Act 1995**

S6.10. Financial Management Regulations

Regulations may provide for —

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

- **Local Government (Financial Management) Regulations 1996**

R11. Payments, procedures for making etc.

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

- (1) *A payment may only be made from the municipal fund or the trust fund —*

- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
- (b) otherwise, if the payment is authorised in advance by a resolution of the Council.

(2) The Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the Council.

Strategic Community Plan

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

Environment - None.

Precedents

Changes to the budget are a common occurrence.

Council previously resolved [174-18] at its meeting held 30 May 2018:

THAT Council:

1. Authorise payment of Main Roads WA's Invoice '8007935', dated 22 May 2018, with a value of \$686,000.00 (ex. GST) for bridge widening construction works for Bridge 0193 on Waterloo Road."

Budget Implications

The current 2018/2019 budget allocation for both these works is Nil.

Funds for the bridge projects are currently held in Reserve, received via the Special Project Grants – Bridges, from the Department of Local Government, Sport and Cultural Industries. There is no current budget allocation for either of the bridge works as they were not listed as carry-forward projects for 2018/19.

JOB NO.	BRIDGE NO.	DESCRIPTION	FUNDS HELD IN RESERVE (EX. GST)
J12300	3665A	Bridge Renewal Recreation Road	\$112,000
J12307	4861	Bridge Renewal Ironstone Road	\$258,000

The works have now been completed by MRWA and the costs of the projects have been finalised.

The requested budget allocations are as follows:

JOB NO.	BRIDGE NO.	TOTAL COST OF WORKS	MRWA CONTRIBUTION	LGA (SHIRE) CONTRIBUTION	NET COST TO COUNCIL
J12300	3665A	\$187,000	\$56,000	\$112,000	\$0
J12307	4861	\$387,000	\$129,000	\$258,000	\$0

Budget – Whole of Life Cost

The change is expected to have minimal impact on the life cycle management of Shire assets.

Council Policy Compliance - None.

Risk Assessment - Low.

The recommended changes to the budget will ensure that there is minimal effect on the Shire's projected surplus.

Officer Comment

The accounts received from Main Roads WA in relation to the works carried out are attached (Appendix ORD: 12.7) however, have not been included in the Schedule of Paid Accounts. The value of the LGA contribution for Bridge 4861 [\$258,000] is greater than the amount delegated to the Chief Executive Officer by Council [\$200,000].

Approval of the above requested budget allocations will allow payment of the Main Roads WA invoices within the budget allocations for the projects. This requires an absolute majority vote by Council.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

392-18 MOVED - Cr. J Dow SECONDED - Cr. P S Robinson

THAT Council:

- 1. Authorise as unbudgeted expenditure \$112,000 to Job No. J12300 (Bridge Renewal - Recreation Road Bridge 3665A) funded via a transfer from reserve funds.**
- 2. Authorise as unbudgeted expenditure \$258,000 to Job No. J12307 (Bridge Renewal - Ironstone Road Bridge 4861) funded via a transfer from reserve funds.**
- 3. Authorise payment of Main Roads WA's Invoice '8008380', dated 31 October 2018, with a value of \$112,000.00 (ex. GST) for bridge renewal works for Bridge 3665A on Recreation Road.**
- 4. Authorise payment of Main Roads WA's Invoice '8008381', dated 31 October 2018, with a value of \$258,000.00 (ex. GST) for bridge renewal works for Bridge 4861 on Ironstone Road.**

CARRIED

7/0

By Absolute Majority

12.8 Title: Request to Operate a Tri Drive Network 3.3 Vehicle on Giorgi Road (Tieman Tankers)

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Mick Saunders - Manager Assets

Legislation: Local Government Act 1995

Overview

Council is requested to consider a new multi-combination vehicle application by Tieman Tankers.

The application relates to 200 metres of Giorgi Road, from South Western Highway to the property access point.

Tieman are requesting to operate Tri Drive RAV 3 Category vehicles with Conditional Loading to AMMS Level 3 (Tri Drive RAV3.3).

Background

This is a new application to Main Roads WA (MRWA) by Tieman. Any applications to MRWA that relate to vehicle configurations that are not currently unconditionally approved are forwarded to the relevant local government authority for approval, in addition to the MRWA approval process.

As with all multi-combination vehicle applications, the Incremental Cost Impact is calculated, using the WALGA guide. In this instance, the incremental cost is calculated at \$130 for a twelve month haulage operation. The reason for the relatively low figure is due largely to the very short haul distance. It should be noted these calculations yield an estimated cost to Council that is based upon many assumptions. However, the WALGA guide is currently the only instrument Officers have by which to make the calculation and the resultant costs are considered to be reasonable estimates.

The application relates to a haulage operation of approximately five loaded truck movements per week and five unloaded truck movements per week in order to cart fuel to a retail facility on Giorgi Road.

Legal Implications

Main Roads WA can only issue general endorsement permits. However, permits on local roads can only be issued if supported by 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.

Strategic Community Plan

Strategy 4.1.1 - To create connectivity: Support business success by efficient movement and exchange of people, business, goods, services and ideas. (Service Priority: Moderate)

Environment - None.

Precedents

This is the first application relating to a Tri-drive RAV 3.3 the Shire has received. Tri-drive trucks are relatively uncommon in the South West Region, however smaller Tri-drive vehicle combinations do appear as unconditionally approved on some Shire roads on the MRWA RAV Network website.

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.

Budget – Whole of Life Cost

In theory, the increased heavy traffic relating to the application would see the useful life of the road consumed earlier than if the haulage operation was not permitted. However, due to the low number of truck movements, this reduction in useful life would be negligible.

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 Tieman application is outside the extent of delegated authority due to the loading level (AMMS Level 3) applied for.

Risk Assessment - Low.

Increasing the load on already approved vehicle combinations will increase road wear. However, the increase in road wear is expected to be minimal.

Officer Comment

The 200 metres of Giorgi Road to which this application applies completes a haul route consisting of Main Roads (South Western Highway and others). The application is for the most efficient vehicle configuration the applicant can operate. The Tri-drive configuration will create more road wear than a more typical Tandem Drive, however this additional wear is considered to be negligibly low. However, in recognition of the fact that Tri-drives are relatively uncommon, it is recommended that approval be granted initially for a period of one year, in order to assess any impacts on the road asset.

It is recommended that the Shire imposes the standard road safety fund amount of \$300.00.

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

393-18 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council endorses the application by Tieman to operate Tri-drive RAV 3 Level 3 vehicle combinations on Giorgi Road from South Western Highway to the property access at 0.20 SLK, subject to the following conditions:

- 1. The Permit is valid for a twelve month period, from 13 December 2018 to 12 December 2019.**
- 2. Any damage to any Shire road as a result of the operations shall be repaired at the cost of Tieman.**
- 3. The Shire receives a contribution of \$300.00 (exclusive of GST) to be paid to the Shire for the Road Safety Fund for this application.**
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.**

CARRIED
7/0

Note: Cr. P R Perks left the room [6.04pm].

12.9 Title: Bunbury-Wellington 2050 Cycling Strategy

Reporting Department: *Engineering & Development Services*
Reporting Officer: *Mr James Reilly - Project Development Engineer*
Legislation: *Local Government Act 1995*

Overview

Council is requested to consider the Bunbury-Wellington 2050 Cycling Strategy and endorse the strategy. (Full document provided under separate cover to Councillors through Drop Box). The document can also be found online at:

<https://www.transport.wa.gov.au/activetransport/regional-2050-cycling-strategies.asp>

Background

The Bunbury-Wellington 2050 Cycling Strategy has been developed by the Department of Transport. This long-term, aspirational strategy reflects the priorities shared by local and State Government and is accompanied by a short-term action plan. Its aim is to help inform future investment through the Regional Bike Network Grants Program, as well as other funding sources.

Over the past five years the Shire of Dardanup has worked in partnership with the City of Bunbury, the Shire of Capel, the Shire of Collie, the Shire of Donnybrook - Balingup, the Shire of Harvey, and the Department of Transport to draft a cycling strategy outlining how the region can realise its cycling potential.

The Department of Transport recently advertised the Strategy seeking public submissions. The submission period has closed and submissions have been reviewed by the Department. The Strategy has now been finalised and the Department is now seeking endorsement from all Councils involved in the Strategy.

Legal Implications - None.

Strategic Community Plan

- Strategy 5.2.1 - To encourage physical activity by providing services and recreational facilities that encourage our community towards an active and healthy lifestyle. (Service Priority: Very High)
- Strategy 5.1.5 - A series of interconnected walkways, pathways and cycle ways that meets community needs and expectations. (Service Priority: High)
- Strategy 5.3.1 - To provide community facilities that enable a healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant community, sporting, cultural and artistic organisations an

Environment

The proposed pathways will help to reduce transport impacts on the environment

Precedents - None.

Budget Implications

Identified projects form part of the Pathway 10 Year Program.

Budget – Whole of Life Cost

The ongoing maintenance of the pathways will be the responsibility of the Shire.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The strategy has now been finalised and requires Council adoption. The strategy identifies priorities for the Bunbury-Wellington subregion over the next five years (section six of the strategy). Several have been identified for the Shire of Dardanup and have been included in the Pathway 10 Year Program.

- Upgrade the shared path on the western side of Millars Creek to primary route standard (between Chamberlain Grove and Millbridge Boulevard).
 - Develop a primary route along the Collie River's southern foreshore linking the bridges at Old Coast Road and Eaton Drive.
 - Construct a new Shared Path on the northern side of Ferguson Road linking Charlotte Street to Dardanup Oval.
 - Construct several sections of shared path along Eaton Drive (linking the Australind Bypass to the Eaton town centre).
 - Construct a shared path at the northern end of Eaton Drive linking Millbridge Boulevard to the new bridge over the Collie River.
 - Investigate the feasibility of including protected cycle lanes on Hamilton Road as part of a future major road upgrade project.
 - Construct a shared path on Chamberlain Grove in Millbridge (from Illawarra Drive), providing a connection to the Millars Creek path system.
- *Director Engineering & Development Services Comment*

The Bunbury-Wellington 2050 Cycling Strategy provides a regional level cycling strategy covering the Bunbury-Wellington district. The Strategy looks at establishing regional and district level connections; however, does not fully examine the Shire's cycling networks at a local level.

The adoption of the Strategy now highlights the need for the Shire of Dardanup to develop a cycling strategy for the whole Shire including the existing areas as well as the new (i.e. Wanju). The Shire currently has a pathway master plan which covers pedestrians and cyclists, but the cycling component could be improved with more aspirational targets and vision.

As a result of item 2.2.2.1 (Integrated Transport Planning) contained in the Shire's Corporate Business Plan and Strategy 5.1.5 in the Strategic Community Plan, the Shire's Assets Section has been tasked with developing a new cycling strategy and plan. As such plans have the ability to attract funding, it is planned to submit an application to the next round of the Regional Bicycle Network Grants Program (administered by the Department of Transport) to secure funds for the engagement of a consultant to develop the strategy and plan for the Shire. Discussions with Department of Transport staff indicate that they would be highly supportive of such an application.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

394-18 MOVED - Cr. C N Boyce SECONDED - Cr. J Dow

THAT Council:

1. **Endorses the Bunbury-Wellington 2050 Cycling Strategy.**
2. **Refer the priority actions outlined in the action plan (section 6) (Appendix ORD: 12.9) to the next review of the Long Term Financial Plan / capital works.**

CARRIED
6/0

12.10 Title: Gnomesville Master Plan

Reporting Department: Engineering & Development Services

Reporting Officer: Mr James Reilly - Project Development Engineer

Legislation: Local Government Act 1995

Overview

The Master Plan for Gnomesville has been developed following a series of meetings and workshops with the Gnomesville Master Plan Working Group. The Plan is now presented to Council for endorsement to proceed to the public consultation phase. Once adopted, the Master Plan will form the blueprint for future site development and serve as a tool to apply for grant funding to implement the outcomes of the Plan.

Background

The Gnomesville Master Plan project was discussed at the Council meeting held on 28 March 2018 whereby it was resolved [86-18] :-

THAT Council:

1. *Endorse the formation of the Gnomesville Master Plan Project Working Group reporting directly to Council to develop the Master Plan for Gnomesville.*
2. *Appoints the following as members of the project working group:*
 - a) *Shire of Dardanup Elected Members:*
 - *Cr. P Robinson;*
 - *Cr. J Dow; and*
 - *Cr. T Gardiner*
 - b) *Ferguson Valley Marketing Inc: two members; and*
 - c) *Wellington Mill Residents Association: two members.*
3. *The Chief Executive Officer to appoint Council staff as appropriate to the project.*
4. *Authorises the Chief Executive Officer to prepare and implement Terms of Reference for the project working group.*

Over that past five months the working group has developed a Master Plan for Gnomesville (Appendix ORD: 12.10) and recommend that Council endorses the plan as presented.

Legal Implications - None.

Strategic Community Plan

Strategy 4.2.2 - Develop and grow the tourism potential of Gnomesville. (Service Priority: Very High)

Environment

The plan aims to protect and rehabilitate identified natural areas including mitigating erosion, protecting remnant vegetation and assessing flora and fauna for future review.

Precedents - None.

Budget Implications

There is currently no budget allocation for the upgrade works at Gnomesville.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

At the first working group meeting held on 19 July 2018 the Working Group endorsed the following Master Plan objectives:

- *Objective 1: Boundary*

Establish a clear boundary and growth limit for Gnomesville, marked by strong, secure and attractive fencing and signage to block trespass onto private property.

- *Objective 2: Safe Access And Inclusion*

To create a safe and accessible car park and associated defined path network and amenities, to provide opportunities for visitors of all abilities to experience Gnomesville safely.

- *Objective 3: Tourist Attraction*

To enhance Gnomesville as an iconic tourist attraction, providing functional and attractive visitor amenities while retaining the sites unique character; and identifying possible future tourist site and route linkages.

- *Objective 4: Environmental Considerations*

To protect and rehabilitate identified natural areas including mitigating erosion, protecting remnant vegetation and assessing flora and fauna for future review.

- *Objective 5: Risk Mitigation*

To identify and mitigate potential site hazards and risk, ensuring that any upgrade works improve the safety for visitors and maintenance staff; including fire risk mitigation. [Site access/safety issues addressed in Objective 2].

The objectives formed the basis upon which the Master Plan was designed and on 26 November 2018 the Working Group recommended that the Chief Executive Officer prepare a report to Council recommending that the Council endorse the Gnomesville Master Plan as attached (Appendix ORD: 12.10).

After the Gnomesville Master Plan is endorsed by Council it will then be costed and projects will be placed in the 10 year plan for consideration.

There is currently no budget allocation for the upgrade works at Gnomesville and therefore funds will need to be sought to commence the implementation of the proposed works.

An application has been made to the Federal Government for the Building Better Regions Fund Infrastructure Projects Stream. This fund provides eligible organisations with grants to support projects which involve the construction of new infrastructure, or upgrade or extend existing infrastructure with the aim of creating economic and social benefits in regional and remote areas.

The application is for a Stage 1 upgrade of selected amenities and features of Gnomesville in accordance with the established Working Group objectives. The submission is for \$50,000 with a matching contribution from the Shire of \$50,000 the

total being \$100,000. The Shire's contribution of \$50,000 will be presented to the Mid-year Budget Review meeting, at which time it is expected that the outcome of the funding application will be known.

The funding project outputs have been identified as:-

- 480m² of universally accessible paths – sealed exposed aggregate concrete;
- Two concrete pram ramps for improved visitor accessibility and safety;
- 200m² of coloured asphalt bus parking bays for tourist buses;
- 97 linear metres of high road kerbing as edge to bus parking bays;
- 64m² of bitumen seal to the car park access driveway adjoining the main road;
- A small bridge 4x2m across the creek to improve accessibility and safety; and
- Updated visitor signage to provide tourist information – new sign board 2m x 1.5m.

The Shire has been advised that there is no timeframe for any outcome of the application; if the application is successful, a written offer will be sent.

It is also possible that further funding may be available, however is at the decision of the Minister to if and when this will occur.

- *Director Engineering & Development Services Comment*

Although the project has been thoroughly explored and developed by the Working Group, which is representative of the Community, and guided by the Shire's Landscape Designer (a qualified and experienced landscape architect), it is recommended that the Master Plan be put through a public consultation process. This will ensure that the Community is aware of the Master Plan and its components, providing the opportunity to submit comments on the proposal. Any feedback received will be considered by Council prior to finalisation and adoption of the Master Plan by Council.

It is proposed that the advertising commence late January through to February 2019.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

395-18 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. **Endorse the draft Gnomesville Master Plan as attached at (Appendix ORD 12.10);**
2. **Advertise the Master Plan seeking public submissions, to be presented to Council for further consideration;**

3. **Considers allocating an amount of \$50,000 as a part of the 2019/2020 budget to match the Building Better Regions Fund Infrastructure Projects Stream funding, should the Shire application be successful;**
4. **Continue to seek external funding as it becomes available to progress the implementation of the Gnomesville Master Plan; and**
5. **In regards to Point 3 above, make the amount of \$50,000 be available to commence the implementation of the Gnomesville Master Plan in the event that the Building Better Regions Fund Infrastructure Projects Stream funding application is unsuccessful.**
6. **Thank the community members and the working groups for their contribution toward the development of the Master Plan.**

CARRIED
6/0

12.11

Title: Amendment 202 to Town Planning Scheme No. 3 – Lot 500 Council Drive, Eaton and Portions of Lots 501, 507 and 1108 Recreation Drive, Eaton – Citygate Properties Pty Ltd

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Steve Potter - Manager Development Services

Legislation: Planning and Development Act 2005

DECLARATION OF INTEREST

Cr. L Davies declared a Financial Interest as a Closely Associated Person in Item 12.11 Amendment 202 to Town Planning Scheme No. 3 – Lot 500 Council Drive, Eaton and Portions of Lots 501, 507 and 1108 Recreation Drive, Eaton – Citygate Properties Pty Ltd as he works for Coles who lease space from Citygate.

Cr. L Davies left the room [6.06pm].

Overview

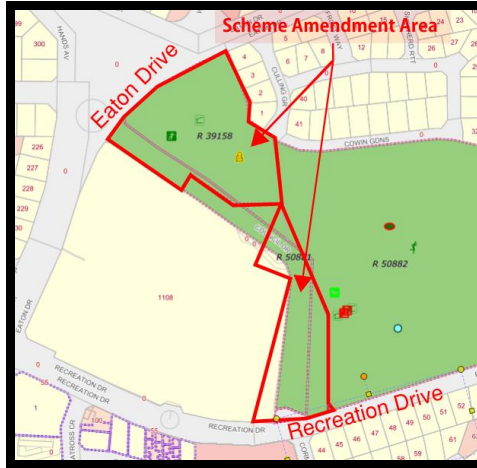
Council is requested to consider a proposed Scheme amendment (Amendment 202) to Town Planning Scheme No. 3 (TPS3) to:

- rezone Lot 500 Council Drive, Eaton and portions of Lots 501, 507 and 1108 Recreation Drive, Eaton to “District Centre”;
- include a new land use definition for “serviced apartment”; and

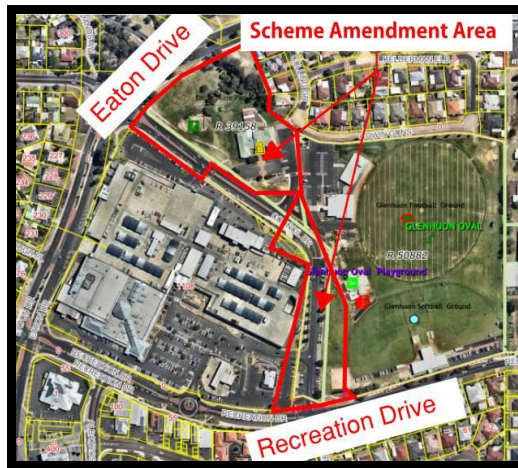
- amend the Zoning Table to include land use permissibility symbols for the new land use class.

It is recommended that Council resolves to adopt Amendment 202 to TPS3 and commence the advertising process in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).

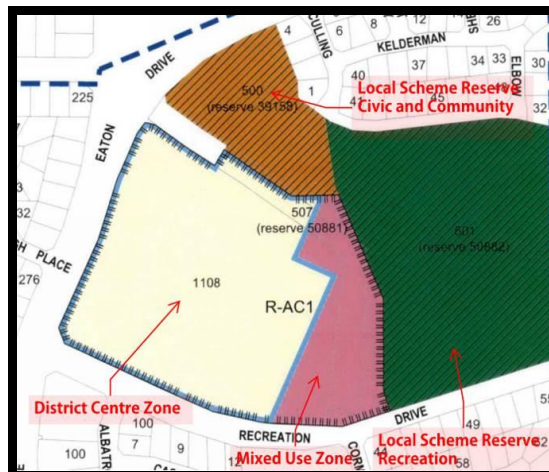
Location Plan



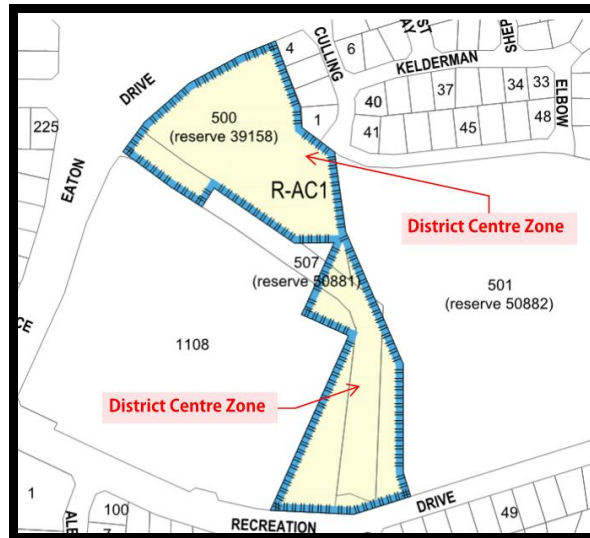
Site Plan



Current Zoning Plan



Proposed Zoning Plan



Background

On 5 October 2017 the Western Australian Planning Commission (WAPC) approved the Eaton Fair Activity Centre Plan (EFACP) providing the strategic basis for the expansion and redevelopment of the Eaton Town Centre.

On 15 June 2018 Scheme Amendment No. 194 to Town Planning Scheme No. 3 (TPS3) was gazetted which:

- Introduced a new 'District Centre' zone with corresponding objectives;
- Introduced a new 'Mixed Use' zone with corresponding objectives;
- Introduced a new local reserve for 'Civic and Community';
- Deleted an existing 'Special Development Area';
- Introduced a new 'area' - 'Eaton Fair Activity Centre Area' with corresponding provisions;
- Amended 'Appendix 1 – Zoning Table' as follows:
 - o inserted new zones 'District Centre' and 'Mixed Use' and permissibility symbols for specific land uses;
 - o deleted the uses 'Eating House', 'Extensive Retail', and all associated permissibility symbols which were replaced by the uses 'Restaurant/Cafe' and 'Bulky Goods Showroom', respectively;
 - o renamed 'Showroom' to 'Bulky Goods Showroom'; 'Restaurant' to 'Restaurant/Cafe'; 'Retail Nursery' to 'Retail Plant Nursery'; and assigned permissibility symbols;
 - o introduced permissibility symbols for the new use class 'Small Bar';
 - o deleted use permissibility symbols for 'Home Office', and inserted appropriate wording referring to the Deemed Provisions permissibility for 'Home Office', which supersede the Zoning Table; and
 - o re-ordered the use classes in alphabetical order.

- Modified the Scheme Amendment Map as follows:
 - o deleted Special Development Areas 2 and 3;
 - o rezoned the Core Precinct as depicted on the Eaton Fair Activity Centre Plan to 'District Centre';
 - o rezoned the Frame Precinct as depicted on the Eaton Fair Activity Centre Plan to 'Mixed Use';
 - o designated the extent of the Eaton Fair Activity Centre Area;
 - o reserved portion of Lot 500 (Reserve 39158) and portion of Lot 507 (Reserve 50881) for 'Civic and Community';
 - o reserved portion of Lot 501 (Reserve 50882) for 'Recreation'; and designated a density code of 'R-AC1' for the areas zoned 'District Centre' and 'Mixed Use';
 - Existing Clause 4.1.1 'Car Parking' was re-worded as follows:
 - o *"The development of car parking areas are to be consistent with the Tables under Appendix II and IIA of the Scheme, as it relates to the respective proposed land uses and zones. However, the local government will give due regard to variations as required by an activity centre plan or local development plan."*
 - Deleted the Development Guide Plan from Appendix IV - 'Additional Uses' Zones of the Scheme, relating to Portion of Lot 7 Eaton Drive, Eaton.
 - Deleted the term 'Showroom' and definition under Clause 1.8.2 and replaced all references to 'Showroom' in the text with 'Bulky Goods Showroom';
 - Inserted definitions for 'Small Bar' and 'Bulky Goods Showroom' under Clause 1.8.2;
 - Replaced the term 'Veterinary Depot' with 'Veterinary Centre' under Clause 1.8.2 and replaced all references to 'Veterinary Depot' in the text with 'Veterinary Centre'.
- *Proposed Amendments to Endorsed Eaton Fair Activity Centre Plan*

On 1 November 2018 Council received a proposal to amend various aspects of the endorsed Eaton Fair Activity Centre Plan (EFACP) with the amendments summarised as follows:

1. Replace the tables in the executive summary with a summary table using content and formatting consistent with other ACPs approved by the WAPC.
2. Remove all references to the now-superseded Eaton Town Centre Structure Plan (with the exception of background references).
3. Correct grammar of guiding principles and objectives in section 3.1.

4. Add 'short term accommodation' as a preferred use in the Core and Frame Precincts.
5. Delete the Civic and Community No.2 Precinct.
6. Expand the Core Precinct to include the Civic and Community Precinct and the Civic and Community No.2 Precinct.
7. Move the Civic and Community Precinct to a new site on the eastern side of the town square.
8. Delete requirement 3.3.3(d) requiring no buildings in the Core Precinct within 10m of the Civic and Community Precinct. Renumber the remaining requirements.
9. Replace text requiring building orientation in the Frame Precinct to be towards Glen Huon Reserve, with buildings to be oriented to public spaces where possible.
10. Apply the car parking rates in Table 1 to the Civic and Community Precinct.
11. Replace the concept plan at Appendix D with a new concept plan moved to Part One Plan 02 of the ACP. Replace all reference to a "master plan" with "concept plan".
12. Remove the text in section 3.4.2 which is inconsistent with the Activity Centres for Greater Bunbury Policy (specifically relating to eating places).
13. Replace the Civic and Community Precinct provisions. Include a new objective stating:

The objective of the Civic and Community Precinct is to provide for the relocation of the district-level civic and community facilities to a location on the edge of the town square and having an outlook to Glen Huon Reserve and for buildings which by virtue of their scale, character, operational or land requirements are complementary to and integrated with the Core Precinct and Frame Precinct.

Include a provision for ancillary uses to be considered.

Change the "general development requirements" to "general development purposes and intents" to reflect the wording used in section 6 of the Planning and Development Act 2005 relating to works by state and local governments. Prescribe the Core Precinct general development requirements to apply to the Civic and Community Precinct.

14. Remove references to the Glen Huon Masterplan.
15. Remove section 4.1, relating to a 'plan' being required prior to development.
16. Remove section 4.2, relating to reserve rationalisation being required prior to development. Renumber the remaining sections.

17. Former section 4.3 (now 4.1) – modify to require that a transport impact assessment is only required for major (not minor) development proposals. Remove reference to Council Drive.
18. Former section 4.5 (now 4.3) – modify to require that a parking strategy is only required for major (not minor) development proposals. Remove the conditions specifying specific outcomes pre-empting the parking strategy.
19. Section 1.2.3 – modify to note the historical net lettable area related to areas that the public have access to.
20. In Part Two, add a new section 1.2.4 which sets out background to policy development on activity centres.
21. Section 1.2.4 is renumbered to section 1.2.5. Remove reference to the October 2015 resolution, and include reference to Council's May 2018 resolution to sell Lot 500 to Citygate Properties Pty Ltd.
22. In section 2.1.1.3, remove reference to the Development zone, Other Community zone, Additional Use 16 and Special Development Areas. Insert reference to the District Centre zone, Mixed Use zone, and clause 3.19.1 of TPS3. Modify Additional Use 19 by removing reference to Amendment 188.
23. Update section 2.1.3 to reflect the catchment areas identified in the Retail Sustainability Assessment.
24. Update section 2.2.3 demographic profile.
25. In section 2.2.4.4, insert references to the Civic and Community Precinct being zoned for District Centre.
26. Update bus routes. Add reference to bus stops in the northern periphery of the ACP area.
27. Update section 3.5.1 to reflect the ACP being consistent with Scenario 1 of the Eaton Traffic Study (through route between Recreation Drive and Eaton Drive).
28. Update section 4.3.2 with the dwelling target to reflect changes to precinct boundaries.
29. Update section 4.1.1 to include reference to the Retail Sustainability Assessment, and remove reference to the superseded Trade Area Analysis and Market Opportunity.
30. Update Table 7 with mix of land use floor space information from the Retail Sustainability Assessment.
31. Update section 4.2.1 to reflect employment figures in the Retail Sustainability Assessment.
32. Update section 4.3.2 with updated information on areas which could be developed with dwellings.

33. Update section 4.5 to state smaller-scale bulky goods retailing is appropriate to meet the diversity target.
34. Section 7.2 – updating staging strategy.

Amongst other considerations, the amendments to the endorsed EFACP as listed above provide strategic justification for the Shire to purchase Lot 500 from the Crown and on-sell it to Citygate Properties in accordance with the signed Heads of Agreement between the two parties.

The Minister for Planning, Lands and Heritage has been consulted on the proposal for the Shire to:

- Purchase Lot 500 from the Crown;
- On-sell Lot 500 to Citygate Properties in conjunction with a land-swap arrangement to create a 3,000m² parcel of land adjacent to the future town square for the construction of a new Shire administration building and library; and
- Use funds from the sale of Lot 500 to partially fund the new Shire administration building and library.

The Shire has received written advice from the Minister who has provided 'in principle' support for the proposal subject to the Shire:

- demonstrating that the proposal has Western Australian Planning Commission support for the amendment of the Eaton Fair Activity Centre Plan to include the proposed changes to Lot 601 (future balance of Lot 500), and the relocation of the administration buildings and associated services; and
- undertaking public consultation for the proposed disposal providing the opportunity for submissions prior to a final decision by Council.

Whilst related to the Scheme amendment process the subject of this report, the amendments proposed to the EFACP as outlined above are dealt with under a separate part of the Regulations. In consultation with the applicant, it has been determined that it is appropriate to advertise both the proposed modifications to the EFACP and the Scheme Amendment concurrently as both proposals are interrelated and dependent upon one another.

It is considered the legislated advertising requirements under the Regulations for the Scheme amendment and amendments to the EFACP, plus additional advertising for the proposed disposal of land under the *Local Government Act 1995* and *Land Administration Act 1997* will adequately address the public consultation requirements of the Minister. It is noted that a Business Case associated with the above has also previously been the subject of advertising with one submission received.

- *Scheme Amendment 202*

On 15 November 2018 Council received Scheme Amendment 202 which proposes the following:

1. Modifying the Scheme Map by rezoning Lot 500 Council Drive, Eaton and portions of Lots 501, 507 and 1108 Recreation Drive, Eaton, to 'District Centre' with an assigned density code of R-AC1, as shown on the Scheme Amendment Map.
2. Modifying clause 1.8.2 by adding the following definition after 'service station' and before 'shop':

“serviced apartment means a group of units or apartments providing —
 (a) self-contained short stay accommodation for guests; and
 (b) any associated reception or recreational facilities;”

3. Amending 'Appendix 1 – Zoning Table' by:
 - (i) introducing permissibility symbols for the new use class 'Serviced Apartment' as set out below:

Use/CLASS	ADDITIONAL USE	BUSINESS - COMMERCIAL	CAR PARK	DEVELOPMENT	DISTRICT CENTRE	FORESTRY	GENERAL INDUSTRY	GENERAL FARMING	LIGHT INDUSTRY	MIXED BUSINESS	MIXED USE	NOXIOUS & HAZARDOUS	OTHER COMMUNITY	PUBLIC UTILITIES	RECREATION	RESIDENTIAL	RESTRICTED USE	SCHOOL	SHORT STAY RESIDENTIAL	SMALL HOLDING	TOURIST
Serviced Apartment	#	D	X	#	D	X	X	X	X	X	D	X	X	X	X	X	#	X	D	X	D

- (ii) to amend the permissibility of the following uses in the District Centre zone:

- Bulky goods showroom – from 'X' to 'D'.
- Industry – Service – from 'X' to 'P'.
- Motor vehicle repair – from 'X' to 'A'.
- Motor vehicle, boat or caravan sales – from 'X' to 'A'.
- Retail plant nursery – from 'X' to 'D'.
- Service station – from 'X' to 'A'.

A full copy of the amendment documents are provided in (Appendix ORD:12.11).

Legal Implications - None.

Strategic Community Plan

- Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High)
- Strategy 1.5.2 - Foster strategic alliance with major industry groups and government agencies. (Service Priority: High)
- Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

Environment

The scheme amendment will need to be referred to the EPA prior to the application being advertised for public comment.

Precedents

Council and the WAPC previously supported the Eaton Fair Activity Centre Plan and associated Scheme Amendment 194.

Budget Implications

Council and Citygate Properties have signed a Heads of Agreement facilitating the future purchase of Lot 500 by the Shire from the Crown and the subsequent sale of the property to Citygate Properties, subject to obtaining all necessary approvals.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The following section provides an assessment of the proposed Scheme Amendment No. 202 under various planning documents relevant to the proposal. In addition, the proposed changes to existing land use permissibility levels are addressed.

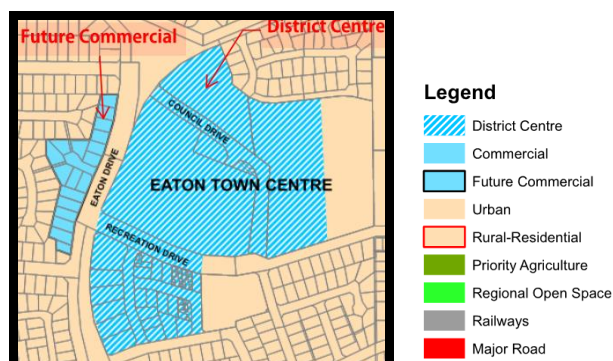
- *Shire of Dardanup Local Planning Strategy*

The Shire of Dardanup *Local Planning Strategy* (LPS) was endorsed by the Western Australian Planning Commission (WAPC) in May 2015. The LPS provides the following statement under '*Section 3.4 – Retail and Commercial*':

'The Strategy recommends the expansion of the Eaton Town Centre Boundary in order to provide a fully functional activity centre as per the Activity Centres for Greater Bunbury Policy...'

'The Strategy recommends rezoning the Eaton Town Centre area to identify its hierarchy as a District Centre.'

Below is an excerpt of Map 2.4 from the Local Planning Strategy which identifies the land the subject of Amendment 202 (including Lot 500) for inclusion in the District Centre.



Officers consider that proposed Amendment 202 is consistent with the LPS.

- *Planning and Development (Local Planning Scheme) Regulations 2015 – ‘Standard Amendment’*

Pursuant to Pt. 5, Div. 1, R. 35 (2) of the Regulations and where Council resolves to adopt an amendment to a local planning scheme, the resolution must specify whether, in the opinion of the local government, the amendment is complex, standard or basic. The Regulations provides criteria for each amendment type. Officers have assessed the proposal against the provisions of the Regulations and consider that Amendment 202 is consistent with a ‘Standard Amendment’ for the following reason:

- b) The amendment is consistent with the Shire’s Local Planning Strategy for the scheme which has been endorsed by the Commission.*

- *Proposed Land Use Permissibility Changes*

It is noted that under the proposed changes the ‘Mixed Use’ zone will disappear in the Eaton Town Centre, to be replaced with ‘District Centre’ zone which will apply to an increased area. There are currently some differences between the two zones with regard to land use permissibility levels and development provisions.

As the current proposal will result in a single zone applying to all of the applicable land, it follows that there needs to be consideration as to the appropriate permissibility levels when the two zones are combined. The applicant has proposed changes to enable uses that were previously not permitted in the ‘District Centre’ zone to now be permitted and/or to modify the permissibility levels in some cases with all changes reflected in the following table:

Use Class	Mixed Use Zone Current Permissibility under TPS3	District Centre Zone Current Permissibility under TPS3	District Centre Zone Proposed permissibility under Amd. 202
Bulky goods showroom	P	X	D
Convenience Store	X	X	P
Fast Food Outlet	A	P	P
Liquor Store	A	P	P
Lunch Bar	A	P	P
Motor vehicle repair	A	X	A
Motor vehicle, boat or caravan sales	A	X	A
Restaurant/Café	D	P	P
Retail plant nursery	D	X	D
Service Industry	X	X	P
Serviced Apartments			D
Service station	A	X	A
Shop	X	P	P
Small Bar	D	P	P
Tavern	D	P	P

The table reflects that there are six land uses that were not previously permitted in the ‘District Centre’ zone (previously ‘X’ uses) that are now proposed to be:

- *Permitted (‘P’) -*
 - o Convenience Store

- *Discretionary ('D') -*
 - o Bulky goods showroom
 - o Retail plant nursery

- *Advertised ('A') -*
 - o Motor vehicle repair
 - o Motor vehicle, boat or caravan sales
 - o Service station

There are also six land uses that were previously discretionary 'D' and advertised 'A' uses in the 'Mixed Use' zone that are now proposed to be permitted 'P' uses in to the 'District Centre' zone. A 'Shop' was not previously permitted in the 'Mixed Use' zone, however was permitted in the 'District Centre' zone and is proposed to remain so.

TPS3 does not currently permit the land use of 'Industry-Service' in the 'District Centre' zone. The applicant contends that this land use includes uses such as bakeries, cake stores, phone repairs, tailors and clothing alterations, shoe repairs, key cutting and watch servicing which all have a manufacture or repair component with a retail shop front commonly found in activity centres. The proposal is to include it as a 'P' use in the District Centre.

Amendment 202 introduces a new use class for 'serviced apartments' with the definition consistent with the model provisions of the Regulations. It is proposed to be a 'D' use in the 'Business – Commercial', 'District Centre', 'Mixed Use', 'Short Stay Residential' and 'Tourist' zones and not permitted in all other zones.

At this stage officers have not fully determined a position on the proposed changes as outlined above and will undertake a full assessment of the proposed permissibility levels and address this aspect in greater detail when the final report is presented to Council subsequent to the advertising period.

It is recommended that Council resolves to adopt Scheme Amendment No. 202 to TPS3 and commence the advertising process in accordance with the Regulations, which will involve referring the Scheme Amendment to the EPA and WAPC prior to advertising. Once approval is granted to commence advertising, both the Scheme Amendment and the proposed modifications to the EFACP will be advertised concurrently, with a further report being brought back to Council in the future for final consideration.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

396-18 MOVED - Cr. J Dow SECONDED - Cr. P S Robinson

THAT Council:

1. Resolves to adopt for advertising Scheme Amendment No. 202 to the Shire of Dardanup Town Planning Scheme No. 3 by:
 - a) Modifying the Scheme Map by rezoning Lot 500 Council Drive, Eaton and portion of Lots 501, 507 and 1108 Recreation Drive, Eaton, to 'District Centre' with an assigned density code of R-AC1, as shown on the Scheme Amendment Map.
 - b) Modifying clause 1.8.2 by adding the following definition after 'service station' and before 'shop':

“serviced apartment means a group of units or apartments providing —

 - (a) self-contained short stay accommodation for guests; and*
 - (b) any associated reception or recreational facilities;”*
 - c) Amending 'Appendix 1 – Zoning Table' by:
 - i. introducing permissibility symbols for the new use class 'Serviced Apartment' as set out below:

<i>Use/CLASS</i>	ADDITIONAL USE	BUSINESS - COMMERCIAL	CAR PARK	DEVELOPMENT	DISTRICT CENTRE	FORESTRY	GENERAL INDUSTRY	GENERAL FARMING	LIGHT INDUSTRY	MIXED BUSINESS	MIXED USE	NOXIOUS & HAZARDOUS	OTHER COMMUNITY	PUBLIC UTILITIES	RECREATION	RESIDENTIAL	RESTRICTED USE	SCHOOL	SHORT STAY RESIDENTIAL	SMALL HOLDING	TOURIST
<i>Serviced Apartment</i>	#	D	X	#	D	X	X	X	X	X	D	X	X	X	X	X	#	X	D	X	D

- ii. amending the permissibility of the following uses in the District Centre zone:
 - Bulky goods showroom – from 'X' to 'D'.
 - Industry – Service – from 'X' to 'P'.
 - Motor vehicle repair – from 'X' to 'A'.
 - Motor vehicle, boat or caravan sales – from 'X' to 'A'.
 - Retail plant nursery – from 'X' to 'D'.
 - Service station – from 'X' to 'A'.

2. **Resolves that pursuant to Pt. 5, Div. 1, R. 35 (2) of the *Planning and Development (Local Planning Scheme) Regulations 2015* Scheme Amendment No. 202 is a 'standard amendment' for the following reason:**
 - b) **The amendment is consistent with the Shire's Local Planning Strategy for the scheme which has been endorsed by the Commission.**
3. **Advertises Scheme Amendment No. 202 in accordance with Pt. 5, Div. 3, R. 47 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.**

CARRIED
4/1

Note: Cr. L Davies and Cr. P R Perks returned the room [6.07pm].

12.12 *Title: Request for Shire of Dardanup Support: Memorandum of Understanding (MoU) for Mutual Support in Planning and Responding to Bushfires Within or Near Plantation Estates and Other Bushfire as Required*

Reporting Department: Engineering & Development Services
Reporting Officer: Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services
Legislation: Bush Fires Act 1954

Overview

Council has received a request from the Department of Fire and Emergency Services (DFES) to be party to a Memorandum of Understanding (MoU) involving DFES; Forest Industries Federation (WA) Inc.; Department of Biodiversity, Conservation and Attractions (Parks and Wildlife Service); and participating local governments to establish mutual emergency response capability arrangements for:

- bushfires within or near plantation estates; and
- bushfires not impacting plantation estates but where plantation resources may be requested to support the local bush firefighting response.

It is recommended that Council agrees to enter into the MoU to facilitate cooperation between relevant agencies and provide a coordinated response to bushfires within the Shire of Dardanup.

Background

The Department of Fire and Emergency Services (DFES) has developed an MoU in consultation with the Department of Biodiversity, Conservation and Attractions (DBCA) and the Forest Industries Federation Western Australia to address the sharing of resources during bushfires (Appendix ORD: 12.12).

The MoU was developed in response to Recommendation 9 of the *Reframing Rural Fire Management: Report of the Special Inquiry into the January 2016 Waroona Fire* which states:

Recommendation 9:

The State Emergency Management Committee, in consultation with Western Australian Farmers Federation, the Association of Bush Fire Brigades, the Contractors Association of WA, and the Forest Industries Federation of WA, to establish systems for the voluntary registration of:

- farmer firefighting units;
- contractor firefighting resources; and
- forestry industry brigades.

The purpose of this arrangement is to facilitate the safe, efficient and effective recognition, organisation, deployment, management and coordination of farmer, contractor and forestry firefighter resources. The systems would include a process for enabling access through traffic management points during bushfires. Progress towards establishing these systems are to be reported by State Emergency Management Committee in its annual preparedness report.

The MOU will address overarching arrangements for bushfire response between Plantation Managers and State fire agencies, particularly in relation to:

1. Detection;
2. Mobilisation and Response;
3. Command and Control;
4. Communications;
5. Equipment;
6. Training and Exercising;
7. OSH; and
8. Financial arrangements.

The correspondence from DFES indicates that the purpose of the proposed MoU is to establish mutual emergency response capability arrangements for bushfires within or near plantation estates and for bushfires where plantation resources may be used to support the local bush firefighting response. It addresses overarching arrangements for bushfire response between Plantation Managers, State fire agencies and bush fire brigades.

Further it states that local governments play a critical role in bushfire response and capability through the turnout of local bush fire brigades particularly in regional areas.

The Shire of Dardanup has been identified as having a plantation estate/s within its boundaries. DFES therefore considers the participation of the Shire of Dardanup in

this MoU would be beneficial for and will strengthen the local bushfire fighting response.

Legal Implications - None.

Strategic Community Plan

- Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High)
- Strategy 1.5.2 - Foster strategic alliance with major industry groups and government agencies. (Service Priority: High)
- Strategy 2.1.1 - To protect and preserve open spaces, natural vegetation and bushland. (Service Priority: Very High)
- Strategy 3.5.1 - To protect public health and safety. (Service Priority: High)
- Strategy 3.4.2 - Maintain appropriate emergency services and planning. (Service Priority: Very High)
- Strategy 3.4.1 - To enable community safety and a sense of security. (Service Priority: Very High)
- Strategy 3.3.2 - Support volunteer groups within the Shire of Dardanup. (Service Priority: High)

Environment

Additional support may reduce or remove a perceived threat caused by bushfire, to environmental biodiversity.

Precedents - None.

Budget Implications

Clause 4.10 *Financial Arrangements* of the MoU states the following:

- 4.10.1 *Plantation Managers will not charge DFES, DBCA or Local Governments for attendance at bushfires for the purpose of extinguishing and preventing the spread of fire within or near plantation estates. Costs may apply for the mop up activities in accordance with the Plantation Managers Fire Agreement.*
- 4.10.2 *Plantation Managers may charge a fee for service for attendance at bushfires not impacting plantation estates.*

It is noted that the draft MoU does not specify fees that would be charged as indicated above however makes reference to the *Plantation Managers Fire Agreement* which forms an appendix to the document and contains the following service rates which are applicable when Plantation Managers assist each other:

- Staff: \$60.00/hr flat rate
- Fast Attacks: \$1.20/km
- Heavy Fleet: \$2.50/km

Officers recommend the Shire's support for entering into the MoU be subject to the above rates also being applied to participating local governments and forming part of the MoU.

Budget – Whole of Life Cost - Nil.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The possibility of bushfire within the Shire of Dardanup is very high due to the rural nature, undulating topography and extent of State forest within the Shire.

The additional preparedness for emergency response that would result from the MoU will provide a range of benefits. Access to, and coordination of, additional resources and experienced personnel has the capacity to increase the timeliness and effectiveness of the response to bushfires in and around plantations, and minimise the potential adverse impacts to life, property and local flora and fauna.

Officers have reviewed the MoU document which is comprehensive in nature and addresses the breadth of matters commensurate with an agreement of this type. As a result of the tangible benefits to the community of the Shire participating in the MoU, it is recommended for Council's support.

Council Role - Advocacy.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

397-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. **Advises the Department of Fire and Emergency Services (DFES) that the Shire of Dardanup is supportive of being a party to the Memorandum of Understanding entitled: 'Mutual Support in Planning and Responding to Bushfires Within or Near Plantation Estates and Other Bushfire as Required' (as contained in (Appendix ORD: 12.12) subject to the following inclusion within the document:**
 - a) **Service rates applicable to local governments for Plantation Manager attendance at cost incurring activities pursuant to Clauses 4.10.1 and 4.10.2 to be as follows:**
 - **Staff: \$60.00/hr flat rate**
 - **Fast Attacks: \$1.20/km**
 - **Heavy Fleet: \$2.50/km**

2. **Subject to the amendment contained in Resolution 1, authorises the Chief Executive Officer to sign the final Memorandum of Understanding document on behalf of the Shire of Dardanup Council.**

CARRIED
7/0

12.13 *Pony Club WA State Tetrathlon Championships 2019 - Minor Community Event Assistance Financial Request*

Reporting Department: Corporate and Community Services
Reporting Officer: Ms Lee Holben - Manager Community Services
Legislation: Local Government Act 1995

Overview

The Pony Club WA requests that the Shire of Dardanup consider the Minor Community Event Assistance application for financial support (\$1,000) for their State Tetrathlon 2019.

Background

The Annual State Tetrathlon Championships is based on the Olympic Modern Pentathlon, which consists of five phases: riding, shooting, fencing and swimming. The Pony Club competition excludes fencing because of the complexity and time involved leaving: riding, running, shooting and swimming.

Age categories include: 12 years and under, 13 to 16 years, 17 to 24 years and open.

It is a challenging competition, held over two days, which combines horsemanship and general athletic ability.

The 2017 event held in Serpentine had approximately 200 participants and spectators.

Legal Implications

Local Government Act 1995

Local Government (Financial Management) 1996

Part 2, Regulation 5 (1) (g) of the *Local Government (Financial Management) 1996*
Regulation states:

5. CEO's duties as to financial management

- (1) *Efficient systems and procedures are to be established by the CEO of a local government —*
- (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*

Strategic Community Plan

- Strategy 3.2.1 - To encourage social connectedness in our community through participation in positive social networks, interaction and events. (Service Priority: Very High)
- Strategy 3.3.1 - To promote and encourage volunteering within the Shire of Dardanup. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications

The 2018/2019 Budget allocation for Minor Community Event Assistance has a total allocation of \$32,252 with a current available balance of \$6,254.58. This financial request, if supported will be allocated from this budget allocation.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

- *Reputational Risk*

If the request is not supported the Shire may be seen in a negative light.

Officer Comment

The aim of Pony Clubs is to promote the physical and mental development of young people by encouraging sportsmanship and good citizenship, and providing opportunities for young riders to gain knowledge and become proficient in their chosen equestrian sport.

Entry for spectators is free, providing an opportunity for families to see what the local Pony Club has to offer and further expand the equine sport at the Dardanup Equestrian Centre.

The event is supported by approximately 100 volunteers with 30 from the Dardanup Horse and Pony Club.

The event is held yearly at different Pony Club venues.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

398-18 MOVED - Cr. M T Bennett SECONDED - Cr. J Dow

THAT Council:

1. **Supports the financial request from the Pony Club WA of \$1,000 for financial contribution towards the Pony Club WA State Tetrathlon Championships 2019 to be held on the weekend of the 30 and 31 March 2019.**
2. **Provide the funds on the condition that The Pony Club WA provide an undertaking in writing to return the funds if the event doesn't proceed.**

CARRIED
6/1

12.14 Title: Schedule of Paid Accounts as at 12 December 2018

Reporting Department: Corporate & Community Services

*Reporting Officer: Mrs Renée Thomson– Accounts Payable Officer
Mr Ray Pryce – Accountant Financial Services*

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

Overview

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

Background

Council delegates authority to the Chief Executive Officer annually:

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

Legal Implications*Local Government Act 1995*

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

(1) A payment may only be made from the municipal fund or the trust fund —

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

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

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

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment - Low.

Officer Comment

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

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

399-18 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

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

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
ELECTRONIC FUNDS TRANSFER					
EFT31364	15/11/2018	Agostino Princi	Refund Of Kerb Deposit - Lot 442 Hamilton Road (A1449)	TRUST	630.00
EFT31365	15/11/2018	B & V Henson	Refund Of Cat Cage Hire - 8 Kalang Way	TRUST	150.00
EFT31366	15/11/2018	Advanced Pest Control SW	Absorbent Odour Bags For Under Transportable	MUNI	50.01
EFT31367	15/11/2018	Alex Carter-Raftos	Umpire Recoup - Basketball 14-Nov-2018	MUNI	66.00
EFT31368	15/11/2018	Amelia Kaitani	Umpire Recoup - Netball 13-Nov-2018	MUNI	126.00
EFT31369	15/11/2018	Angela Winter	First Aid Training 26 November 2018 For B Cox, R Kamo, A Sheppard, P Laskowski	MUNI	440.00
EFT31370	15/11/2018	Australian Tax Office	PAYG Withholding Payroll Deduction - 16-11-18	MUNI	72,040.00
EFT31371	15/11/2018	Blackwoods	Safety Glasses Depot x 35	MUNI	328.56
EFT31372	15/11/2018	Bluesteel Enterprises Pty Ltd	Various Fire & Safety Equipment	MUNI	2,774.20
EFT31373	15/11/2018	Boyles Plumbing And Gas	Backflow Device Testing - Hutchison Road, Burekup	MUNI	198.00
EFT31374	15/11/2018	Brandicoot	Use Of Web Services And Support, Newsletter Subscription, Facebook And Twitter	MUNI	524.99
EFT31375	15/11/2018	Brownes Foods Operations Pty Ltd	ERC - Stock Purchase - Dairy/Milk Order	MUNI	88.61
EFT31376	15/11/2018	Bunbury Face Painting And Entertainment	Face Painting & Bubbles - Spring Out Festival 2018	MUNI	885.00
EFT31377	15/11/2018	Bunbury Psychological Services	Counselling Services - EAP	MUNI	154.00
EFT31378	15/11/2018	Bunnings Group Limited	Replacement Battery And Parts For Depot Safety	MUNI	286.79

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31379	15/11/2018	Bushfire Solutions South West	BAL Assessment - Waste Transfer Station - Banksia Road	MUNI	380.00
EFT31380	15/11/2018	Caltex Australia Petroleum Pty Ltd	Fuel - Shire of Dardanup Fleet	MUNI	21,995.27
EFT31381	15/11/2018	Carbone Brothers Pty Ltd	Supply Gravel For Shoulder Works 2,800 Tonne @ 18.50 Per Tonne Inc. GST.	MUNI	28,925.72
EFT31382	15/11/2018	Cardno (WA) Pty Ltd	Eaton Drive Traffic Study 2018 - Traffic Impact Assessment Eaton Dve & Pratt Rd	MUNI	11,000.00
EFT31383	15/11/2018	CB Traffic Solutions	Traffic management for Ferguson Rd, Crooked Brook, Martin Pelusey - 4 Invoices	MUNI	22,887.70
EFT31384	15/11/2018	Cineads Australia Pty Ltd	Cineads Monthly Fee	MUNI	1,100.00
EFT31385	15/11/2018	Coca-Cola Amatil Australia Pty Ltd	ERC - Cafe Stock Purchases	MUNI	131.31
EFT31386	15/11/2018	Construction Training Fund : Bcift	BCITF - October 2018 Reconciliation	MUNI	6,014.32
EFT31387	15/11/2018	Courier Australia	Postage And Freight - Health Department	MUNI	34.55
EFT31388	15/11/2018	Craven Foods	ERC - Cafe Stock	MUNI	663.29
EFT31389	15/11/2018	CS Legal	Legal Costs Incurred - Recovery Of Unpaid Rates (GST Inclusive)	MUNI	846.60
EFT31390	15/11/2018	Damon Thompson	Umpire Recoup - Basketball 14-Nov-2018	MUNI	66.00
EFT31391	15/11/2018	Dapco Tyre And Auto Centre	0 DA - 50,000 Km Service	MUNI	656.73
EFT31392	15/11/2018	Darby Sidebotham	Umpire Recoup - Netball 12-Nov-2018	MUNI	157.50
EFT31393	15/11/2018	David Rawet	Live Music In The Library - October	MUNI	100.00
EFT31394	15/11/2018	Debra Rodden	Yoga Instruction Classes at ERC 31/10 & 7/11	MUNI	120.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31395	15/11/2018	Dogs In Sync	Canine Massage Workshop - November	MUNI	300.00
EFT31396	15/11/2018	Donna Bastow	Umpire Recoup - Basketball 14-Nov-2018	MUNI	198.00
EFT31397	15/11/2018	Drummond Catering	Catering For Council Meeting Wednesday 31/10 10 People At \$40 Per Head	MUNI	400.00
EFT31398	15/11/2018	Eaton Pet Vet	Feline Euth And Burial x 3	MUNI	75.00
EFT31399	15/11/2018	Economic Development Australia	Cr Bennett - Webinar - 4 December	MUNI	25.00
EFT31400	15/11/2018	Emma Woollams	Umpire Recoup - Netball 12-Nov-2018	MUNI	88.00
EFT31401	15/11/2018	Evelyn Butchart	Supply And Delivery Of Morning Tea For Gnomesville Project Commencement	MUNI	207.00
EFT31402	15/11/2018	Ferguson Building Pty Ltd	Replace Ceiling In Ferguson BFB Training Room	MUNI	2,500.00
EFT31403	15/11/2018	Fire & Safety WA	Various Fire & Safety Equipment	MUNI	298.84
EFT31404	15/11/2018	Guardians Of Happiness	Children's Workshops - September/October	MUNI	990.00
EFT31405	15/11/2018	Health Insurance Fund Of WA	Payroll Deductions	MUNI	205.70
EFT31406	15/11/2018	Heatleys	Disposable Gloves - Various Sizes	MUNI	131.81
EFT31407	15/11/2018	Helen Ammon	Staff Lunch Reimbursement - Visiting Perth Libraries	MUNI	15.90
EFT31408	15/11/2018	Isubscribe Pty Ltd	Magazines Subscriptions For The Eaton & Dardanup Libraries - 12 Months	MUNI	1,114.91
EFT31409	15/11/2018	Jetline Kerbing Contractors	Variation - Change Kerb Specification Golding Crescent Picton	MUNI	21,521.50
EFT31410	15/11/2018	Jo Jingles South West	Early Learning Programs - November	MUNI	3,542.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31411	15/11/2018	Josie Phillips	Umpire Recoup - Netball 12-Nov-2018	MUNI	90.00
EFT31412	15/11/2018	Kenny Pomare	Umpire Recoup - Basketball 14-Nov-2018	MUNI	176.00
EFT31413	15/11/2018	Kyle Jones	Umpire Recoup - Basketball 14-Nov-2018	MUNI	66.00
EFT31414	15/11/2018	Lantzke Jaxon	Umpire Recoup - Basketball 14-Nov-2018	MUNI	22.00
EFT31415	15/11/2018	Les Mills Asia Pacific	Monthly Music Licence Fees	MUNI	1,197.88
EFT31416	15/11/2018	Lesley McEvoy	Crossover Rebate - 59 Evolution Loop	MUNI	223.00
EFT31417	15/11/2018	Marie Wilkinson	Macramé Keychains, Gift Wrap & Red Poppy - November Workshops	MUNI	650.00
EFT31418	15/11/2018	Mckayhla Pomare	Umpire Recoup - Basketball 14-Nov-2018	MUNI	110.00
EFT31419	15/11/2018	Modern Teaching Aids Pty Ltd	ERC - Vacation Care And Crèche Toys	MUNI	867.45
EFT31420	15/11/2018	Monique's Holistic Reflexology	Hand Reflexology Workshop - November	MUNI	140.00
EFT31421	15/11/2018	Naturaliste Turf	Turf Renovation To Dardanup Oval 22/10 - 25/10 & Glen Huon Oval 08/10 - 10/10	MUNI	13,028.40
EFT31422	15/11/2018	NEC IT Solutions Australia	Tardis Support- Security Feature Upgrade	MUNI	412.50
EFT31423	15/11/2018	Pages Mechanical Repairs	Mitsubishi Tip Truck - 155,000 Km Service - DA9513	MUNI	807.33
EFT31424	15/11/2018	Peter Hill	Umpire Recoup - Basketball 14-Nov-2018	MUNI	88.00
EFT31425	15/11/2018	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	377.85
EFT31426	15/11/2018	Pollen Nation	Dried Native Ornaments & Teacup Posies (Seniors Day) - November	MUNI	607.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31427	15/11/2018	Promote You	Staff Polo Top Order x 24	MUNI	650.10
EFT31428	15/11/2018	Rhiannon Sarah Skye Truss & Michael Christensen	Crossover Rebate - 16 Myanore Way A11288	MUNI	254.00
EFT31429	15/11/2018	RJ Pestell Family Trust Ta Subway	Lunch For Special Council Meeting Held 20 June 2018	MUNI	90.00
EFT31430	15/11/2018	Rommel Reyes Salar	Crossover Rebate - 3 Robusta Road (A11268)	MUNI	223.00
EFT31431	15/11/2018	Roy George Brace	Personal Development Grant - Lewis Brace - Soccer Tour	MUNI	400.00
EFT31432	15/11/2018	Reface Industries	Disk Buffer Essential Parts: Repair And Maintenance Of Disk Buffing Machine.	MUNI	482.11
EFT31433	15/11/2018	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	239.41
EFT31434	15/11/2018	Simient Pty Ltd	Lanteria Implementation Project Costs	MUNI	192.50
EFT31435	15/11/2018	SMR Psychology	Employee Assistance Program - Admin O/H Mun	MUNI	280.50
EFT31436	15/11/2018	Sophie Docker	Umpire Recoup - Netball 13-Nov-2018	MUNI	90.00
EFT31437	15/11/2018	SOS Office Equipment	Photocopier Meter Reading - Monthly maintenance Eaton Library	MUNI	48.36
EFT31438	15/11/2018	South West Fire	Service & Delivery of 2Waterloo Light Tanker Plus over expenditure on services	MUNI	10,361.28
EFT31439	15/11/2018	Sportspower Bunbury	15 Orange And 10 Grey Microbands - Eaton Rec Centre	MUNI	299.80
EFT31440	15/11/2018	Suzanne Gratwick	Staff Lunch Reimbursement - Perth Libraries Visit	MUNI	14.90
EFT31441	15/11/2018	Synergy	Townsite Street Lights - Plus various locations	MUNI	31,979.35

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31442	15/11/2018	Szymas Motortrimmers And Upholsterers	ERC – Reupholster/Repair Calf Raise Pads/ Hs Leg Curl Seat And Leg Pads.	MUNI	390.00
EFT31443	15/11/2018	T & V Fencing	Fence Repair To Bobbin Street Depot	MUNI	1,437.70
EFT31444	15/11/2018	Telstra	Dardanup Office Fax	MUNI	126.59
EFT31445	15/11/2018	The Print Shop	A5 Carbonless Seizure Dog Registration Forms	MUNI	369.00
EFT31446	15/11/2018	Therese Price	Umpire Recoup - Netball 13-Nov-2018	MUNI	120.00
EFT31447	15/11/2018	Tracey Tupaea	Umpire Recoup - Netball 12-Nov-2018	MUNI	154.00
EFT31448	15/11/2018	Vanessa Black	Umpire Recoup - Netball 12-Nov-2018	MUNI	157.50
EFT31449	15/11/2018	Water Corporation	Water Use And Service Charges For Lot 90 Swan Avenue, Millbridge 1/11 – 31/12	MUNI	162.22
EFT31450	15/11/2018	Woolworths Group Limited	Stock For Staff Kitchen	MUNI	396.32
EFT31451	15/11/2018	Work Clobber	Uniform Trousers x 3	MUNI	183.61
EFT31452	15/11/2018	X5 Academy	X5 Free Run Work Shop And Demos - Spring Out 2018	MUNI	600.00
EFT31453	22/11/2018	Access Wellbeing Services	EAP Consultations x 2	MUNI	374.00
EFT31454	22/11/2018	Alex Carter-Raftos	Umpire Recoup - Basketball 21-11-2018	MUNI	44.00
EFT31455	22/11/2018	Alice Baldock	Staff Uniform Reimbursement	MUNI	58.96
EFT31456	22/11/2018	Amity Signs	Gnomesville Signs x 3	MUNI	293.70
EFT31457	22/11/2018	Animal Pest Management Services	Inspect / Remove Possible Dead Animal Under Admin Transportable.	MUNI	123.75

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31458	22/11/2018	Bill Gordon	Entertainment - Seniors Celebration Day 2018	MUNI	150.00
EFT31459	22/11/2018	Birdlife Australia	2018 Aussie Backyard Bird Count Emu Package Including Training	MUNI	880.00
EFT31460	22/11/2018	Blackwoods	Squwinchers - Hydration Replenishment	MUNI	260.87
EFT31461	22/11/2018	Brandicoot	Web Services And Support, Newsletter Subscription, Facebook And Twitter - Wanju	MUNI	99.00
EFT31462	22/11/2018	Brownes Foods Operations Pty Ltd	ERC - Milk Order	MUNI	127.82
EFT31463	22/11/2018	Building Commission	BRB - October 2018 Reconciliation	MUNI	7,573.61
EFT31464	22/11/2018	Bunbury Basketball Association	Kidsport - Jordyn Hampton, Kobie Hampton & Mia Hampton - Ks026785	MUNI	495.00
EFT31465	22/11/2018	Bunbury Bearings	4 Wheel Bearing For Tractor Slasher Wheel Repair.	MUNI	35.20
EFT31466	22/11/2018	Bunbury Coffee Machines	ERC - Cafe Order	MUNI	254.00
EFT31467	22/11/2018	Bunbury Face Painting And Entertainment	Children's Entertainment - National Recycling Week Buy It Back Fair 2018	MUNI	570.00
EFT31468	22/11/2018	Bunbury Harvey Regional Council	Hook Bin Hire And Servicing	MUNI	282.85
EFT31469	22/11/2018	Bunbury Machinery	Cherry Picker Hire For Light Repair Carrimar Park	MUNI	121.51
EFT31470	22/11/2018	Bunbury Mower Service	Brushcutter Harnes; Edger blades	MUNI	396.50
EFT31471	22/11/2018	Bunbury Subaru	37,000Km Service DA004	MUNI	785.37
EFT31472	22/11/2018	Bunnings Group Limited	Wood And Parts For Bench At Admin Centre & Pruning Paint	MUNI	382.76
EFT31473	22/11/2018	Brampton Springs	Erect Fence To New Alignment.	MUNI	3,472.70

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31474	22/11/2018	Broadwater Resort Apartments	Accommodation - Monday 19 November 2018 - Cr James Lee	MUNI	174.60
EFT31475	22/11/2018	C & D Cutri	Preventative Maintenance On Bridges 3660, 3665A And 3669, As Per Quotation Dated 10/10/2018.	MUNI	38,500.00
EFT31476	22/11/2018	CFM - Myzone	10 X Myzone Belts	MUNI	885.01
EFT31477	22/11/2018	Ciphertel Pty Ltd	Monthly Account For Point To Point Microwave Service	MUNI	2,893.00
EFT31478	22/11/2018	City Of Bunbury	Dog Pound Fees	MUNI	901.00
EFT31479	22/11/2018	Cleanaway Solid Waste Pty Ltd	Landfill Waste (Cleanaway Service 1ETJ332)	MUNI	10,293.59
EFT31480	22/11/2018	Connect Call Centre Services	After Hours Call Centre Service	MUNI	495.50
EFT31481	22/11/2018	Courier Australia	Postage And Freight - Various Departments	MUNI	36.92
EFT31482	22/11/2018	Craneford Plumbing	ATU Quarterly Inspection	MUNI	191.40
EFT31483	22/11/2018	Dapco Tyre And Auto Centre	4 x New Tyres And Wheel Alignment DA 8673	MUNI	919.00
EFT31484	22/11/2018	Dardanup Gas	Tow Of Red Holden Barina From Information To Shire Depot 31 October 2018	MUNI	94.60
EFT31485	22/11/2018	Dardanup Rural Supplies	General rural supplies for Depot	MUNI	685.68
EFT31486	22/11/2018	Deputec Pty Ltd	ERC - Deputy Roster Software 2018/2019 01/10/18 - 31/10/18	MUNI	94.71
EFT31487	22/11/2018	DFES	2018/19 Emergency Services Levy Quarter 2	MUNI	196,526.66
EFT31488	22/11/2018	Discover Deadly	Snake Bite First Aid Kit	MUNI	210.00
EFT31489	22/11/2018	Dominica Natalia Zalejski	Rates Refund For Assessment A4293	MUNI	231.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31490	22/11/2018	Donna Bastow	Umpire Recoup - Basketball 21-11-2018	MUNI	132.00
EFT31491	22/11/2018	Donna Bullen	Refund Of Overpayment On Debtor Account 2245	MUNI	270.00
EFT31493	22/11/2018	DX Print Group Pty Ltd	Stationery Supplies - Dog Registration Forms	MUNI	670.00
EFT31494	22/11/2018	Eaton Community Pharmacy	ERC - Cafe Stock Purchases	MUNI	459.66
EFT31495	22/11/2018	Emily Goyder	Umpire Recoup - Netball 20-11-2018	MUNI	180.00
EFT31496	22/11/2018	Evelyn Butchart	Skate Park Tour With Staff And Councillors - 3 September 2018	MUNI	240.00
EFT31497	22/11/2018	Fulton Hogan Industries WA	Supply Premix - Lennard Road	MUNI	313.50
EFT31498	22/11/2018	Harvey Farm Service	Pins , Clips And Accessories For Tractor And Implements	MUNI	69.89
EFT31499	22/11/2018	Hearth House Bunbury	ERC - Yearly Service Of Evaporative Air Conditioner In Vacation Room	MUNI	159.00
EFT31500	22/11/2018	IT Vision Australia Pty Ltd	IT Vision Conference 2018 - Mr Phil Anastasakis	MUNI	218.90
EFT31501	22/11/2018	Jetline Kerbing Contractors	Drinking Fountain Pad And Link Path	MUNI	4,026.00
EFT31502	22/11/2018	Josie Phillips	Umpire Recoup - Netball 18-11-2018	MUNI	157.50
EFT31503	22/11/2018	Justine Eichner	Umpire Recoup - Basketball 21-11-2018	MUNI	132.00
EFT31504	22/11/2018	K A Ginbey & S M Mcglasson	Rates Refund For Assessment A10943 25 Glenelg Drive Millbridge WA 6232	MUNI	970.63
EFT31505	22/11/2018	Karyn Rowe	Umpire Recoup - Netball 20-11-2018	MUNI	225.00
EFT31506	22/11/2018	Kenny Pomare	Umpire Recoup - Basketball 21-11-2018	MUNI	88.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31507	22/11/2018	Lantzke Jaxon	Umpire Recoup - Basketball 21-11-2018	MUNI	22.00
EFT31508	22/11/2018	Lonsdale Party Hire	Marquee And Table Chair Hire - National Recycling Week Buy It Back Fair 2018	MUNI	2,478.94
EFT31509	22/11/2018	Malatesta Road Paving And Hotmix	250 Litres Emulsion - Lennard Street	MUNI	400.00
EFT31510	22/11/2018	Mckayhla Pomare	Umpire Recoup - Basketball 21-11-2018	MUNI	132.00
EFT31511	22/11/2018	MJB Industries Pty Ltd	Crooked Brook Road - Widen Seal	MUNI	3,036.00
EFT31512	22/11/2018	Nayax	ERC - License Fee For Vending Machine	MUNI	17.53
EFT31513	22/11/2018	NBN Co Limited	NBN Fibre Assessment As Per Quote 100035534	MUNI	660.00
EFT31514	22/11/2018	NCM Plumbing & Gas	ERC / Supply And Install Pillar Taps To Toilets To Replace Faulty And Leaking Taps	MUNI	1,166.00
EFT31515	22/11/2018	Nathan Stacey	Umpire Recoup - Basketball 21-11-2018	MUNI	44.00
EFT31516	22/11/2018	Perfect Landscapes	Mowing - Various Locations	MUNI	3,767.50
EFT31517	22/11/2018	PFD Food Services Pty Ltd	ERC - Cafe Stock Purchases	MUNI	214.25
EFT31518	22/11/2018	Picton Civil Pty Ltd	Emergency Repair Works - Various Locations Millbridge	MUNI	9,589.25
EFT31519	22/11/2018	QM Air-conditioning	Degassing Of Fridges.	MUNI	268.13
EFT31520	22/11/2018	Robert Green	Umpire Recoup - Basketball 21-11-2018	MUNI	132.00
EFT31521	22/11/2018	Ryan Baker	Umpire Recoup - Basketball 21-11-2018	MUNI	132.00
EFT31522	22/11/2018	Sanity Bunbury	Junior DVD's - Eaton Library	MUNI	30.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31523	22/11/2018	Schweppes Australia Pty Ltd	ERC - Drinks	MUNI	170.70
EFT31524	22/11/2018	Signs Plus	Name Badge For Sudi Mishra-Coordinator Business Solutions	MUNI	18.50
EFT31525	22/11/2018	SMR Psychology	Employee Assistance Program	MUNI	187.00
EFT31526	22/11/2018	Sophie Docker	Umpire Recoup - Netball 18-11-2018	MUNI	157.50
EFT31527	22/11/2018	South West Cycle Club	Support For The 2018 WA State Road Cycling Championships	MUNI	1,985.00
EFT31528	22/11/2018	South West Rubber Stamps	Creditors Stamps For Reception And Governance	MUNI	84.60
EFT31529	22/11/2018	Stephen Eaton	Reimbursement Parking - Perth Meetings	MUNI	180.11
EFT31530	22/11/2018	Surveying South	Survey Work To Update Feature Plan - Gnomesville	MUNI	495.00
EFT31531	22/11/2018	Synergy	Electricity Accounts for Various Shire Locations	MUNI	4,033.25
EFT31532	22/11/2018	T & V Fencing	Service And Repair To Front Gate - Depot	MUNI	280.50
EFT31533	22/11/2018	Teagan Bailye	Reimbursement Of Gym Membership Fees - Incorrectly Charged	MUNI	129.60
EFT31534	22/11/2018	Telstra	Main Telephone Accounts - Mobile Plans & Fixed lines	MUNI	10,622.24
EFT31535	22/11/2018	Terau Aroha Tamatea	Umpire Recoup - Netball 20-11-2018	MUNI	66.00
EFT31536	22/11/2018	The Hougoumont Hotel	Extra Night Of Parking - Steve Potter - LCTC Conference	MUNI	25.00
EFT31537	22/11/2018	The Print Shop	Road Side Banners - Promotion - Buy It Back Fair 2018	MUNI	627.00
EFT31538	22/11/2018	Therese Price	Umpire Recoup - Netball 16-11-2018	MUNI	45.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31539	22/11/2018	Total Eden Pty Ltd	Various Parts for Repairs to Various Locations - 3 x Invoices	MUNI	2,971.99
EFT31540	22/11/2018	Totally Sound	Cable Guard- For Clothing Repair Station At Buy It Back Fair Recycling Week Event	MUNI	44.00
EFT31541	22/11/2018	Tradelink	Parts To Repair Toilets - Eaton foreshore	MUNI	110.66
EFT31542	22/11/2018	Tutt Bryant Hire	Hire Of various maintenance equipment	MUNI	8,573.40
EFT31543	22/11/2018	Tranen Pty Ltd	Bolbous Weed Control Across Several Reserves	MUNI	11,505.20
EFT31544	22/11/2018	Uthando Project Inc	Clothing Repair Station - Hire Of Services - Buy It Back Fair 2018	MUNI	300.00
EFT31545	22/11/2018	Vanessa Black	Umpire Recoup - Netball 18-11-2018	MUNI	157.50
EFT31546	22/11/2018	WALGA	Manage Recovery Activities Conference For Local Government - Cr J Lee 20/11/18	MUNI	892.00
EFT31547	22/11/2018	Water Corporation	Water Use And Service Charges For Various locations across the Shire	MUNI	8,283.88
EFT31548	22/11/2018	West Australian Newspapers Ltd	Subscription - Newspapers - Per 12 Weeks	MUNI	164.34
EFT31549	22/11/2018	West Coast Sporting Surfaces	Eaton Tennis Court Resurfacing	MUNI	28,655.00
EFT31550	22/11/2018	Winc Australia Pty Ltd	ERC - Stationery Order	MUNI	265.78
EFT31551	22/11/2018	Wonderful Worm Waste	Interactive Educational Display - Buy It Back Fair - National Recycling Week Event	MUNI	700.00
EFT31552	22/11/2018	Woolworths Group Limited	ERC - Cafe Stock Purchase	MUNI	226.51
EFT31553	22/11/2018	Work Clobber	J Fallows Work Pants	MUNI	122.41
EFT31554	22/11/2018	Xtreme Bounce Party Hire	Children's Entertainment- National Recycling Week Event- Buy It Back Fair 2018	MUNI	570.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31555	29/11/2018	Bgc Residential Pty Limited	Refund Of Kerb Deposit B/L2015160131 A11269	TRUST	1,260.00
EFT31557	29/11/2018	Home Group WA South West	Refund Of Kerb Deposit B/L2014150241 A11027	TRUST	630.00
EFT31558	29/11/2018	Plunkett Homes	Refund Of Kerb Deposit B/L 2014150380 A4316	TRUST	630.00
EFT31559	29/11/2018	Advanced Pest Control SW	Apply Insecticide To Bees In Wall Space At Dardanup Hall	MUNI	121.00
EFT31560	29/11/2018	All Aussie Truck And Bobcat Services	Bobcat To Slash Verge On Wellington Rd	MUNI	2,365.00
EFT31561	29/11/2018	Amelia Kaitani	Umpire Recoup Netball 27-11-18	MUNI	66.00
EFT31562	29/11/2018	Amity Signs	4 X Western Australia Black Spot Signs & Posts	MUNI	1,401.95
EFT31563	29/11/2018	Australian Tax Office	PAYG Withholding	MUNI	101,960.00
EFT31564	29/11/2018	Australind Coffee Roasting	Buy It Back Fair 2018 - National Recycling Week - Coffee Van	MUNI	375.00
EFT31565	29/11/2018	Avis Southwest Rentals	Hire Of 12 Seater Bus - Councillor Tour Of Shire Assets - 7 November	MUNI	225.14
EFT31566	29/11/2018	Axio Maintenance And Construction	ERC - Repairs And Maintenance To Various Areas Of The Centre	MUNI	1,831.50
EFT31567	29/11/2018	Affinity Windows	Replacement Opening Window For Business Solution Office	MUNI	579.70
EFT31568	29/11/2018	Australind HBL Auskick	Kidsport - Miley Goodings - KS026638	MUNI	85.00
EFT31569	29/11/2018	B & B Street Sweeping Pty Ltd	Sweep Up Loose Material To Patch Area	MUNI	286.00
EFT31570	29/11/2018	Big W	Book And Dvd Product - Eaton Library	MUNI	438.00
EFT31571	29/11/2018	BOC Ltd	ERC - Monthly Hire Of Oxygen Bottle	MUNI	12.05

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31572	29/11/2018	Boyles Plumbing And Gas	Eaton Foreshore Toilet Blockage Works	MUNI	942.15
EFT31573	29/11/2018	Bunbury Army Surplus	Head And Neck Scarfs For External Crews	MUNI	144.00
EFT31574	29/11/2018	Bunbury Machinery	Hire Of Mini Digger	MUNI	449.99
EFT31575	29/11/2018	Bunnings Group Limited	ERC - Court Repairs Equipment Ratchets	MUNI	169.10
EFT31576	29/11/2018	Bunbury Geographe Chamber Of Commerce & Industry	Customer Service Trial - 'Happy Or Not' Customer Service Program	MUNI	218.90
EFT31577	29/11/2018	Carmel Boyce	Meeting Allowance	MUNI	1,149.50
EFT31578	29/11/2018	CB Traffic Solutions	Reinstate House Numbers On Face Of Kerb - Montgomery Drive	MUNI	330.00
EFT31579	29/11/2018	Cindy Barbetti	Staff Uniform Reimbursement	MUNI	50.00
EFT31580	29/11/2018	Circus Challenge	Upcycled Circus - Children's Entertainment - Buy It Back Fair 2018	MUNI	1,719.30
EFT31581	29/11/2018	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	4,386.51
EFT31582	29/11/2018	Country Landscaping Pty Ltd	Irrigation Repairs To Eaton Oval As Quoted	MUNI	2,547.24
EFT31583	29/11/2018	Craven Foods	ERC - Cafe Stock	MUNI	118.82
EFT31584	29/11/2018	Darby Sidebotham	Umpire Recoup Netball 27-11-18	MUNI	180.00
EFT31585	29/11/2018	Dardanup Garage & Service Station	Service Ute DA588	MUNI	570.24
EFT31586	29/11/2018	Dardanup General Store	Supply Of Milk (And General Goods As Required)	MUNI	16.15

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31587	29/11/2018	Debra Rodden	Yoga Instruction 14/11 & 21/11/18	MUNI	120.00
EFT31588	29/11/2018	Donna Bastow	Umpire Recoup Basketball 28-11-18	MUNI	132.00
EFT31589	29/11/2018	Donna Bullen	Staff Uniform Reimbursement	MUNI	217.04
EFT31590	29/11/2018	Dorsogna Limited	ERC - Cafe Stock Purchases	MUNI	162.59
EFT31591	29/11/2018	Dr Phone	Repair Of iPhone And Ipad Screen As Per Quote	MUNI	208.00
EFT31592	29/11/2018	Drummond Catering	Catering For 13 People At Council Meeting Wed 21/11/2018	MUNI	520.00
EFT31593	29/11/2018	DX Print Group Pty Ltd	Annual Green Waste Collection - 15 To 19Th October 2018	MUNI	759.00
EFT31594	29/11/2018	Eaton Pet Vet	Desexing Voucher Rebate #009 - 21.11.2018	MUNI	35.00
EFT31595	29/11/2018	Emily Goyder	Umpire Recoup Netball 26-11-18	MUNI	157.50
EFT31596	29/11/2018	Evelyn Butchart	Catering - Seniors Celebration Day	MUNI	720.00
EFT31597	29/11/2018	Fuji Xerox Australia Pty Ltd	Lease For Photocopier - Various Office Locations	MUNI	4,785.00
EFT31598	29/11/2018	Gary Tyrrell	Reimbursement Of Costs To Clean Car Due To Water Stains From Shire Sprinklers	MUNI	88.76
EFT31599	29/11/2018	Gaylene Godfrey	Gift, Postage & Insurance - Mark Chester From Council	MUNI	903.00
EFT31600	29/11/2018	Health Insurance Fund Of WA	Payroll Deductions	MUNI	205.70
EFT31601	29/11/2018	Heatleys	Disposable Overalls - Various	MUNI	267.85
EFT31602	29/11/2018	Hynes Contracting	Remove Kerb Additions And General Clean Up - Golding Cres	MUNI	385.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31603	29/11/2018	IPWEA National	IPWEA 2018 Plant & Vehicle Management Workshop - Staff Training 29/11/18.	MUNI	544.50
EFT31604	29/11/2018	James Lee	Meeting Allowance	MUNI	1,412.94
EFT31605	29/11/2018	Janice Dow	Meeting Attendance	MUNI	1,149.50
EFT31606	29/11/2018	Jason Carroll Naturopath	ERC - Ideal Breakfast Shake	MUNI	459.80
EFT31607	29/11/2018	Josie Phillips	Umpire Recoup Netball 27-11-18	MUNI	180.00
EFT31608	29/11/2018	JR & A Hersey Pty Ltd	Parts And Materials For Works And Parks Crews.	MUNI	736.01
EFT31609	29/11/2018	Justine Eichner	Umpire Recoup Basketball 28-11-18	MUNI	154.00
EFT31610	29/11/2018	Karyn Rowe	Umpire Recoup Netball 23-11-18	MUNI	45.00
EFT31611	29/11/2018	Kenny Pomare	Umpire Recoup Basketball 28-11-18	MUNI	132.00
EFT31612	29/11/2018	Kings Tree Care	Various Works Undertaken - 5 x Invoices Paid	MUNI	7,403.00
EFT31613	29/11/2018	Kirsty Shooter	Reimbursement For Payment Of RPM Banner	MUNI	79.95
EFT31614	29/11/2018	Kryptomine Pty Ltd	SharePoint Integration Support	MUNI	640.00
EFT31615	29/11/2018	Larry Price	Repairs To Toro 360 DA 10105	MUNI	198.27
EFT31616	29/11/2018	LG Professionals Australia	2019 Australasian Management Challenge Registration	MUNI	4,070.00
EFT31617	29/11/2018	Local Government Supervisors Association Of WA	Annual Membership Subscription 2018 - Barry Cox	MUNI	55.00
EFT31618	29/11/2018	Luke Botica	Reimbursement Of Meal Expenses For Staff During ICTC Conference	MUNI	126.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31619	29/11/2018	Luke Davies	Meeting Allowance	MUNI	1,149.50
EFT31620	29/11/2018	Malatesta Road Paving And Hotmix	Golding Crescent - Reseal	MUNI	71,080.00
EFT31621	29/11/2018	Mckayhla Pomare	Umpire Recoup Basketball 28-11-18	MUNI	66.00
EFT31622	29/11/2018	Michael Bennett	Local Gov Allowance	MUNI	3,802.34
EFT31623	29/11/2018	Mick Saunders	Uniform Reimbursement	MUNI	104.95
EFT31624	29/11/2018	MJB Industries Pty Ltd	Road Maintenance - Crooked Brook Road	MUNI	1,999.80
EFT31626	29/11/2018	Natalie Robertson	Staff Uniform Reimbursement	MUNI	27.00
EFT31627	29/11/2018	NBN Co Limited	NBN Connection To Softball Building	MUNI	1,200.00
EFT31628	29/11/2018	Nites Electrical	Installation Of Bbq Including Slab McCaughan Park	MUNI	4,626.38
EFT31629	29/11/2018	NSCO Consulting	Team Building Training - Governance Hr Osh Exec X 3 Sessions 20/11/18	MUNI	660.00
EFT31630	29/11/2018	Nuturf	Maintenance - Gary Engel Park - Millbridge	MUNI	578.60
EFT31631	29/11/2018	Officeworks Superstores Pty Ltd	Various Stationery Supplies	MUNI	236.35
EFT31632	29/11/2018	One Steel Metaland	Angle Iron For Trailer Tool Storage Repair	MUNI	100.01
EFT31633	29/11/2018	P E Civil	Replace Front Curbing - Eaton Admin Centre	MUNI	676.50
EFT31634	29/11/2018	Paige Vincent	Umpire Recoup Basketball 28-11-18	MUNI	66.00
EFT31635	29/11/2018	Patricia Perks	Meeting Allowance	MUNI	1,149.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31636	29/11/2018	Perfect Landscapes	Mowing - Various Locations - Parks & Ovals	MUNI	8,415.00
EFT31637	29/11/2018	Peter Robinson	Meeting Attendance	MUNI	1,683.08
EFT31638	29/11/2018	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	117.00
EFT31639	29/11/2018	Pirtek Bunbury	New Hydraulic Connections John Deere Loader	MUNI	861.56
EFT31640	29/11/2018	Premier Tarps	Replace Tarp - DA628 & DA325	MUNI	4,026.00
EFT31641	29/11/2018	Promote You	Embroidery Of Staff Uniforms x 5	MUNI	7.70
EFT31642	29/11/2018	QK Technologies Pty Limited	ERC - QK Gateway Usage For Qikkids/Vac Care Program Expense	MUNI	12.29
EFT31643	29/11/2018	Ratbag Industries	ERC - Trophy Plates	MUNI	45.00
EFT31644	29/11/2018	Regional Development Australia South West	Contribution Towards The Provision Of Economic And Community Profiling For The Whole South West	MUNI	1,375.00
EFT31645	29/11/2018	Robert Green	Umpire Recoup Basketball 28-11-18	MUNI	132.00
EFT31646	29/11/2018	Ryan Baker	Umpire Recoup Basketball 28-11-18	MUNI	110.00
EFT31647	29/11/2018	Schweppes Australia Pty Ltd	ERC - Drinks Stock	MUNI	300.17
EFT31648	29/11/2018	Serpentine Jarrahdale Shire	LSL Entitlement Recoup - Kathleen Duncan	MUNI	3,246.55
EFT31649	29/11/2018	SMR Psychology	Employee Assistance Program - Admin O/H Mun	MUNI	187.00
EFT31650	29/11/2018	Solutions IT	HDMI To Apple Lightning Cable - Admin	MUNI	75.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31651	29/11/2018	Sophie Docker	Umpire Recoup Netball 26-11-18	MUNI	90.00
EFT31652	29/11/2018	State Law Publisher	Publishing Scheme Amendment No. 200 In Government Gazette On 16/11/18	MUNI	103.95
EFT31653	29/11/2018	Stephen Eaton	Reimbursement Parking - Training	MUNI	41.43
EFT31654	29/11/2018	Stewart And Heaton Clothing Company Pty Ltd	Various Badges & Supplies - Waterloo Brigade	MUNI	2,931.04
EFT31655	29/11/2018	Surveying South	Feature Survey - 6 x Invoices - Various Locations	MUNI	4,895.00
EFT31656	29/11/2018	Suzanne Occhipinti	Staff Uniform Reimbursement	MUNI	181.15
EFT31657	29/11/2018	Szymas Motortrimmers And Upholsterers	ERC - Fitness Centre - Reupholster Of Front Pulldown Chest Pad, Leg Ext. Seat And Leg Curl Pad	MUNI	225.00
EFT31658	29/11/2018	Tailtap	Burekup Scooter Clinic- November 2018	MUNI	325.00
EFT31659	29/11/2018	The Photography And Film Boutique	Pet Photography Deposit - Walk On The Wild Side - 2019	MUNI	330.00
EFT31660	29/11/2018	Therese Price	Umpire Recoup Netball 26-11-18	MUNI	202.50
EFT31661	29/11/2018	Total Eden Pty Ltd	Various Parts For Repairs To Various Locations	MUNI	676.94
EFT31662	29/11/2018	Tyrecycle Pty Ltd	Banksia Rd Transfer Station - Tyre Recycling	MUNI	669.50
EFT31663	29/11/2018	Tyrepower Limited	4 X Tyres - DA004 - Mds - Subaru Outback	MUNI	1,195.00
EFT31664	29/11/2018	Tyrrell Gardiner	Meeting Attendance	MUNI	1,149.50
EFT31665	29/11/2018	Vanessa Black	Umpire Recoup Netball 27-11-18	MUNI	67.50
EFT31666	29/11/2018	WALGA	WALGA - Making Local Laws (Elearning) - Erin Hutchins	MUNI	215.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT31667	29/11/2018	Water Corporation	Water Use And Service Charges For Eaton Recreation Centre 1 Nov - 31 Dec 2018	MUNI	701.07
EFT31668	29/11/2018	Winc Australia Pty Ltd	Reflex Colours Copy Paper A4 Yellow 500 Sheet	MUNI	176.83
EFT31669	29/11/2018	Woolworths Group Limited	Stock For Council Chambers Kitchen	MUNI	692.79
EFT31670	29/11/2018	Work Clobber	Jaime Anderton Summer Tradie Pants	MUNI	582.07
BPAY					
DD13978.1	22/11/2018	inet Ltd	Monthly Charge For NBN Wireless 4 Service	MUNI	174.94
DD13978.2	22/11/2018	Department Of Health - Pesticide Safety	Pest Management Licence - Mr Nigel Lyon	MUNI	190.00
CREDIT CARD					
DD13939.1	02/12/2018	Pixsy Inc	Events Advertising - Use of Image	MUNI	200.00
DD13984.1	27/11/2018	Mailchimp	Monthly Mailchimp Subscription - October 2018	MUNI	110.13
DD13984.2	27/11/2018	Committee For Economic Development Of Australia	WA SW Regional Economic Update - Cr Bennett - 2 November	MUNI	380.00
DD13984.3	27/11/2018	City Of Perth	Parking Expenses - Smart Cities Seminar (19-10-18) CEO and Shire President	MUNI	23.22
PAYROLL					
DD13966.1	16/11/2018	WA Super	Payroll Deductions	MUNI	38,443.33
DD13966.2	16/11/2018	MLC Super Fund	Superannuation Contributions	MUNI	678.24

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD13966.3	16/11/2018	Loof Portfolio Service Superannuation Fund	Superannuation Contributions	MUNI	95.93
DD13966.4	16/11/2018	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	93.82
DD13966.5	16/11/2018	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	255.77
DD13966.6	16/11/2018	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	185.95
DD13966.7	16/11/2018	Rest Superannuation	Payroll Deductions	MUNI	662.06
DD13966.8	16/11/2018	Anz Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	610.07
DD13966.9	16/11/2018	Media Super	Superannuation Contributions	MUNI	476.26
DD13992.1	30/11/2018	WA Super	Payroll Deductions	MUNI	39,796.78
DD13992.2	30/11/2018	Hostplus	Superannuation Contributions	MUNI	275.11
DD13992.3	30/11/2018	MLC Super Fund	Superannuation Contributions	MUNI	759.00
DD13992.4	30/11/2018	Loof Portfolio Service Superannuation Fund	Superannuation Contributions	MUNI	95.93
DD13992.5	30/11/2018	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	76.79
DD13992.6	30/11/2018	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	230.19
DD13992.7	30/11/2018	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	240.65
DD13992.8	30/11/2018	Rest Superannuation	Payroll Deductions	MUNI	611.59
DD13992.9	30/11/2018	Anz Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	608.43

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD13966.10	16/11/2018	Construction & Building Industry Super	Superannuation Contributions	MUNI	467.43
DD13966.11	16/11/2018	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	281.81
DD13966.12	16/11/2018	Australiansuper	Superannuation Contributions	MUNI	1,236.47
DD13966.13	16/11/2018	Burton Superannuation Fund	Superannuation Contributions	MUNI	252.87
DD13966.14	16/11/2018	Hostplus	Superannuation Contributions	MUNI	275.11
DD13992.10	30/11/2018	Media Super	Superannuation Contributions	MUNI	476.26
DD13992.11	30/11/2018	Construction & Building Industry Super	Superannuation Contributions	MUNI	467.43
DD13992.12	30/11/2018	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	259.25
DD13992.13	30/11/2018	Australiansuper	Superannuation Contributions	MUNI	1,347.25
DD13992.14	30/11/2018	Burton Superannuation Fund	Superannuation Contributions	MUNI	344.39
DD13992.15	30/11/2018	Amp Superannuation Savings Trust	Superannuation Contributions	MUNI	50.16
REPORT TOTALS			<i>CERTIFICATE OF Chief Executive Officer</i>		1,023,577.41
EFT	31364-31670	932,844.79	<i>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.</i>		
Muni Cheque		89,654.33			
Payroll		713.35			
Credit Card					
International					
BPAY		364.94			

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
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TOTAL

1,023,577.41



MR MARK L CHESTER
Chief Executive Officer

CARRIED
7/0

12.15 Community Safety Committee Meeting Minutes Held 15/11/2018

MINUTES OF THE COMMUNITY SAFETY COMMITTEE MEETING HELD ON THURSDAY 15 NOVEMBER 2018, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 11.30AM.

Officer Comment

The minutes of the Community Safety Committee meeting are attached (Appendix ORD: 12.15A).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

400-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council receives the minutes of the Community Safety Committee meeting held 1 November 2018.

CARRIED
7/0

**COMMUNITY SAFETY COMMITTEE MEETING RESOLUTION
& COUNCIL RESOLUTION**

401-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

- 1. Acknowledge and endorse the Shire of Dardanup Community Safety & Crime Prevention Plan 2018 – 2023 as provided for in the appendices (Appendix ORD: 12.15B).**
- 2. Endorse advertising of the availability of the plan through Public Notices.**

CARRIED
7/0

12.16 Audit Committee Meeting Minutes Held 12/12/2018

MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON WEDNESDAY 12 DECEMBER 2018, AT SHIRE OF DARDANUP EATON ADMINISTRATION BUILDING, COMMENCING AT 2.00PM.

Officer Comment

The minutes of the Audit Committee meeting (Appendix ORD: 12.16 – tabled).

**OFFICER RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION**

402-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council receives the minutes of the Audit Committee meeting held 12 December 2018.

CARRIED
7/0

**AUDIT COMMITTEE RECOMMENDED RESOLUTION "A"
& COUNCIL RESOLUTION**

403-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council accept the Auditor's Report (Appendix ORD: 12.17B) by Butler Settineri (Audit) Pty Ltd of the Annual Financial Statements for the 2017-18 financial year.

CARRIED
7/0

**AUDIT COMMITTEE RECOMMENDED RESOLUTION "B"
& COUNCIL RESOLUTION**

404-18 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council receive the Shire of Dardanup 2017/18 audited Annual Financial Statements (Refer 2017/18 Annual Report - Appendix ORD: 12.17A) for the financial year ended 30 June 2018.

CARRIED
7/0

12.17 Title: 2017/18 Annual Report and Setting of Annual Electors Meeting

Reporting Department: Corporate & Community Services
Reporting Officer: Mr Phil Anastasakis – Director Corporate & Community Services
Legislation: Local Government Act 1995

Overview

This report presents the 2017/18 Annual Report and Annual Financial Statements to Council for consideration and adoption, and sets the date for Annual Electors meeting.

Background

Section 5.53 of the *Local Government Act 1995* requires a Local Government to prepare an Annual Report for each financial year. The 2017/18 Annual Report is provided as a separate document (Appendix ORD: 12.17A).

The Annual Report is to contain;

- a) *a report from the mayor or president;*
- b) *a report from the CEO;*
- c) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;*
- d) *the financial report for the financial year;*
- e) *such information as may be prescribed in relation to the payments made to employees;*
- f) *the auditor's report for the financial year;*
- g) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;*
- h) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) the number of complaints recorded in the register of complaints;*
 - (ii) how the recorded complaints were dealt with;*
 - (iii) any other details that the regulations may require;*
 - (iv) such other information as may be prescribed.*

The Annual Report includes some general information about the Shire of Dardanup, the Strategic Objectives and Key Performance Areas of Council, Elected Member details, reports from the President and Chief Executive Officer, and an overview of the activities and achievements of the past financial year and the audited annual financial statements.

The adoption of the Annual Report by Council allows for the holding of the Annual Electors Meeting which is proposed for Wednesday 23 January 2019, commencing at 6.00pm in the Eaton Council Chambers, following the completion of the Council meeting.

Legal Implications**Local Government Act 1995****S5.54. Acceptance of annual reports**

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

[Section 5.54 amended by No. 49 of 2004 s. 49.]

S5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

S5.55A. Publication of annual reports

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

[Section 5.55A inserted by No. 5 of 2017 s. 8.]

5.27. Electors' general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

Should the Annual Report be adopted at this meeting (12 December 2018), Local Public notice of 14 days is required to be given per s5.29 of the LGA.

It is therefore recommended that the Annual Electors Meeting follow recent practice and be held following an Ordinary Meeting of Council on 23 January 2019.

Plan

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

Environment - None.

Precedents - None.

Budget Implications

The Annual Report is produced internally and the preparation and printing costs are incorporated within the staffing, printing and stationery budgets.

The Annual Financial Report presents the financial performance for the past financial year and is scrutinised by an independent auditor to ensure compliance with legislation and accounting standards. The financial impact upon the current financial year is that the audited net current assets position becomes the actual brought forward surplus/(deficit) for the Rate Setting Statement.

Budget – Whole of Life Cost

As no assets/infrastructure is being created, there are no whole of life costs relevant to this item.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

In addition to the financial report, the Annual Report includes commentary on the past year's activities and performance as well as statements from the President and Chief Executive Officer, and other information to comply with various statutory requirements.

The Independent Audit Report and management letter have been completed and both reports were provided to the Audit Committee at its meeting on 12 December 2018, where the Committee reviewed the recommendations to Council.

Council's Auditors have issued an unqualified Audit Report (Appendix ORD: 12.17B). The Audit Report is also shown on page 54 of the Annual Financial Report that forms part of the Annual Report.

Council is in sound financial health and this is reflected in its statutory financial ratios that require reporting in the Annual Financial Report.

It is important to note that statutory financial ratios are not intended to be the only factor to consider in assessing Council's overall performance. Other factors include the range of services offered, the efficiency of services delivered and overall community satisfaction.

Council's actual carried forward funds at 30 June 2018 are \$303,456. This can be compared against the forecast carried forward funds in the 2018/19 budget of \$126,116. This \$177,340 favourable variance will be included in the 2018/19 mid-year budget review for consideration by Council.

I would like to take the opportunity to thank all Corporate & Community Services staff for their efforts and high service standard during the year under review and the annual audit process.

I also wish to acknowledge and thank;

- a) Manager Financial Services, Mrs Natalie Hopkins for the Annual Financial Report; and
- b) Communications Officer, Mrs Kristy Hitchens for the Annual Report document.

Council is requested to consider and accept the Annual Report for the 2017/18 financial year and endorse the holding of the Annual Electors meeting on Wednesday, 23 January 2019, in Eaton after the Council meeting.

Council Role - Executive.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

405-18 MOVED - Cr. J Dow SECONDED - Cr. P S Robinson

THAT Council:

1. **Receive and adopt the Shire of Dardanup 2017/18 Annual Report (Appendix ORD: 12.17A) incorporating the audited Annual Financial Statements for the financial year ended 30 June 2018, and**
2. **Endorse the holding of the Annual Electors Meeting at the Administration Centre, Eaton on the 23 January 2019 commencing at 6:00 pm.**

CARRIED

7/0

By Absolute Majority

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

406-18 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT Council receive:

1. **Request for Upgrade of Tank Street to Enable Additional Carparking Capacity (Dardanup Primary School); and**
2. **Acknowledgment of 22 Years' Service by Mark Chester Chief Executive Officer to the Shire of Dardanup ;**

as Business of an Urgent Nature.

CARRIED
7/0

14.1 *Title: Request For Upgrade of Tank Street to Enable Additional Carparking Capacity (Dardanup Primary School)*

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Luke Botica - Director Engineering & Development Services

Legislation: Local Government Act 1995

Overview

Council is requested to approve a cash contribution of \$5,000 to the construction of Tank Street as part of the car park upgrade works at the Dardanup Primary School.

Background

At the meeting held on 18 July 2018, Council resolved the following in regards to a request from the Dardanup Primary School for assistance in the upgrade of the car park at the School (Council resolution 238-18):

“THAT Council performs the initial and ongoing maintenance required to Tank Street to enable access to the proposed car parking facility at the Dardanup Primary School.”

The Shire has subsequently been contacted by the School requesting that the contribution referred to in the Council resolution be instead paid as a cash contribution of \$5,000, which would enable the contractor constructing the car park to widen and seal Tank Street rather than leave it as a gravel road.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.1 - To be equitable, inclusive and transparent in decision making.
(Service Priority: High)

Environment - None.

Precedents

Council has provided cash contributions previously. A \$50,000 contribution to the site works for the Early Intervention Centre at the Glen Huon Primary School is a recent example.

Budget Implications

The contribution can be funded by reducing the Road Maintenance Budget by an equivalent amount.

Budget – Whole of Life Cost

The 35 metre section of Tank Street that would have otherwise been maintained as a gravel road will be upgraded to a sealed standard. A sealed road will be more durable.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

In the report presented to the 18 July 2018 Council meeting, the officer stated that the initial maintenance effort would cost the Shire \$5,000. Therefore, a cash contribution of a similar amount will result in a sealed section of road of a higher standard, being more durable and requiring less frequent maintenance. It should be noted that the contractor is ready to commence work next week.

This report is provided as late and urgent business as the works are to be undertaken during the school holidays to minimize disruption to the school.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

407-18 MOVED - Cr. J Dow SECONDED - Cr. P S Robinson

THAT Council:

- 1. Approves as unbudgeted expenditure the payment of a cash contribution of \$5,000 to the Dardanup Primary School for the upgrade of 35 metres of Tank Street to a sealed standard.**
- 2. Offset the contribution by reducing The Road Maintenance Budget by \$5,000.**

CARRIED

7/0

By Absolute Majority.

14.2 Title: Acknowledgment of 22 Years' Service by Mark Chester - Chief Executive Officer to the Shire of Dardanup

Reporting Department: Executive

Reporting Officer: Cr Michael T Bennett – Shire President

Legislation: Local Government Act 1995

Overview -

Formal acknowledgement of Chief Executive Officer, Mr Mark Chester's 22 years' of service to the Shire of Dardanup.

Background -

Chief Executive Officer, Mr Mark Chester commenced working with the Shire of Dardanup on 20 June 1997.

Legal Implications - None.

Strategic Community Plan

Strategy 3.1.4 - To recognise and support the rich and varied heritage of the Shire.
(Service Priority: Moderate)

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Elected Member Comment -

On behalf of Council, we convey special thanks to Mr Mark Chester for his commitment to the Dardanup Shire Council over the last 22 years. Mark and his wife, Jenny have been very passionate about our shire and it's people.

Having personally observed the total professionalism of Mark for many of those years I am pleased he will still be around to see how many of the projects he has worked on for many years develop and assist in growing our community.

We wish Mark and Jenny every success in the next phase of their lives.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Discussion:

Chief Executive Officer, Mr Mark Chester expressed his appreciation to Council for giving him the job 22 years ago and for their continued support. The role of a Chief Executive Officer is to make decisions about the future and in this case, his own future with Jenny, and feels like he is leaving on a high. He has loved working for the Shire of Dardanup and has had a great career. He recognises that there have been ups and downs but they have been worked through as a team.

Mr Chester acknowledges and appreciated the difficult decisions that Council have made and said that it's not easy when there are people in the public gallery watching but that is democracy.

Mr Chester said that when he was employed, Shire President, Cr. M T Bennett said that he could make it his own and grow with it and he has certainly appreciated his time with the Shire and seeing the growth within the community. Mr Chester is looking forward to seeing the future growth over the next 30 years.

Mr Chester thanked the team of staff that have made it all possible and said that it has been a pleasure to be a part of it.

Shire President, Cr. M T Bennett responded that when Mr Chester thinks about the last 22 years he should be very proud of the magnificent things we have all achieved together.

**ELECTED MEMBER RECOMMENDED
RESOLUTION & COUNCIL RESOLUTION**

408-18 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT the elected members of the Dardanup Shire Council express sincere thanks for the undeniable commitment Mr Mark Chester has made to the Council, staff, residents and ratepayers of our Shire over the last 22 years.

CARRIED
7/0

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS

None.

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 23 January 2019, 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 6.21pm.




CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on, 23 January 2019, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

DocuSigned by:

Signed


C8839D265E1E24E0
(Chairman or Shire President or Other Presiding Officer)