



CONFIRMED

MINUTES

ORDINARY MEETING

Held

13 December 2017

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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~ Large Print
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COUNCIL ROLE

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

DISCLAIMER

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

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

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

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 13 DECEMBER 2017, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr. M T Bennett declared the meeting open at 5.00pm, welcomed those in attendance and referred to the Acknowledgment 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 Gnaala Karla Booja people in this land.

Affirmation of Civic Duty and Responsibility

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

Emergency Procedure

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

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

2.1 Attendance

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

Cr. Luke Davies	-	Elected Member
Cr. James Lee	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. Danny Harris	-	Elected Member [5.03pm]
Mr Mark Chester	-	Chief Executive Officer
Mr Luke Botica	-	Director Engineering & Development Services
Mr Phil Anastasakis	-	Director Corporate & Community Services
Mrs Cathy Lee	-	Manager Governance & HR
Mr Steve Potter	-	Manager Development Services
Mrs Natalie Hopkins	-	Manager Financial Services
Ms Lee Holben	-	Manager Community Services

2.2 Apologies

None.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

None.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Title: *Petition Received from the Burekup Community – Better Street Lighting and Footpaths in Burekup*

Reporting Department: *Executive*

Reporting Officer: *Mr Mark L Chester – Chief Executive Officer*

Legislation: *Local Government Act 1995*

Background - Nil.

Legal Implications -

Standing Orders Local Law 2014 s4.9 are to be complied with.

4.9 Petitions

- (1) *A petition received by a member or the CEO is to be presented to the next ordinary Council meeting.*
- (2) *A petition to the Council is—*
 - (a) *as far as practicable to be prepared in the form prescribed in the Schedule;*
 - (b) *to be addressed to the Council and forwarded to a member or the CEO;*
 - (c) *to state the name and address of the person to whom correspondence in respect of the petition may be served; and*
 - (d) *to be respectful and temperate in its language.*
- (3) *The presentation of a petition is to be confined to the reading of the petition.*
- (4) *The only motions in respect of a petition that are in order are that—*
 - (a) *the petition be received;*
 - (b) *a report on the petition be prepared; or*
 - (c) *the petition be referred to a Committee.*

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

A petition has been received from the Burekup community and signed by 120 persons, with Mr Robert Self of the Burekup General Store & Newsagency, 68 Russell Road Burekup WA 6227 being the person to whom correspondence in respect of the petition is to be served.

Standing orders requires no discussion, only the reading of the petition and two motions.

The petition is considered to be in order.

The Chief Executive Officer is to read the petition (Appendix ORD: 6.1)

The Chief Executive Officer read the petition as follows: -

*Shire President & Councillor's of the Shire of Dardanup
1 Council Drive
EATON WA
24 October, 2017*

I request you sign this petition asking the Shire of Dardanup to repair and install more street lighting and pathways in the Burekup townsite so residents lead a safer life.

We the undersigned request:-

We, the residents of Burekup would like to draw your attention towards the lack of street lights and pathways in our town.

This petition voices concerns for the welfare of those in and around the town of Burekup where roads are dark and lack visibility at night, especially when it's raining and during winter.

Street lights are important and necessary in reducing crime and ensures our safety and security for the elderly, disabled, women and children, especially as there is no police presence in the town.

There is little to no pavements for people to walk on in many streets which, at night increase their threat of being hit by a car and the danger of falling down on the uneven surfaces.

Council owes a duty of care to our elderly, disabled and young mothers with prams who are in danger when they are forced walk on the road. Currently residents use the road as the footpath in many streets.

We would appreciate the Shire and Council attend to this request as a matter of urgency.

The residents of Burekup are the initiators of this petition and Rob Self of the Burekup Store has agreed to be the contact person for further information in relation to this matter. Email: burekupstore@hotmail.com

120 signatures.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

312-17 MOVED - Cr. P S Robinson SECONDED - Cr P Perks

THAT Council:

1. **Receive the petition;**
2. **Request the Chief Executive Officer to bring a report in respect of the petition to the Strategic Planning Committee to be included in the 2018 review of the Road Asset Management and the Pathways Asset Management Plans.**

CARRIED
9/0

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 22 November 2017

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

313-17 MOVED - Cr. T G Gardiner SECONDED - Cr. L D Harris

THAT the Minutes of the Ordinary Meeting of Council held on 22 November 2017, be confirmed as true and correct subject to no corrections.

CARRIED
9/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

It is recommended that Council go behind closed doors toward the end of the meeting in accordance with Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 (2) - Matters for Which Meeting May Be Closed:

Standing Order and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

- S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public-*
- (a) all Council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.*
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -*
- (a) a matter affecting an employee or employees;*
 - (b) the personal affairs of any person;*
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) a matter that if disclosed, would reveal -*
 - (i) a trade secret;*
 - (ii) information that has a commercial value to a person; or*
 - (iii) information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to -*
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) endanger the security of the local government's property; or*
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
 - (g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) such other matters as may be prescribed.*
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Note: Shire President, Cr. M T Bennett advised that the meeting will go behind closed doors toward the end of the meeting to discuss a matter that has a commercial value to a person.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

Discussion:

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

There was no response.

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 Title: Increase in Budget Allocation for the Waterloo Road Bridge Widening Project (Shire Job Number J12578)

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

Background -

The Council is requested to approve an increase in budget allocation for the Waterloo Bridge Widening Project in the 2017-2018 Budget.

The project is being delivered by Main Roads WA on behalf of the Shire of Dardanup. Main Roads WA has appointed local bridge contractor, Jonor Constructions, to undertake the project works. The tendered price from Jonor Constructions is greater than the Shire's budget allocation therefore further funds need to be secured.

The project involves the widening of Bridge No. 0193 over the Ferguson River so that the horizontal curve which passes through the bridge can be improved. This project was identified through a road safety audit and is partially funded under the State Black Spot Program. At the 30 August 2017 Council meeting, Council approved an increase in budget allocation for the project due to an increased scope of works for the project. At the time, the magnitude of increase was based on estimated figures; however, the current increase is based on actual prices tendered by the contractor.

The nature of the works requires the full closure of Waterloo Road at the bridge location (i.e. no thoroughfare in either direction at this point) during bridge construction works. The order for road closure for a five week closure period commencing in December 2017 and ending February 2018 will be ratified in a separate report in this agenda. The contractor has commenced works under traffic management in preparation for the full closure. It is expected that there will be further traffic management after the full closure to complete the project. The timing of the full closure was selected in order to minimise the impact of detouring heavy traffic via the alternative route through Dardanup town (Ferguson Road).

The budget amendment 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.

Strategic Community Plan - None.

Environment - None.

Precedents

Changes to the budget are a common occurrence.

Budget Implications -

The project cost has increased from \$550,602 to \$686,000.

Shire staff have requested through the Regional Road Group for further funds to be sourced via the State Black Spot Program. Due to the project being nominated through a Road Safety Audit there are no restrictions on increasing Black Spot Program project allocations (if funds are available), which is different to nominations based on a Benefit-Cost Ratio (BCR), whereby cost increases could lead to the BCR falling below the program threshold and disqualifying the project.

Arrangements have been made to transfer \$126,500 of State Black Spot funds from a Shire of Dardanup project in 2018-2019 (note that the transaction will occur in July 2018). The 2018-2019 State Black Spot project from which funds are to be sourced, will then be staged across two years, with \$126,500 being allocated through the Program in 2019-2020. It should be noted that should further funds become available in 2018-2019 they will be allocated back to the project.

Main Roads WA have also advised that based on current tendered prices for other Shire of Dardanup bridge projects, a saving of \$43,000 is expected. Under the bridge delivery arrangements, any savings are to be returned to the Shire for expenditure on other bridge works.

The allocation to be provided to the project will enable a total project expenditure allocation of \$711,000.

Current budget allocation:

TOTAL EXPENDITURE	INCOME				TOTAL INCOME	NET COST TO COUNCIL
	BLACK SPOT	CARRY FORWARD	TRANSFER FROM ROAD RESERVE	SURPLUS BRIDGE FUNDS		
\$550,602	\$223,900	\$265,690	-	-	\$489,590	\$61,012

Requested budget allocation:

TOTAL EXPENDITURE	INCOME				TOTAL INCOME	NET COST TO COUNCIL
	BLACK SPOT	CARRY FORWARD	TRANSFER FROM ROAD RESERVE	SURPLUS BRIDGE FUNDS		
\$711,000	\$223,900	\$265,690	\$126,500	\$43,000	\$659,090	\$51,910

It is proposed to source \$126,500 initially from the Road Reserve for the 2017-2018 financial year. Once \$126,500 is received from the 2018-2019 Black Spot Program, the funds will then be returned to the Road Reserve.

Based on the amended figures above, it is expected that the Shire will be able to reduce the net cost to Council by \$9,102.

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.

There is risk associated with the available bridge surplus from other projects. This figure is based on tendered prices and there is some risk associated with the final cost of contracted projects that could potentially reduce the surplus. However, there are other opportunities to source additional funds if required, such as the Roads to Recovery Program.

Officer Comment -

It should be noted that the works being undertaken on the bridge will not only improved the bridge geometry but will also renew and preserve a significant portion of the bridge. This will improve the asset life of the bridge.

12.2 *Title: Proposed Temporary Road Closure to Effect Construction Works in relation to the Waterloo Road Bridge Widening Project (Shire Job Number J12578)*

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

Background

The Waterloo Road Bridge Widening Project is included in the current budget for works to be carried out in the 2017-2018 financial year. The project involves the widening of Bridge No. 0193 over the Ferguson River so that the horizontal curve which passes through the bridge can be improved. This project was identified through a road safety audit and is partially funded under the State Black Spot Program.

At the Ordinary Meeting held on 30 August 2017, Council resolved the following:

THAT Council:

1. *Directs the Chief Executive Officer to continue to liaise with Main Roads WA and the appointed bridge contractor to determine whether there are any options that will maintain the thoroughfare, and not require a full road closure, on Waterloo Road during bridge works on Bridge No. 0193;*
2. *In the event that a full road closure during bridge works cannot be avoided, directs the Chief Executive Officer to prepare a report to Council for consideration of approving an order of road closure in accordance with Section 3.50 of the Local Government Act 1995 and addressing the following matters:*
 - a) *Particulars of the road closure;*
 - b) *The selected route for multi-combination vehicles; and*
 - c) *The public consultation undertaken and any submissions received.*

The purpose of this report is to update Council with officer activity since the above Ordinary Meeting and request that Council approves the temporary full closure of Waterloo Road to allow the bridge works to be completed.

- *Outcome of Resolution Item 1*

Due to the nature of the works, combined with the required barricading and horizontal curve, a single lane access over the bridge has been assessed as being not possible. Main Roads WA previously advised Council that Waterloo Road would need to be closed for a period of up to three months.

Shire officers have since liaised with Main Roads WA and its appointed bridge contractor. By adopting a two stage construction process, the bridge contractor is able to significantly shorten the required full closure of the road to five weeks. Partial closures during construction will still be required, which will be effected by allowing traffic over the bridge in single lanes (with traffic control in place).

Note that the only section of Waterloo Road that requires full closure is between Phillips Road and Ferguson Road. Access by local residents will be permitted at all times on either side of the Ferguson River, but not over the bridge.

- *Outcome of Resolution Item 2*

The proposed temporary road closures in relation to the revised construction program are as follows:

1. Partial road closure (single lane): December 2017;
2. Full road closure: 2 January 2018 to 9 February 2018; and
3. Partial road closure (single lane): February 2018 and part March 2018

An alternative route for all vehicles including trucks during the full closure is via Martin-Pelusey Road, Boyanup-Picton Road and Ferguson Road.

The dates in the construction program have been specifically targeted in order to minimise the impact on the school on Ferguson Road. Term 1 in 2018 commences 31 January 2018, so diverted traffic would be passing along Ferguson Road for only one and a half weeks while school is sitting.

The Shire advertised the proposed temporary full/partial road closure in the Public Notices sections of the following newspapers:

- Bunbury South Western Times: 2 November 2017
- West Australian: 4 November 2017

In addition, individually addressed letters were sent to all owners of property on Waterloo Road.

Submissions were required to be submitted to the Shire by 24 November 2017.

No submissions were received.

Legal Implications

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

3.50. Closing certain thoroughfares to vehicles

- (1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*
- [(3) *deleted*

- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*
- (a) *give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
- (b) *give written notice to each person who —*
- (i) is prescribed for the purposes of this section; or*
- (ii) owns land that is prescribed for the purposes of this section;*
- and*
- (c) *allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*
- (6) *An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*
- [(7) *deleted*]
- (8) *If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.*
- (9) *The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.*

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

3.50A. Partial closure of thoroughfare for repairs or maintenance

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

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

Strategic Community Plan - None.

Environment - None.

Precedents

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

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - High.

The considered risk remains 'High' as per the previous report to Council. There is significant risk associated with this project. If the bridge works are not undertaken (i.e. the bridge is not widened), there will remain a substandard curve over the bridge. A road safety audit has identified the need to address the geometry. Although there have been no accidents to date that can be directly attributed to the substandard curve, there is still the risk of an accident occurring in future as a result of the substandard curve of which the Council was fully aware of.

There is also significant amount of risk associated with the road closure. Waterloo Road is a critical transport route, carrying a substantial portion of heavy vehicle traffic. Traffic counts undertaken in 2013 indicate traffic volumes in the vicinity of 660 vehicles per day of which 155 are trucks. Of the 155 trucks per day, 81 were multi-combination vehicles (MCV).

Officer Comment

With Waterloo Road closed, the alternative route identified for MCVs travelling between South Western Highway and Ferguson Road was via Martin-Pelusey Road, Boyanup-Picton Road and Ferguson Road. Martin-Pelusey Road and Boyanup-Picton Road have RAV 3 access (Prime mover, semi trailer towing and a dog trailer), the same as Waterloo Road. However, the section of Ferguson Road between Boyanup-Picton Road and Waterloo Road does not have RAV 3 access. The Shire has formally notified Main Roads WA of the proposed road works and requested assessment and temporary approval for access via Ferguson Road. This is currently pending approval by Main Roads Heavy Vehicle Operations.

The road closure would be communicated to the public and road users via road signs, Shire of Dardanup website and social media.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

315-17 MOVED - Cr. J Lee SECONDED - Cr. L Davies

THAT Council approves an order of temporary full road closure of Waterloo Road (between Phillips Road and Ferguson Road) between the dates of 2 January 2018 and 9 February 2018, in accordance with Section 3.50 of the Local Government Act 1995, to facilitate construction works on Bridge No. 0193 over the Ferguson River.

CARRIED
9/0

12.3

Title: Rezoning, Sale and Amalgamation of Portion of Reserve 24728
(Lot 550) Hamilton Road, Eaton to Riverside Cabin Park

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Steve Potter – Manager Development Services

Legislation: Planning and Development Act 2005
Land Administration Act 1997
Local Government Act 1995

Location Plans



Background -

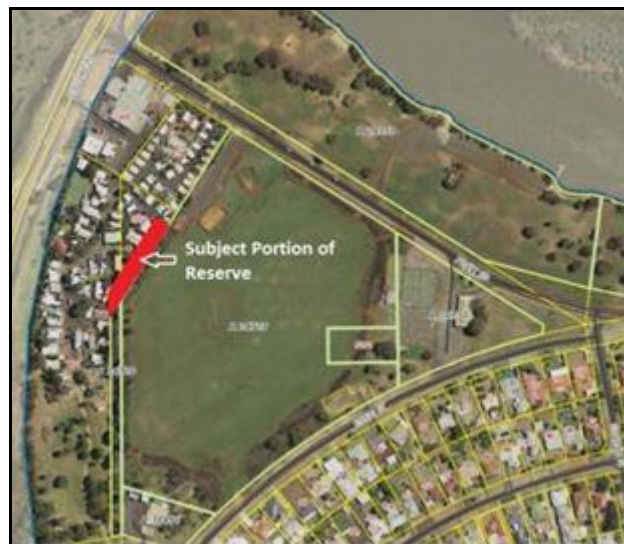
In 2014 it was brought to the Shire's attention that Riverside Cabin Park was occupying a 900m² portion of Reserve 24728 (Pratt Road Oval) as an overflow camping area. The reserve is vested in the Shire for the purpose of "Recreation".

Upon discussing the matter with the owner of the caravan park, Mr Ben Bevan, it was determined that he was interested in purchasing the land from the Shire which resulted in a report being presented to Council for consideration at its meeting of 13 August 2014 where it was resolved:

THAT Council:

1. Advises:

- a) The Department of Lands (South West and Great Southern) that Council supports the excision and subsequent purchase and amalgamation into the adjoining property (Lot 5551) of approximately 900m² of Reserve 24728, Lot 550 Hamilton Road by the Riverside Caravan Park as shown below and will undertake public consultation and provide details and the results of the consultation. Further, indemnifies the Department of Lands for any costs involved in the disposal of approximately 900m² of Reserve 24728, Lot 550 Hamilton Road.*
- b) The Riverside Caravan Park (Ben Bevan), that Council supports the excision and subsequent purchase and amalgamation into the adjoining property (Lot 5551) of approximately 900m² of Reserve 24728 Lot 550 Hamilton Road as shown below.*
- c) The Riverside Caravan Park (Ben Bevan), to contact the Department of Lands (South West and Great Southern) to advise them that Riverside Caravan Park wishes to purchase and amalgamate into the adjoining property (Lot 5551) approximately 900m² of Reserve 24728 Lot 550 Hamilton Road as shown below.*
- d) The Department of Planning that the Shire of Dardanup seeks approval for the excision and subsequent purchase and amalgamation into the adjoining property (Lot 5551) of approximately 900m² of Reserve 24728 Lot 550 Hamilton Road as shown below.*



2. *Authorise the Chief Executive Officer and the Shire President to sign any documents required to acquire and dispose of approximately 900m² of Reserve 24728 Lot 550 Hamilton Road to Riverside Caravan Park.*
3. *Authorise the use of any funds required to acquire and dispose of approximately 900m² of Reserve 24728 Lot 550 Hamilton Road to Riverside Caravan Park as unbudgeted expenditure to be funded from the Land Development Reserve and any proceeds from the disposal of approximately 900m² of Reserve 24728 Lot 550 Hamilton Road to be deposited into the Land Development Reserve.*

Subsequent to Council's decision, officers contacted the Department of Lands (now Department of Planning, Lands & Heritage) advising of Council's decision and seeking support and guidance as to the DoL's requirements to achieve the desired outcome.

In response, the DoL advised that the following was required:

- Council to provide reasoning for the disposal of the portion of the reserve;
- Council to undertake public consultation and provide the DoL with details of the results;
- Council to obtain the approval of the Department of Planning; and
- Council and the DoL to agree on a trust fund with proceeds from the sale being expended on the other recreation reserves in the general vicinity.

Officers fulfilled these requirements and advised the DoL in October 2014 that they had been met.

A report was then prepared by DoL officers for the Minister's consideration who approved the sale of the land to the Shire in December 2016 for 5% of its estimated market value in accordance with DoL policy (\$1980). The land has now been subdivided from the parent lot and settlement of the newly formed lot (Lot 501) occurred in August 2017. A copy of the Deposited Plan indicating the new titles is provided in (Appendix ORD: 12.3A).

Since settlement, Shire officers have obtained a valuation of the land by Landgate which has valued the land at \$40,000 and a copy of the valuation is provided in (Appendix ORD: 12.3B).

In addition, officers have entered into negotiations with Mr Bevan regarding the sale of the land from the Shire to the Riverside Cabin Park. Mr Bevan has indicated that he is satisfied with the market valuation provided by Landgate as representing a fair and reasonable price for the purchase of the land.

It is noted that Lot 501 is still reserved for 'Recreation' and therefore the land will need to be rezoned to 'Short-stay Residential' to reflect the existing zoning relevant to the remainder of the Riverside Cabin Park. Officers have sought advice from the Department of Planning with regards to the most efficient means of coordinating the rezoning and amalgamation and it has been determined that the land should first be rezoned, prior to sale and amalgamation.

There are a number of costs involved with the rezoning and amalgamation process which are estimated to be in the vicinity of \$8,000 - \$10,000. Upon reviewing the original report presented to Council in 2014, it was not indicated whether Council or

the Riverside Cabin Park would incur these costs. Officers have discussed this matter with Mr Bevan and it has been suggested that Council and Mr Bevan split the associated costs evenly. For efficiency it has been proposed that Shire officers would coordinate the processes of rezoning / amalgamation and invoice the Riverside Cabin Park for half of the costs as they arise.

Legal Implications -

Section 3.58 (3) & (4) of the *Local Government Act 1995* is relevant to the disposal of property by a local government in the manner proposed and states:

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it gives local public notice of the proposed disposition —*

(i) *describing the property concerned; and*

(ii) *giving details of the proposed disposition; and*

(iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

and

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

(a) *the names of all other parties concerned; and*

(b) *the consideration to be received by the local government for the disposition; and*

(c) *the market value of the disposition —*

(i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*

(ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications —

The 2017/18 annual budget includes an allocation of \$18,000 for land development expenses associated with this process.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

To ensure there are no complications in the future, it is recommended that prior to undertaking any further actions regarding rezoning / amalgamation, the Shire enters into a Contract of Sale with the Riverside Cabin Park which will outline the agreed sale price and include conditions relevant to the prior successful rezoning of the land. It is anticipated that amalgamation will coincide with the date of settlement.

In light of the above, it is suggested the following will apply going forward:

- Council to resolve to sell the land in accordance with the valuation provided by Landgate and agree to share associated costs evenly with the Riverside Cabin Park;
- Staff to prepare a Contract of Sale, to be co-signed by the Shire and Mr Bevan with conditions relevant to the land being rezoned prior to sale and the sharing of associated costs;
- Planning staff to initiate rezoning of the land from 'Reserve for Recreation' to 'Short-stay Residential';
- Staff to advertise the proposed sale in accordance with the disposal requirements outlined in section 3.58 of the Local Government Act for the disposal of property;
- Subject to no objections being received during advertising and the successful rezoning of the land, officers to progress the sale of the land to settlement; and
- Trust fund to be established with all proceeds from the sale of the land to be used on recreation facilities in the general vicinity.

It is estimated the above will take a further 12-18 months to complete.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Resolves to sell the 991m² portion of land identified as Lot 501 on Deposited Plan 410950 (Appendix ORD: 12.3A) to Mr Ben Bevan (Riverside Cabin Park) for the sum of \$40,000 (exc. GST) subject to the following conditions:
 - a) Prior to settlement the land is required to be rezoned from 'Reserve for Recreation' to 'Short-stay Residential' with the Shire of Dardanup being responsible for administering the rezoning process;

- b) The Shire of Dardanup and Mr Ben Bevan (Riverside Cabin Park) to evenly share costs associated with rezoning and amalgamation of Lot 501 at a ratio of 50:50; and
 - c) The settlement date shall be set no later than 24 months from the date of the Contract of Sale to allow for sufficient time for rezoning to occur.
2. Authorises staff to prepare a Contract of Sale consistent with Resolution 1, to be signed by the Chief Executive Officer and the Shire President;
 3. Authorises staff to commence the scheme amendment process to rezone Lot 501 from 'Reserve for Recreation' to "Short-stay Residential";
 4. Authorises staff to undertake the necessary public notification of the proposed sale in accordance with Section 3.58 (3) & (4) of the Local Government Act 1995;
 5. Subject to no objections being received under Resolution 4 and the successful rezoning of the land to 'Short-stay Residential', authorises staff to progress the matter to settlement; and
 6. Reaffirms its commitment to creating a Trust fund for any proceeds from the sale to be used on recreational facilities in the general vicinity.

Discussion:

Cr. J Dow suggested that there should be a maximum limit on its contribution towards associated fees to limit the cost to Council.

Council agreed that Part 7 be added to the recommended resolution to reflect the limit.

Change to Officer Recommendation

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

To put a limit on the fees and control the costs to the ratepayers.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

316-17 MOVED - Cr. P S Robinson SECONDED - Cr. J Lee

THAT Council:

1. **Resolves to sell the 991m² portion of land identified as Lot 501 on Deposited Plan 410950 (Appendix ORD: 12.3A) to Mr Ben Bevan (Riverside Cabin Park) for the sum of \$40,000 (exc. GST) subject to the following conditions:**

- a) **Prior to settlement the land is required to be rezoned from 'Reserve for Recreation' to 'Short-stay Residential' with the Shire of Dardanup being responsible for administering the rezoning process;**
 - b) **The Shire of Dardanup and Mr Ben Bevan (Riverside Cabin Park) to evenly share costs associated with rezoning and amalgamation of Lot 501 at a ratio of 50:50; and**
 - c) **The settlement date shall be set no later than 24 months from the date of the Contract of Sale to allow for sufficient time for rezoning to occur.**
2. **Authorises staff to prepare a Contract of Sale consistent with Resolution 1, to be signed by the Chief Executive Officer and the Shire President;**
 3. **Authorises staff to commence the scheme amendment process to rezone Lot 501 from 'Reserve for Recreation' to "Short-stay Residential";**
 4. **Authorises staff to undertake the necessary public notification of the proposed sale in accordance with Section 3.58 (3) & (4) of the Local Government Act 1995;**
 5. **Subject to no objections being received under Resolution 4 and the successful rezoning of the land to 'Short-stay Residential', authorises staff to progress the matter to settlement; and**
 6. **Reaffirms its commitment to creating a Trust fund for any proceeds from the sale to be used on recreational facilities in the general vicinity.**
 7. **Make a \$5,000 maximum contribution of fees associated with the land transfer.**

CARRIED
8/1

12.4 Title: Application for Development Approval – Lot 104 Columbas Drive, Picton East – Proposed Industrial Workshop (Mr N. Smargiassi)

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

Location Plan



Site Plan



Background -

Council has received an Application for Development Approval under the Shire's Town Planning Scheme No. 3 (TPS3) for the construction of an industrial workshop on Lot 104 Columbas Drive, Picton East. A copy of the full application is provided in (Appendix ORD: 12.4A).

Lot 104 is zoned 'Restricted Use' under TPS3 with the only land use permitted being 'Dry Industry'. The property is approximately 8.5ha in area and contains large stands of remnant vegetation. It is bound by a railway reserve on its northern boundary, beyond which is land zoned 'Development' for future industrial structure planning. It is adjacent to 'General Farming' zoned properties to the south and east and achieves access from Columbas Drive (cul-de-sac) in its south-eastern corner. A property directly to the south of Lot 104 (Lot 102) is also partially zoned with a 'Restricted Use' for 'Dry Industry'.

Lot 104 is dissected by a Water Corporation drain and power lines (with associated easements) with the Water Corporation drain also bordering its eastern boundary within the southern portion of the lot as indicated by the green dashed line on the site plan. The area of the lot identified for the proposed industrial workshop is clear of vegetation and appears to have been the subject of historical filling. No clearing of vegetation is proposed as part of this application.

The subject proposal is for the construction of an industrial workshop (with office) to be used for engineering, machining, manufacturing, refurbishment, sandblasting, painting and storage of equipment and vehicles. Incidental development proposed includes a large gravel hardstand (bordered by a 2m high link mesh fence), two 20,000L water tanks, effluent disposal system and alterations to the existing drainage infrastructure.

In addition to the application under TPS3, an Application for Planning Approval under the Greater Bunbury Region Scheme (GBRS) has been lodged as the property abuts a railway reserve and the proposed use of an industrial workshop is inconsistent with the 'Rural' zoning of the property under the GBRS. Pursuant to the requirements of the GBRS, this application was referred to the Department of Planning, Lands and Heritage (DPLH). The Shire was subsequently advised by the DPLH that the Shire only has delegation under the GBRS to refuse this application. A copy of the advice from DPLH is provided in (Appendix ORD: 12.4B).

Given DPLH's advice, if Council resolves to approve the subject application under TPS3, the application made under the GBRS will be forwarded to the Western Australian Planning Commission (WAPC) for determination. The applicant is required to obtain approval under **both** TPS3 and the GBRS prior to the development commencing.

- *Advertising*

Pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* and the requirements of the GBRS, the application was referred to the following agencies for comment:

- Western Power;
- Department of Agriculture and Food WA;
- Public Transport Authority;

- Department of Biodiversity, Conservation and Attractions;
- Water Corporation;
- Public Transport Authority;
- Environmental Protection Authority; and
- Department of Water and Environment Regulation.

In response to the advertising, seven submissions were received, with no agency objecting to the proposal, however three provided comment and recommended conditions to be imposed. Copies of all submissions received are contained within (Appendix ORD: 12.4C).

A summary of all submissions received are contained in the following Schedule of Submissions:

Submitter		Submitter Comment	Officer Comment
1.	Public Transport Authority	No objection.	Noted.
2.	Environmental Protection Authority	Comment. Advises that the EPA does not generally provide comment on development approvals.	Noted. Officers note that advice to the contrary has previously been received from the EPA.
3.	Department of Agriculture and Food WA	No Objection.	Noted.
4.	Western Power	Comment. 1. Advises that prior to commencing any work, it is essential that a 'Dial Before You Dig' is completed to obtain the location and voltage of the Western Power network. 2. Notes that areas of high risk include: - Danger Zone; - Registered Easement; - Restriction Zone; and - Minimum approach distance. Recommends that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements.	If Council resolves to approve the subject application, an advice note can be included on any approval recommending the applicant complete a 'Dial Before You Dig' prior to the commencement of any earthworks. As drainage works are proposed within the Western Power easement on Lot 104, if Council resolves to approve the application, an advice note can be included on any approval notifying the applicant of Western Power's recommendation.
5.	Department of Water and Environmental Regulation	Comment. 1. Identifies the following potential risks associated with the proposal: -Scrap metal operations	Noted.

Submitter	Submitter Comment	Officer Comment
	<p>utilise and involve environmentally harmful chemicals such as fuel, oils, water coolants, lubricants, solvents and hydraulic fluids. Therefore the close proximity of the proposal to wetlands and drainage lines (that are hydrologically connected to the Preston River) pose a high level of risk to both these surface and groundwater resources from the above scrap metal operation pollutants.</p> <ul style="list-style-type: none"> - As no information is provided regarding the storage of fuels, solvents and other chemicals, e.g. whether the storage is to be in above-ground or below ground tanks; there may be additional risk factors associated with this proposal. - Vegetated buffers are key strategic elements among a series of protection barrier options that reduce the risk of contaminant impact on water quality; as such the absence of any buffers to the wetlands increases the risk to the wetland water quality and potential groundwater contamination; particularly when accidents or minor cumulative leaks occur. - The high water table and proximity to wetlands makes the disposal of onsite sewerage water especially problematic, with a high risk of pathogen and nutrient contamination of the surface and groundwater resources. - If an easement is not in place over the Water Corporation drain, management and maintenance of the drain is likely to be problematic due to restricted access. <p>Advises that based on the above risks, areas of exposed water and vegetation, the location of the proposed activity within the subject lot is constrained.</p>	

Submitter	Submitter Comment	Officer Comment
	2. Recommends that the proposal be referred to Department of Parks, Biodiversity and Conservation for wetland reclassification and recommended buffers between the proposed land use and wetland.	The application was referred to the Department of Biodiversity, Conservation and Attractions. It's comments are provided in this schedule of submissions.
	3. Recommends that due to the intended changes to Water Corporation's assets (the drain) over private land and associated potential access concerns, the proposal should be referred to Water Corporation.	The application was referred to the Water Corporation. It's comments are provided in this schedule of submissions.
	4. Recommends to protect the wetlands and groundwater resource, an appropriate vegetated buffer should be set between the wetlands and proposal footprint, having due regard to fire hazard separation requirements.	<p>The Department of Biodiversity, Conservation and Attractions has requested fencing around the perimeter of the development to ensure protection of existing vegetation and wetlands.</p> <p>The Department of Biodiversity Conservation and Attractions is considered to be the lead agency for matters relating to wetlands and the fencing requirement alone is considered appropriate and sufficient.</p>
	5. Recommends that in order to protect the groundwater resource from leaching of chemicals, nutrients, pathogens, or otherwise, an appropriate groundwater separation depth (maximum end of season) should be set for the development (including sewage water disposal).	If Council resolves to approve the application, a condition can be imposed that requires the protection of groundwater through the preparation and implementation of a Waste Management Plan that is to be approved by the Shire in consultation with the Department of Water and Environmental Regulation.
	6. Advises that it is the Department's preference for an Aerobic Treatment Units (ATU's) in lieu of septic systems for their nutrient stripping capacity, consistent with the WQIP. To ensure this system is maintained in accordance with the regulatory requirements, recommends that a minimum ten year maintenance contract also be required.	The approval of effluent disposal systems does not form part of this planning approval.
	7. Recommends that high risk activities (where the likelihood of spills and leaks are high) including storage of chemicals should be identified and occur over bunded impervious areas,	If Council resolves to approve the application a condition can be imposed that requires the preparation and implementation of Waste Management Plan that addresses the storage and clean-

Submitter	Submitter Comment	Officer Comment
	preferably indoors where possible.	up of potentially harmful substances associated with the proposed uses.
	8. Advises that the proponent should manage stormwater in accordance with the ' <i>Decision process for stormwater management in WA, DOW 2009</i> ' and the ' <i>Stormwater Management Manual for Western Australia, DoW 2004-2007</i> '.	If Council resolves to approve the application a condition can be imposed that requires the preparation and implementation of a Stormwater Management Plan that ensures that any potential contaminants from the proposed workshop and hardstand area do not enter the environment.
	9. Advises that clean roof water and clean stormwater runoff should be kept separate from contaminated areas by means of bunds.	As above.
	10. Advises that stormwater disposal areas shall be kept separate from sewerage effluent disposal areas.	As above.
	11. Notes that the above risk mitigation measures should be part of a 'Stormwater Management Plan' prepared to the satisfaction of the Shire, which includes a clearly labelled site plan containing the above details.	As above.
6.	<p>Department of Biodiversity, Conservation and Attractions</p> <p>Comment.</p> <p>1. Advises that Lot 104 contains areas of remnant vegetation which are important as a wildlife refuge and identified in <i>Molloy et al, 2009</i>, as being part of and contributing to a regional ecological linkage.</p> <p>2. Advises that Lot 104 contains the Southern River vegetation complex which is poorly reserved and below the National Target of 30% retention. The Priority flora species <i>Verticordia attenuata</i> is also known to occur within close proximity to Lot 104.</p> <p>3. Advises that the Department has recently undertaken an extensive western ringtail possum (WRP) habitat study within the South West Region (<i>Shedley et al, 2014</i>). Lot 104 has been identified in <i>Shedley</i></p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

Submitter	Submitter Comment	Officer Comment
	<i>et al</i> , 2014 as being important in maintaining the integrity of WRP habitat.	
	4. Notes that Lot 104 also contains potential black cockatoo habitat.	Noted.
	5. Advises that WRP and black cockatoos are listed as threatened species under the Commonwealth of Australia's <i>Environment Protection and Biodiversity Conservation Act 1999</i> and Western Australia's <i>Wildlife Conservation Act 1950</i> . Major threats to WRP and black cockatoos include habitat loss.	Noted.
	6. Advises that Lot 104 contains an area of Multiple Use Wetlands (MUW) mapped on Parks and Wildlife's <i>Geomorphic Wetlands Swan Coastal Plain</i> dataset. This MUW is hydrologically connected to a Resource Enhancement Wetland (REW) to the south of Lot 104.	Noted.
	7. Advises the East Picton Main Drain is located immediately north of Lot 104.	Noted.
	8. Notes that the Environmental Protection Authority (EPA) provided advice to the Minister for the Environment on areas of conservation significance within the Preston Industrial Park (EPA Bulletin 1282). The proposal area contains native vegetation identified within EPA Bulletin 1282 as Investigation Areas 6 and 7.	Noted.
	9. Notes that EPA Bulletin 1282 recommended that the native vegetation within Investigation Area 7 should be retained as Regional Open Space through a future GBRS amendment because it is a regionally significant natural area of high value.	Noted.
	10. Notes that Lot 104 and surrounding area's native vegetation is identified on Figure 6 of EPA Bulletin 1282 as being conservation areas.	Noted.

Submitter	Submitter Comment	Officer Comment
	11. Advises that any development should aim to minimise impacts to the poorly reserved remnant regional ecological linkage vegetation, potential threatened flora and fauna habitat and wetlands areas within, and adjoining the property.	Noted.
	12. Advises that the MUW immediately to the south of Lot 104 appears to be in good condition. Given this, and that the surrounding native vegetation is recommended for conservation in EPA Bulletin 1282, the Department considers the existing wetlands should be reclassified to at least REW.	Noted.
	13. Recommends that no disturbance, including storage of materials, occurs outside the proposed development area, as depicted on the development plans, either during or post construction.	Noted.
	14. Recommends that suitable fencing, preferably 2 metre high link mesh fencing is installed around the proposed development area to protect the wetlands and associated riparian vegetation, and the EPA Bulletin 1282 recommended conservation areas, from potential accidental machinery encroachment and storage impacts.	This recommendation was presented to the applicant who has amended the development plans to reflect this requirement. The development plans indicate a 2m high chain mesh fence being installed around the development site to protect adjacent wetlands and vegetation.
	15. Notes the drainage easement is proposed to be relocated to the east of its current position, to enable the existing drain to be backfilled.	Noted.
	16. Advises that there should be no pollutant run-off into the existing drainage system and wetland areas, and all surface drainage should be captured on site and filtered to ensure only good quality water flows into the Water Corporation drain system and/or wetland areas.	If Council resolves to approve the application a condition can be imposed that requires the preparation and implementation of a Stormwater Management Plan that ensures that any potential contaminants from the proposed workshop and hardstand area do not enter the environment.
	17. Considers the wetlands that surround the current	The application does not propose any additional fill beyond the

Submitter	Submitter Comment	Officer Comment
	extension of fill should be protected. Recommends that any required fill does not extend beyond the proposed development area, and in particular should not extend further south, west or north of existing cleared areas.	development area. Any additional fill proposed outside of this application would require a further Development Approval.
	18. Recommends that any drainage swales are located along the eastern and/or northern boundaries of the proposed development area.	Drainage swales are located along the northern and eastern sides of the development area as indicated on the development plans.
	19. Advises that there should be sufficient depth of fill to achieve adequate ground water separation requirements, particularly for effluent disposal to ensure waste water treatment units are effective. The proponent should seek advice regarding ground water and surface water quality, potential pollutant run-off and ground water separation requirements from the Department of Water.	<p>The subject application was referred to the Department of Water and Environmental Regulation which has provided comment on the application.</p> <p>Any proposed effluent disposal system will require the approval of the Shire whereby an appropriate separation distance to the groundwater will need to be demonstrated through this process.</p> <p>Pollutant run-off and groundwater separation requirements can be addressed through a Stormwater Management Plan that can be imposed as a condition if Council resolves to approve the application.</p>
	20. Advises that given the drainage system is managed by the Water Corporation, the proponent would need to seek approval for the proposed drainage easement relocation from the Water Corporation.	Comment from the Water Corporation has been received as part of this application which is provided in this schedule of submissions.
7.	Water Corporation	<p>Comment.</p> <p>1. Advises the subject lot falls within the East Picton Drainage Catchment</p> <p>2. Advises that no adverse discharge or runoff from the development would be allowed into the Water Corporation's drainage system.</p> <p>Noted.</p> <p>If Council resolves to approve the application a condition can be imposed that requires the preparation and implementation of a Stormwater Management Plan that ensures that any potential contaminants from the proposed workshop and hardstand area do not enter the environment.</p> <p>This includes preventing all pollutant runoff entering the current Water Corporation drain.</p>

Submitter	Submitter Comment	Officer Comment
	3. Advises that Water Corporation drainage infrastructure is located within the subject lot.	Noted.
	4. Considers the developer is required to fund the full cost of protecting or modifying any of the existing Water Corporation drainage facilities or infrastructure which may be affected by this development.	All modifications to the existing drainage infrastructure including the associated costs with such works will be the responsibility of the applicant.
	5. Advises that it is the Water Corporation's preference for the management responsibility for the 120m length of the East Picton Sub C Drain to be transferred to the Shire based on the following justification: - There is only a small catchment upstream; and - The existing easement over this drain through the property is already vested in the Shire of Dardanup.	It is noted that although the Water Corporation have historically managed this drainage infrastructure, the easement over the drain is vested to the Shire of Dardanup. The Shire's Engineering Department has advised that the Shire can take over responsibility of this portion of the drain as it will service land used for an industrial activity. Typically, the Water Corporation only manages drainage infrastructure within a rural setting.
	6. Advises that if the transfer (as described in comment 5 above) was not acceptable to the Shire, the Water Corporation require the following: - The connection between the realigned drain to the East Picton MD (including culvert to drain) should be designed erosion free. - Minimum depth to bottom width ratio of 0.5 and side slopes of 1:1.5. - Maintenance access required is at least 10m from the centreline of the drain (for smaller drain). - Boundary fence should be at least 6m from the drain. - A 24/7 access to the drain for maintenance purposes. - Culverts are designed to carry the flow and in accordance with the Water Corporation's 'Rural Drainage – Private Crossings on Water Corporation Drains'.	As above.

Legal Implications

Appeal rights exist at the State Administrative Tribunal.

Strategic Community Plan - None.

Environment

An environmental study was commissioned by the Environmental Protection Authority in 2008 for the Picton East locality which included Lot 104 Columbas Drive. This study (*Advice of the Environmental Protection Authority to the Minister for the Environment under Section 16(e) of the Environmental Protection Act 1986*) identified the vegetation on Lot 104 as being regionally significant and of high value which should be retained within the future planning for the Preston Industrial Park area and has been recommended it be preserved as Regional Open Space.

Precedents

Lot 102 Columbas Drive, Picton East was granted Development Approval in September 2003 for 'Sandblasting and Spray Painting' under its 'Restricted Use' zoning for 'Dry Industry'.

Budget Implications - None

Budget – Whole of Life Cost

If Council takes responsibility for managing the identified 120m section of the East Picton Sub C Drain, ongoing management costs will apply.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The following documents are relevant to the proposal:

- *Greater Bunbury Region Scheme (GBRS);*
- *Clause 3.15 'Restricted Use Zones' of TPS3;*
- *Appendix V – 'Restricted Use Zones' of TPS3;*
- *Clause 3.11 'Dry Industry Use' of TPS3; and*
- *Draft Picton Industrial Park Structure Plan (PIPSP).*

Each of these will be addressed individually.

- *Greater Bunbury Region Scheme*

Lot 104 is zoned 'Rural' under the GBRS. The proposal involves industrial activities that are considered to be inconsistent with the 'Rural' zone. This inconsistency requires the proposal to be considered under the GBRS in addition to the approval requirements under TPS3. In addition to the above, Lot 104 abuts a railway reserve which also requires the proposal to be referred to the PTA under the GBRS prior to consideration.

Council only has delegation from the WAPC to refuse the GBRS application. If Council resolves to approve the application under TPS3, Council is then required to forward the GBRS application to the WAPC for determination. The applicant requires approval under both TPS3 and the GBRS to enable the development to commence.

- *Clause 3.15 'Restricted Use Zones' of TPS3*

Clause 3.15 '*Restricted Use Zones*' of TPS3 states:

3.15.3 Those portions of the Scheme Area which are specified in Appendix V are classified as Restricted Use Zones for the uses or purposes set against such lands respectively in Appendix V.

3.15.4 No person shall use any land any building or any structure thereon in a Restricted Use zone except for the use or purpose set against such land in Appendix V.'

Clause 3.15.4 indicates that land identified as 'Restricted Use', can only be used for the purpose identified in Appendix V of TPS3.

It is considered that Council's role is to ensure that the subject application is consistent with the defined 'Restricted Use' of TPS3 and that appropriate conditions are imposed on the development.

- *Appendix V – 'Restricted Use Zones' of TPS3*

Appendix V – '*Restricted Use Zones*' of TPS3 provides the following provisions for Lot 104 Columbas Drive:

a) Notwithstanding any other provision of the Scheme, the following use classifications and symbols apply to the subject land:

'Dry Industry (P) – development standards as per the Light Industry Zone'

b) The use of asbestos, metal sheeting or wooden pickets as boundary fencing shall not be permitted.

c) Applications for Planning Consent are to demonstrate that there will be no adverse impacts in terms of dust, noise or odour, on the residential premises in the immediate locality.

d) Notwithstanding the above, the subject land will be required to connect to reticulated services when connection is feasible. Upon connection of sewerage, Council may permit other uses as permitted under the General Industry Zone.

e) Further subdivision of Lots 104 and 105 is not permitted until such time as:

i) Comprehensive structure planning has been undertaken for the Preston Industrial Park; and

ii) The subject land can be provided with appropriate services, including reticulated water and sewer.

It is considered that the proposal is consistent with the above provisions and as such, can be approved by Council subject to appropriate conditions.

- **Clause 3.11 'Dry Industry Use' of TPS3**

Clause 3.11 'Dry Industry Use' of TPS3 states:

3.11.1 The following provisions shall apply to Dry Industry Uses.

- a) Council shall not permit an industrial use unless it can be demonstrated that the use conforms with the Dry Industry definition outlined in Section 1.8.1 of the Scheme Text.*
- b) All buildings and structures shall be set back a minimum of 15 metres from the primary street frontage and 10 metres from specified revegetation areas. The 15 metre setback from the primary street frontage can be used for landscaping, carparking or trade display. Council may vary the setback, for any setback other than the primary street requirement, if the landowner can demonstrate that it will not adversely impact upon adjoining land use, revegetation or access for fire-fighting purposes.*
- c) The landowner shall be required to maintain all revegetation areas shown on the Subdivision Guide Plan. If no Subdivision Guide Plan is applicable, then Council at its discretion, may as a condition of Planning Approval, request replanting of portions of the site. The choice of species shall be the responsibility of the landowner, however at least 50% of the trees must be capable of growing to a height of 3m within 5 years, with preference given to species endemic to the region.*
- d) All crossovers will be required to be sealed to the satisfaction of Council.*
- e) Council will require stormwater disposal measures to be undertaken to ensure that maximum retention and infiltration occurs on site through the use of individual soakwells, retention basins or other measures as deemed necessary. Pollutants such as grease, oil, and suspended solids, shall be contained on site to the satisfaction of Council.*
- f) On site effluent disposal shall utilise amended soil systems, unless the proponent can demonstrate to Council, that soil conditions are conducive to the operation of septic tanks and leach drains. Council may require the landowner to prepare a geotechnical report before Planning Approval is granted or as a condition of Planning Approval, to any proposed use.*
- g) The landowner shall be responsible for the maintenance of amenity in those areas surrounding individual industries and shall take necessary steps to rectify unsightly displays or unkempt land as directed by Council.*
- h) A water supply shall be established that meets the Australian Standards 24-19-1 for fire-fighting purposes.*

Each of the above scheme provisions will be addressed individually below:

a) Conformance with 'Dry Industry' Definition

Clause 1.8.2 of TPS3 provides land use definitions for all land uses identified within TPS3. For reasons unknown, 'Dry Industry' is not defined within Clause 1.8.2. However, as the proposed development does not require the connection to reticulated water or reticulated sewer, it can be considered consistent with what typically is described in a planning context as a 'Dry Industry'.

b) Setbacks

The proposed development has front setback of 7.5m, contrary to the required 15m setback stipulated by Clause 3.11.1b) of TPS3.

It is noted however that Lot 104 has an atypical road frontage to Columbas Drive, with it effectively fronting the corner of a cul-de-sac. Additionally, the proposed workshop is positioned off-centre from the proposed accessway, creating less of a visual imposition on the road frontage.

Clause 3.11.1b) suggests that the front setback cannot be varied however, the variation of a scheme requirement may be considered under Clause 7.6.1 which states:

'7.6.1 Except for development in respect of which the Residential Planning Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard requirement under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.'

Pursuant to Clause 7.6.1 of TPS3, it is considered that the proposed development front setback of 7.5m is acceptable.

c) Replanting of Site

The proposal seeks to utilise an existing cleared portion of the site for the industrial operations, and is not seeking to remove any vegetation. The balance of the property contains significant vegetation, which has been identified by relevant government agencies for protection. Given the existing vegetation on site, and the modifications made to the development plans by the applicant to protect this vegetation through fencing, replanting or revegetation of portions of the site is not considered necessary.

d) Crossovers

A single crossover is proposed connecting the site to Columbas Drive. If Council resolves to approve the application, a condition can be imposed that requires the crossover to be constructed to the Shire's specifications which would include sealing of the crossover.

e) Stormwater Disposal

The proposed development includes modifications to the existing drainage infrastructure on site and additional swales to be constructed. To ensure that any pollutants are treated/removed from the stormwater before entering the environment,

a Stormwater Management Plan is recommended to be imposed as a condition which can ensure that stormwater is retained on site and that water sensitive urban design principles can be incorporated.

f) On Site Effluent Disposal System

The suitability and type of effluent disposal systems to be used for a proposed development is typically determined at the time a Building Permit application is lodged with the Shire. However, in order to ensure that the development can be supported by on-site effluent disposal, a condition of approval is recommended to be imposed that requires a suitable geotechnical report be prepared and submitted to the Shire demonstrating the suitability of the site for accommodating on-site effluent disposal.

g) Maintenance of Amenity

Site inspections and aerial photography indicate that the dumping/storage of miscellaneous building materials has historically occurred on Lot 104. The below aerial image (31 October 2017) illustrates the location of these materials in relation to the proposed development site.



Shire records do not indicate that any approval has been granted for the dumping/storage of these materials.

To ensure that amenity of the area is protected and maintained it is recommended that a condition be imposed requiring waste building materials to be removed from site prior to the occupation of the proposed development.

Furthermore, the development area is to be fenced with industrial activities to be contained within the fenced area.

h) Water Supply

The proposed development includes two 20,000L water tanks to be installed adjacent to the proposed workshop, which have the potential to be used for fire-fighting purposes. Although a TPS3 provision, the provision of water supply for fire-

fighting purposes is a requirement of the Building Code of Australia (BCA) and is typically addressed at the Building Permit application stage. Given the technical requirements under the BCA to supply water to a site for fire suppression, it is considered that this requirement can be suitably and more appropriately addressed at the Building Permit application stage.

- *Draft Picton Industrial Park Structure Plan*

The draft Picton Industrial Park Structure Plan (PIPSP) is currently being considered for adoption by the WAPC and identifies areas of the Picton locality for future industrial subdivision and development. Lot 104 is contained within the PIPSP area however, is identified as future 'Rural'. This proposed zoning is consistent with the current GBRS zoning, however, is contrary to the TPS3 'Restricted Use – Dry Industry' zoning.

As a result, the GBRS application will need to be referred to the WAPC for determination.

- *Officer Recommendation*

The 'Restricted Use – Dry Industry' zoning of Lot 104 does not allow the refusal of an Application for Development Approval that is generally consistent with the 'Restricted Use – Dry Industry' provisions of TPS3. Based on the above assessment, it is considered that the proposal is consistent with the relevant TPS3 provisions and as such, it is recommended that the application be granted approval subject to appropriate conditions.

If Council resolves to approve the application under TPS3, the GBRS application will be required to be forwarded to the WAPC for determination, as Council do not possess the delegation from the WAPC to approve the GBRS application.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Note: Cr. D Harris left the room [5.16pm].

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Approves the Application for Development Approval on Lot 104 Columbas Drive, Picton East under Town Planning Scheme No. 3 for an industrial workshop and associated development subject to the following conditions:
 - a) The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.
 - b) All crossovers shall be located and constructed in accordance with the Shire's specifications (Policy ENG 10

- Crossovers in Townsites and Rural Areas) prior to use and/or occupation of the proposed development.
- c) A Waste Management Plan shall be submitted to the Shire and approved by the Director Engineering and Development Services in consultation with the Department of Water and Environmental Regulation prior to the use and/or occupation of the proposed development and thereafter implemented.
 - d) A Stormwater Management Plan shall be submitted and approved by the Director Engineering and Development Services in consultation with the Department of Water and Environmental Regulation prior to the commencement of development.
 - e) The approved Stormwater Management Plan shall be implemented prior to the use and/or occupation of the proposed development to the satisfaction of the Director Engineering and Development Services and thereafter maintained.
 - f) Existing drainage easements over Lot 104 Columbas Drive, Picton East shall be suitably modified/relocated to protect the drainage infrastructure identified in the approved Stormwater Management Plan at the full cost of the applicant to the satisfaction of the Director Engineering and Development Services prior to the use and/or occupation of the proposed development.
 - g) A Geotechnical Report shall be submitted to and accepted by the Shire indicating the suitability of the development site to accommodate on-site effluent disposal, to the satisfaction of the Director Engineering and Development Services, prior to the commencement of development.
 - h) All engineering, machining, manufacturing, refurbishment, sandblasting, spray-painting and any other industrial activities associated with the approved development shall be conducted inside of the workshop at all times as indicated on the approved plan.
 - i) A 2m high link mesh fence shall be installed in the locations indicated on the approved plan to the satisfaction of the Director Engineering and Development Services prior to use and/or occupation of the proposed development.
 - j) The storage of vehicles and equipment associated with the approved development shall not occur outside of the approved fenced hardstand area as indicated on the approved plan at all times.

- k) The storage and/or stockpiling of used building material and other miscellaneous materials not associated with the hereby approved development shall not occur on the subject property at any time. The existing stockpiles of used building material and other miscellaneous materials shall be removed from site prior to use and/or occupation of the proposed development.

Advice Notes:

- i) This Development Approval is confined to the authority of the Shire of Dardanup Town Planning Scheme No.3 and the applicant is advised that Planning Approval under the Greater Bunbury Region Scheme is required prior to any development commencing, including site works.
- ii) If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- iii) 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.
- iv) With regard to Condition c), the applicant is advised that the following should be provided in the Waste Management Plan:
- Details of workshop bunding and processes for containing any spills or leaks from proposed industrial activities;
 - Details of areas used for storing of chemicals and containment measures for any spills; and
 - Details of any disposal methods for waste generated from industrial activities.
- v) With regard to Condition d), the applicant is advised that drainage swales should be designed to capture stormwater from the workshop and hardstand area and should address pollutant and contaminant treatment, and ground water separation.
- vi) With regard to Condition h), the applicant is advised that the Department of Biodiversity, Conservation and Attractions have requested the fence be installed to assist in the protection of the adjacent wetlands and riparian vegetation and to prevent accidental machinery encroachment and storage impacts on adjacent vegetation.

- vii) With regard to Condition j), the applicant is advised that if the existing materials on site contain asbestos, a licensed contractor should be employed to safely remove this material from site. Furthermore as there may be asbestos containing materials on this site, the site may be considered a "Contaminated Site" under the Contaminated Sites Act 2003, and the property owner may be required by law to remediate the site before any development can occur. Contaminated sites are governed by the Department of Water and Environmental Regulation.
- viii) The applicant is advised of the following requirements identified by the Shire's Environmental Health Department:
- Sandblasting and spray painting operations shall comply with the Worksafe's 'Code of Practice – Spray Painting';
 - Storage of chemicals and dangerous goods on site shall comply with the Dangerous Good Act 2004;
 - All noise from the proposed operation shall comply with the Environmental Protection (Noise) Regulations 1997; and
 - Any dust generated from the operation shall comply with the Shire of Dardanup Dust Control Local Law 2011.
- ix) The applicant is recommended to conduct a 'Dial-Before-You-Dig' enquiry in regards to the Western Power infrastructure prior to commencement of any works on site.
- x) The applicant is advised that this is not a Building Permit. A Building Permit is required to be sought from the Shire prior to commencement of construction. It is also advised that the Building Permit Application is to be accompanied by engineered structural details that cater for the relevant site conditions and site classification.
- xi) 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.
2. Accepts management responsibility for the modified section of the East Picton Sub C Drain within Lot 104 Columbas Drive, Picton East at the time the drainage infrastructure has been satisfactorily constructed/modified in accordance with the approved Stormwater Management Plan as per Condition d) and e) of the Development Approval granted in Resolution 1, and advises the Water Corporation accordingly.

Discussion:

Council discussed bunding requirements and moved advice note iv) to become a condition rather than an advice note. The numbers of the resolution to be changed to reflect the change.

Change to Officer Recommendation

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

To require the bunding to be a condition rather than an advice note.

Note: Cr. D Harris returned to the room [5.20pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

317-17 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. **Approves the Application for Development Approval on Lot 104 Columbas Drive, Picton East under Town Planning Scheme No. 3 for an industrial workshop and associated development subject to the following conditions:**
 - a) **The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.**
 - b) **All crossovers shall be located and constructed in accordance with the Shire's specifications (Policy ENG 10 – Crossovers in Townsites and Rural Areas) prior to use and/or occupation of the proposed development.**
 - c) i) **Waste Management Plan shall be submitted to the Shire and approved by the Director Engineering and Development Services in consultation with the Department of Water and Environmental Regulation prior to the use and/or occupation of the proposed development and thereafter implemented.**
 - ii) **The following is to be provided in the Waste Management Plan:**
 - **Details of workshop bunding and processes for containing any spills or leaks from proposed industrial activities;**
 - **Details of areas used for storing of chemicals and containment measures for any spills; and**

- **Details of any disposal methods for waste generated from industrial activities.**
- d) A Stormwater Management Plan shall be submitted and approved by the Director Engineering and Development Services in consultation with the Department of Water and Environmental Regulation prior to the commencement of development.**
- e) The approved Stormwater Management Plan shall be implemented prior to the use and/or occupation of the proposed development to the satisfaction of the Director Engineering and Development Services and thereafter maintained.**
- f) Existing drainage easements over Lot 104 Columbas Drive, Picton East shall be suitably modified/relocated to protect the drainage infrastructure identified in the approved Stormwater Management Plan at the full cost of the applicant to the satisfaction of the Director Engineering and Development Services prior to the use and/or occupation of the proposed development.**
- g) A Geotechnical Report shall be submitted to and accepted by the Shire indicating the suitability of the development site to accommodate on-site effluent disposal, to the satisfaction of the Director Engineering and Development Services, prior to the commencement of development.**
- h) All engineering, machining, manufacturing, refurbishment, sandblasting, spray-painting and any other industrial activities associated with the approved development shall be conducted inside of the workshop at all times as indicated on the approved plan.**
- i) A 2m high link mesh fence shall be installed in the locations indicated on the approved plan to the satisfaction of the Director Engineering and Development Services prior to use and/or occupation of the proposed development.**
- j) The storage of vehicles and equipment associated with the approved development shall not occur outside of the approved fenced hardstand area as indicated on the approved plan at all times.**

- k) The storage and/or stockpiling of used building material and other miscellaneous materials not associated with the hereby approved development shall not occur on the subject property at any time. The existing stockpiles of used building material and other miscellaneous materials shall be removed from site prior to use and/or occupation of the proposed development.**

Advice Notes:

- i) This Development Approval is confined to the authority of the Shire of Dardanup Town Planning Scheme No.3 and the applicant is advised that Planning Approval under the Greater Bunbury Region Scheme is required prior to any development commencing, including site works.**
- ii) If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.**
- iii) 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.**
- iv) With regard to Condition d), the applicant is advised that drainage swales should be designed to capture stormwater from the workshop and hardstand area and should address pollutant and contaminant treatment, and ground water separation.**
- v) With regard to Condition i), the applicant is advised that the Department of Biodiversity, Conservation and Attractions have requested the fence be installed to assist in the protection of the adjacent wetlands and riparian vegetation and to prevent accidental machinery encroachment and storage impacts on adjacent vegetation.**
- vi) With regard to Condition k), the applicant is advised that if the existing materials on site contain asbestos, a licensed contractor should be employed to safely remove this material from site. Furthermore as there may be asbestos containing materials on this site, the site may be considered a "Contaminated Site" under the Contaminated Sites Act 2003, and the property owner may be required by law to remediate the site before any development can occur. Contaminated sites are governed by the Department of Water and Environmental Regulation.**

- vii) The applicant is advised of the following requirements identified by the Shire's Environmental Health Department:
- Sandblasting and spray painting operations shall comply with the Worksafe's '*Code of Practice – Spray Painting*';
 - Storage of chemicals and dangerous goods on site shall comply with the *Dangerous Good Act 2004*;
 - All noise from the proposed operation shall comply with the *Environmental Protection (Noise) Regulations 1997*; and
 - Any dust generated from the operation shall comply with the *Shire of Dardanup Dust Control Local Law 2011*.
- viii) The applicant is recommended to conduct a 'Dial-Before-You-Dig' enquiry in regards to the Western Power infrastructure prior to commencement of any works on site.
- ix) The applicant is advised that this is not a Building Permit. A Building Permit is required to be sought from the Shire prior to commencement of construction. It is also advised that the Building Permit Application is to be accompanied by engineered structural details that cater for the relevant site conditions and site classification.
- x) 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.
2. Accepts management responsibility for the modified section of the East Picton Sub C Drain within Lot 104 Columbas Drive, Picton East at the time the drainage infrastructure has been satisfactorily constructed/modified in accordance with the approved Stormwater Management Plan as per Condition d) and e) of the Development Approval granted in Resolution 1, and advises the Water Corporation accordingly.

CARRIED
8/1

12.5 Title: Application for Development Approval – Lot 48 (7) Money Street, Burekup – Proposed Over-height Outbuilding – (Sheds n Homes Bunbury)

Reporting Department: Engineering & Development Services
Reporting Officer: Miss Alice Baldock – Planning Officer
Legislation: Planning and Development Act 2005

Location Plan



Site Plan



Background

Council has received an Application for Development Approval for the construction of an overheight outbuilding at 7 Money Street, Burekup. The 1315m² lot is zoned 'Residential – R12.5' under the Shire of Dardanup Town Planning Scheme No.3 (TPS3). The property abuts similarly zoned properties to the west, east and south.

Full details of the proposal are contained in (Appendix ORD: 12.5) and are summarised below:

- The proposed outbuilding is 79.2m² in floor area;
- The proposed outbuilding is 8.8m in length, 9m in width, with a wall height of 3m and a ridge height of 4.21m;
- The proposed outbuilding will be clad in Colorbond 'Deep Ocean'; and
- The proposed outbuilding will be setback approximately 1.2m from the side (west) boundary setback and approximately 6m from the rear boundary.

The proposed ridge height of the outbuilding does not comply with the required maximum requirements under the Shire's Local Planning Policy *DEV26 – Outbuildings, Patios and Carports – Development Standards* and therefore requires Council's determination.

- *Notification of Application*

Given the variation to the Shire's Policy, the applicant was advised that neighbours comments would be required. The applicant obtained the consent of two adjoining landowners, as listed below:

- 5 Money Street, Burekup; and
- 6 Castieau Street, Burekup

A location map is provided below which identifies all landowners that were invited to make comment on the application:



Legal Implications

Appeal rights exist through the State Administrative Tribunal.

Strategic Community Plan - None.

Environment - None.

Precedents

Since Council's review and modification of DEV26 in February 2016, officers are aware of one approval to vary the permitted 3.9m maximum ridge height for outbuildings in the Residential zone.

➤ 16 Money Street, Burekup

At the meeting held 20 September 2017, Council resolved [248-17] to approve an Application for Development Approval for an oversized (96m²) and overheight (4.172m ridge height) outbuilding, despite the proposal not complying with DEV26.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

The application does not comply with the maximum permitted ridge height as required under *DEV26 – Outbuildings, Patios and Carports – Development Standards*, for the Residential zone.

Risk Assessment - Low.

The proposal is considered to have a low impact on the amenity of the area as it is on a large residential lot and has received no objections from adjoining land owners.

Officer Comment

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

- TPS3 – Clause 2.2 'Objectives of the Zones'; and
 - Local Planning Policy 'DEV26' – *Outbuildings, Patios and Carports – Development Standards*; and
 - State Planning Policy 3.1 – Residential Design Codes of Western Australia
-
- *Objectives of the Zones*

Clause 2.2 'Objectives of the Zones' states the following:

'Residential Zone'

- *To achieve a high standard of residential development in accordance with contemporary planning and development practice for the benefit of the community.*
- *To enhance the character and amenity of residential areas.*
- *To provide for residential development at a range of densities with a variety of housing types to meet the needs of the community.*

- *To provide an opportunity for residents to undertake occupations ancillary to the use of their dwelling that are compatible in character, scale and operation with the residential use and which will not have an adverse effect upon the existing character and amenity of these areas.*

The application is considered to comply with the objectives of the zone in the context of the 'standard' of the outbuilding. The details of the proposal indicate the outbuilding will be clad in Colorbond 'Deep Ocean' and will be used for storage and working on the owner's private vehicles; all of which are considered compatible ancillary uses within the 'Residential' zone.

- *DEV26 – Outbuildings, Patios and Carports – Development Standards*

DEV26 – Outbuildings, Patios and Carports – Development Standards is relevant to the subject application which contains the following limitations:

- *Outbuildings within the Residential zone are to have a maximum aggregate floor area of 80m².*

The subject application has a proposed floor area of 79.2m² which complies with the maximum permitted outbuilding size under DEV26.

- *Outbuildings within the Residential zone are to have a maximum wall height of 3.0m and maximum ridge height of 3.9m*

The subject outbuilding has a wall height of 3.0m and a ridge height of 4.2m.

The 'Additional Provisions' of DEV26 provide for Council to consider variations to the development provisions in 'exceptional circumstances' with written justification to be provided by the applicant.

The applicant has provided justification for the proposed outbuilding as provided in (Appendix ORD: 12.5). Officers have summarised the points of justification provided:

- The primary reason for requiring an overheight shed is in the future they intend to install a loft for further storage;
- The owner would like to install a hoist to enable him to work on his own vehicles at home.

Council will need to decide if the justification provided represents 'exceptional circumstances' that would warrant a variation to DEV26.

- *State Planning Policy 3.1 – Residential Design Codes of Western Australia*

The Residential Design Codes (R-Codes) under Part 5.4.3 outlines the requirements and design principles for outbuildings within residential areas across Western Australia. Clause 3 of Part 5.4.3 outlines that outbuildings are not to exceed a maximum ridge height of 4.2m. DEV26 varies this requirement to a maximum ridge height of 3.9m.

DEV26 provides development standards for outbuildings in the respective zones and areas. Whilst Council is to give the policy due regard in determining applications, the

Policy makes provision for an application to be approved under 'exceptional circumstances'.

After assessing the application, officers consider the proposal to represent 'exceptional circumstances' for the following reasons:

- The lot size is 1315m² and the proposed outbuilding is setback from the side boundary in accordance with the Residential Design Codes (R-Codes).
- The 0.3m variation to the maximum ridge height permitted under DEV26 is considered marginal and the applicant has submitted justification demonstrating the reasons for requiring an over height shed.
- The Residential Design Codes permits a maximum ridge height of 4.2m which is deemed to be acceptable in residential areas within Western Australia.
- The outbuilding will be built to a high standard (Colorbond cladding).
- There were no objections received from notified neighbours, and therefore it can be concluded the proposal is acceptable to landowners of surrounding properties.

In light of the above, officers recommend that Council approves the proposed outbuilding, subject to conditions.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

318-17 MOVED - Cr. J Lee SECONDED - Cr. J Dow

THAT Council approves the Application for Development Approval for an outbuilding at Lot 48 (7) Money Street, Burekup, subject to the following conditions:

- 1. The layout of the site and the size, design and location of the building and 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. The approved outbuilding shall not be used for habitation, commercial or industrial purposes without first obtaining approval from the Shire.**
- 3. All stormwater from the proposed building shall be contained on site as indicated on the approved plan in accordance with the Shire's specifications (Policy ENG 20 – Stormwater Discharge from Buildings) prior to use of the proposed outbuilding.**

Advice Notes:

- i) If the development the subject of this approval is not substantially commenced within a period of 2 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
9/0

DECLARATION OF INTEREST
<p>Cr. Harris declared a Financial Interest in item 12.6 as he is also a developer in the Dardanup Townsite.</p> <p>Cr. L D Harris left the room [5.22pm].</p>

RETURN TO PETITIONS/DEPUTATIONS/PRESENTATIONS
<p>COUNCIL RESOLUTION</p> <p>319-17 MOVED - Cr. P S Robinson SECONDED - Cr. C N Boyce</p> <p>THAT Council return to Part 6 of the Order of Business [5.22pm] under Council Standing Orders - being 'Petitions/Deputations/Presentations' to allow Mr Andrew McRobert to speak to Council regarding item 12.6.</p> <p style="text-align: right;">CARRIED 9/0</p> <p><i>Discussion:</i></p> <p><i>Mr Andrew McRobert of McRobert Planning Pty Ltd on behalf of Mr A and Mrs B Mountford, advised Council that he was fully supportive of the officer recommended resolution. Mr McRobert commended the Shire planning staff for their clear guidance and assistance in preparing the amendment document.</i></p>

COUNCIL RESOLUTION

320-17 MOVED - Cr. P S Robinson SECONDED - Cr P Perks

THAT Council return to the Order of Business under Council Standing Orders [5.23pm] - being item 12.6 of the agenda.

CARRIED
9/0

RETURN TO ORDER OF BUSINESS

12.6 Title: Proposed Amendment 201 to Town Planning Scheme No. 3 – Lot 23 Recreation Road, Paradise (McRobert Planning Pty Ltd on behalf of Mr A and Mrs B Mountford)

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Jake Whistler - Senior Planning Officer

Legislation: Planning and Development Act 2005

Location Plan –Site Plan

Background -

Council has received an application to amend the Shire of Dardanup Town Planning Scheme No. 3 (TPS3), (Amendment 201). Amendment 201 proposes to rezone Lot 23 (16) Recreation Road, Paradise from 'General Farming' to 'Development'. A copy of the Scheme Amendment map is provided in (Appendix ORD: 12.6A). The proposed zoning change to 'Development' will facilitate Structure Planning to occur over this lot with an intention of it being subdivided and developed for residential purposes.

Lot 23 is approximately 16.6ha in area, is relatively flat and is currently used for agricultural and residential purposes. It contains one residential dwelling and associated outbuildings. The lot contains a small dam adjacent to the northern boundary and a row of Eucalyptus trees parallel to the existing driveway within the centre of the property. Lot 23 abuts 'General Farming' zoned land to the north and east, the Dardanup townsite to the south and Wells Recreation Park to the west. It has frontage to Ferguson Road to its southern boundary and Recreation Road to its western boundary.

Correspondence received from the applicant has indicated that a Structure Plan will be submitted in the near future for the Shire's consideration, which will guide the future residential subdivision and development of the site.

Legal Implications - None.

Strategic Community Plan - None.

Environment - None.

Precedents

The area of land the subject of the Roseland Structure Plan was rezoned from 'General Farming' to 'Development' (Amendment 164) in 2011. This facilitated the approval of the Roseland Structure Plan and the subsequent subdivision and development of this area.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Amendment 201 is consistent with the Local Planning Strategy, the Dardanup Townsite Expansion Strategy and the Greater Bunbury Region Scheme.

Officer Comment -

The following documents are relevant to the proposal:

- *Shire of Dardanup Local Planning Strategy (the Strategy);*
- *Greater Bunbury Region Scheme (GBRS);*
- *Dardanup Townsite Expansion Strategy (DTES);*

- *Town Planning Scheme No. 3 (TPS3); and*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).*

These will be addressed individually.

- *Shire of Dardanup Local Planning Strategy*

The Strategy identifies land around the periphery of the Dardanup Townsite for future 'Urban' expansion which includes Lot 23. A copy of Map 2.3 of the Strategy which illustrates the above has been provided in (Appendix ORD: 12.6B).

- *Greater Bunbury Region Scheme*

Lot 23 is currently zoned 'Urban Deferred' under the GBRS which is defined as:

'land suitable for future urban development but where there are various planning, servicing and environmental requirements which need to be addressed before urban development can take place'.

The GBRS zoning of 'Urban Deferred' is considered consistent with the proposed TPS3 zoning of 'Development', as it facilitates future Structure Planning which requires all the planning, servicing and environmental requirements to be addressed before urban development takes place.

- *Dardanup Townsite Expansion Strategy*

It identifies the land around the periphery of the Dardanup townsite suitable for urban development to facilitate the expansion and includes Lot 23.

- *Town Planning Scheme No. 3*

The current zoning of Lot 23 under TPS3 is 'General Farming'. It is also included within a 'Special Control Area – Developer Contribution Area' that encompasses the entire Dardanup urban expansion area. The Special Control Area facilitates the collection of developer contributions at the subdivision stage.

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

In accordance with the Regulations, if Council resolves to 'adopt' (initiate) Amendment 201, it is to include a resolution as to the level of complexity of the amendment which can be 'basic', 'standard' or 'complex'. The resolution of Council will determine the statutory path the Scheme Amendment will take.

Amendment 201 has been assessed against the provisions of the Regulations and it is considered to be consistent with a 'Standard Amendment' for the following reasons:

- i) The amendment is consistent with the Shire's Local Planning Strategy for the scheme which has been endorsed by the Commission;
- ii) The amendment will have minimal impact on land in the scheme area that is not the subject of the amendment; and

- iii) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

Further to the above and if Council resolves to adopt (initiate) this scheme amendment, the Regulations require the scheme amendment to be referred to the Environmental Protection Authority (EPA) for review. If the EPA determines that a formal environmental assessment is not required, the Shire can then commence the formal advertising to relevant agencies and nearby landowners, after which a further report will be presented for Council's final consideration, prior to being referred to the WAPC for determination.

- *Officer Recommendation*

Amendment 201 is considered appropriate as it is consistent with the future planning for this area in the context of the LPS, GBRs, DTES and TPS3.

It is recommended that Council resolves to adopt Amendment 201 and commence the advertising process in accordance with the Regulations.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

321-17 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. Resolves that pursuant to Part 5, Division 1, Regulation 35 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to adopt Amendment 201 to the Shire of Dardanup Town Planning Scheme No. 3 by:
 - a) Rezoning Lot 23 Recreation Road, Paradise from 'General Farming' zone to 'Development' zone.
 - b) Amending the scheme maps accordingly.
2. Resolves that pursuant to Part 5, Division 1, Regulation 35 (2) of the *Planning and Development (Local Planning Scheme) Regulations 2015* Amendment 201 is a 'standard amendment' for the following reasons:
 - a) The amendment is consistent with the Shire's Local Planning Strategy for the Scheme which has been endorsed by the Commission;
 - b) The amendment will have minimal impact on land in the scheme area that is not the subject of the amendment; and

- c) **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.**

CARRIED
8/0

Note: Cr. D Harris returned to the room [5.23pm].

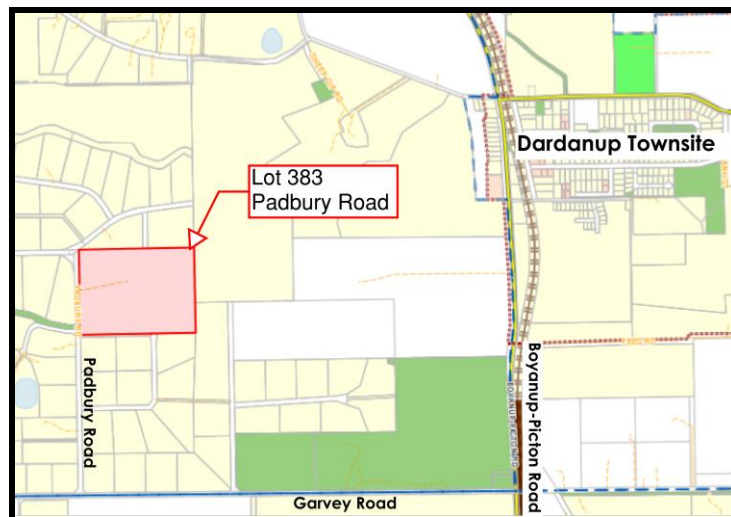
12.7 *Title: Proposed Amendment 199 to Town Planning Scheme No. 3 and Associated Proposed Structure Plan – Lot 383 Padbury Road, Dardanup West (Graham Houghton on behalf of Mr A. Pantlin)*

Reporting Department: Engineering & Development Services

Reporting Officer: Mr Jake Whistler - Senior Planning Officer

Legislation: Planning and Development Act 2005

Location Plan –



Site Plan –



Proposed Lot Layout –



Background -

Council has received an application to amend the Shire of Dardanup Town Planning Scheme No. 3 (TPS3), (Amendment 199). Amendment 199 proposes to rezone Lot 383 Padbury Road, Dardanup West from 'General Farming' to 'Small Holding' and include this land into Area No. 14 of Appendix VIII of TPS3 – 'Additional Requirements – Small Holding Zones'. A Scheme Amendment map has been provided in (Appendix ORD: 12.7A).

In addition to the proposed Scheme Amendment, the application includes a Structure Plan over Lot 383 identifying 10 'Small Holding' lots ranging in size from 1ha to 2.8ha. These lots are proposed to be serviced by connecting the two culs-de-sac of Slattery Way (north and south) with a local road and also using the existing Padbury Road. The presence of environmental constraints on the site including a high water table in certain areas and the presence of Bushfire Prone Vegetation on neighbouring land has influenced the lot layout. A copy of the proposed Structure Plan is provided in (Appendix ORD: 12.7B).

Lot 383 is 16.2ha in area, is relatively flat and is currently used for agricultural purposes. There exists a scattering of remnant vegetation throughout the site, however it is the vegetation on nearby landholdings that has rendered portions of Lot 383 as Bushfire Prone. It abuts 'General Farming' zoned lots to the east and 'Small Holding' zoned lots to the north, west and south. The lot has access from Padbury Road which is adjacent to its western boundary, with two culs-de-sac on its northern and southern boundaries, both of which form the currently disconnected Slattery Way.

It is noted for Council's information that there are separate statutory processes relevant to the adoption of a scheme amendment and a structure plan as summarised below:

- *Scheme Amendment*

Council must first resolve to adopt (initiate) a scheme amendment which is then advertised to surrounding landowners and relevant government agencies.

Subsequent to the advertising period a further report is prepared for Council, taking into account any submissions, where Council makes a final determination as to whether it supports the proposal as presented, supports it subject to further modifications or does not support the application. The matter is then referred to the Western Australian Planning Commission (WAPC), prior to being approved or refused by the Minister.

- *Structure Plan*

Subject to a submitted structure plan containing all information as required under the Planning and Development (Local Planning Schemes) Regulations 2015 *Structure Plan Framework*, the local government is required to process an application. The submitted structure plan must be advertised to surrounding landowners and relevant government agencies, prior to it being presented to Council for consideration.

In considering the report, Council is required to make a recommendation to the WAPC as to whether it supports the structure plan as presented, supports it subject to further modifications or does not support the structure plan. The matter is then referred to the WAPC for final determination.

In light of the above, it is noted that the intent of this report is for Council to consider the initiation of Amendment 199 only, rather than considering the associated structure plan at this time. It is anticipated that subject to Council resolving to adopt (initiate) Amendment 199, both the proposed amendment and the proposed Structure Plan will be advertised concurrently and a single report will be presented back to Council in the future for further consideration.

Legal Implications - None.

Strategic Community Plan - None.

Environment - None.

Precedents

Several lots within the Dardanup West/Crooked Brook Structure Plan area have undergone rezoning in recent years from 'General Farming' to 'Small Holding' in conjunction with the adoption of a Structure Plan.

Budget Implications - None

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

The proposal is consistent with the Shire's Local Planning Strategy and the Dardanup West / Crooked Brook Structure Plan.

Officer Comment -

The following documents are relevant to the proposal:

- *Shire of Dardanup Local Planning Strategy (The Strategy);*
- *Dardanup West/Crooked Brook Structure Plan (DWCBSP);*
- *Shire of Dardanup Town Planning Scheme No. 3 (TPS3);*
- *State Planning Policy 3.7 – ‘Planning in Bushfire Prone Areas’ SPP3.7); and*
- *Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations).*

These will be addressed individually.

- *Shire of Dardanup Local Planning Strategy*

The Strategy identifies five existing areas within the Shire of Dardanup as rural-residential areas: Burekup, Dardanup West/Crooked Brook, Ferguson/Henty, Wellington Mill and Dardanup South.

Lot 383 is contained within the Dardanup West/Crooked Brook area identified for future rural-residential subdivision and therefore officers consider the proposal to be consistent with the Strategy.

- *Dardanup West/Crooked Brook Structure Plan*

The DWCBSP provides the strategic guidance for rezoning to ‘Small Holding’ with Local Structure Planning.

Lot 383 is contained within the DWCBSP area and the proposal is therefore supported.

- *Shire of Dardanup Town Planning Scheme No. 3*

Amendment 199 seeks to incorporate Lot 383 into the existing Area No. 14 of Appendix VIII of TPS3 – ‘Additional Requirements – Small Holding Zones’. Appendix VIII of TPS3 provides the statutory development and subdivision provisions that apply to particular ‘Small Holding’ zones within the DWCBSP area. The ‘Area 14’ provisions are considered to be the most contemporary and relevant set of provisions for this area and as such, Amendment 199 proposes to utilise these provisions for Lot 383. A copy of the Area 14 provisions has been included in (Appendix ORD: 12.7C).

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

SPP3.7 provides direction for any planning proposal (Structure Plan, Scheme Amendment, Subdivision or Development Application) located within a designated Bushfire Prone Area.

Under the Policy, a Bushfire Hazard Level (BHL) assessment is required and has been submitted identifying different areas of Lot 383 as having either a ‘Moderate’ or ‘Extreme’ hazard rating. The BHL for Lot 383 is included in (Appendix ORD:12.7D). It indicates that there is sufficient area that could cater for residential development, with a maximum BHL rating of ‘Moderate’ and therefore supports rural residential development, subject to suitable bushfire mitigation measures being implemented throughout the relevant planning stages.

It is noted that the accompanying Structure Plan requires a more detailed bushfire risk assessment (Bushfire Attack Level (BAL) Assessment) and a Bushfire Management Plan (BMP). Both documents have been received and will be assessed by the Shire and the Department of Fire and Emergency Services during the Structure Plan process.

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

If Council resolves to 'adopt' (initiate) Amendment 199, it is to include a resolution as to the level of complexity of the amendment which can be 'basic', 'standard' or 'complex'. The resolution of Council will determine the statutory path the Scheme Amendment will take.

The proposal has been assessed against the provisions of the Regulations and it is considered that Amendment 199 is consistent with a 'Standard Amendment' for the following reasons:

- i) The amendment is consistent with the Shire's Local Planning Strategy for the scheme which has been endorsed by the Commission;
- ii) The amendment will have minimal impact on land in the scheme area that is not the subject of the amendment; and
- iii) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

Further to the above and if Council resolves to adopt (initiate) this scheme amendment, the Regulations require it to be referred to the Environmental Protection Authority (EPA) for review. If the EPA determines that a formal environmental assessment is not required, the Shire can then commence the formal advertising to relevant agencies and nearby landowners.

- *Officer Recommendation*

It is recommended that Council resolves to adopt Amendment 199 to TPS3 and commence the advertising process in accordance with the Regulations.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

322-17 MOVED - Cr. T G Gardiner SECONDED - Cr P Perks

THAT Council:

1. **Resolves that pursuant to Part 5, Division 1, Regulation 35 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to adopt Amendment 199 to the Shire of Dardanup Town Planning Scheme No. 3 by:**

- a) **Rezoning Lot 383 Padbury Road, Dardanup West from 'General Farming' zone to 'Small Holding' zone;**
 - b) **Amending Local Planning Scheme No. 3 scheme map to identify Lot 383 Padbury Road, Dardanup West as 'Small Holding' zone as per the Scheme Amendment map; and**
 - c) **Including Lot 383 Padbury Road, Dardanup West into Area No. 14 of Appendix VIII of TPS No. 3, Additional Requirements – Small Holding Zone.**
2. **Resolves that pursuant to Part 5, Division 1, Regulation 35 (2) of the *Planning and Development (Local Planning Scheme) Regulations 2015* Amendment 199 is a 'standard amendment' for the following reasons:**
- a) **The amendment is consistent with the Shire's Local Planning Strategy for the scheme which has been endorsed by the Commission;**
 - b) **The amendment will have minimal impact on land in the scheme area that is not the subject of the amendment; and**
 - c) **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.**

CARRIED
9/0

12.8 Title: Mobile Traders on Eaton Foreshore – Consideration Of Expression Of Interest – Bunsen’s Burgers

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

Policy Area Site Plan –



Background -

In September 2017, the Shire called for expressions of interest for mobile traders at Eaton Foreshore Reserve with two expressions received:

- ‘The Big Coffee Van’ - Mrs Deborah Hiscock
- ‘SUP Bunbury’ (stand-up paddle boards) – Melissa Hynynen

Council approved both of these traders during the Ordinary Meeting on 1 November 2017 until 30 June 2018.

A late expression of interest was also received on 17 October 2017 from Mrs Lana West for Bunsen’s Burgers, a mobile burger trailer and a copy of her submission is contained in (Appendix ORD: 12.8A).

- *Mobile Trader Policy – Eaton Foreshore*

At its meeting held 14 December 2016, Council resolved [352/16] to adopt Council Policy CP033 – ‘Mobile Traders on Eaton Foreshore’ which provides guidance on

permitting mobile traders to operate from the Eaton Foreshore. It works in tandem with the Shire of Dardanup 'Activities in Thoroughfares and Public Places and Trading' Local Law which provides the statutory means for issuing trader's permits on Shire reserves.

This Policy delineates between two different types of traders being:

- 'Type A' – Mobile traders utilising a vehicle or caravan for the purpose of trading goods.
- 'Type B' – Mobile traders providing a service for which minimal equipment is required and which are flexible in terms of location (i.e. fitness, yoga, tai-chi classes etc.).

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

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

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

- *Safety management measures implemented by the trader;*
 - *Risk management measures implemented by the trader;*
 - *The appropriateness of the activity/ business having regard to pedestrian, patron vehicular safety within the area;*
 - *The appropriateness of the activity/business having regard to other approved trading permits within the approved area or other applications for permits currently being considered.*
- j) *All applications for 'Type A' mobile traders are to be determined by Council.*
- k) *In determining applications, Council reserves the right to refuse an application even if less than three permits have been issued for a particular financial year, if Council determines the proposed use is incompatible with the foreshore or of a standard that is unacceptable;*
- l) *If the three (3) trading positions are not all occupied following the expression of interest process, Council can approve an application received outside of the above process, for the remainder of the applicable financial year (expires on 30 June).*

Bunsen's Burgers corresponds with a *Type A* category.

- *Expression of Interest Advertising*

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

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

As previously indicated in this report, two expressions of interest were received by the 21 September 2017 due-date:

- Deborah Hiscock (The Big Coffee Van); and
- Melissa Hynynen (SUP Bunbury)

It was a requirement of expression of interest process that applicants addressed the relevant qualitative criteria in the "Expression of Interest – Eaton Foreshore Mobile Traders" document.

Although the subject application was late, the applicant was provided an opportunity to address the criteria and provided the response below (Appendix ORD: 12.8B):

Applicant: Bunsen's Burgers – Mrs Lana West

Qualitative Criteria	Applicant's Response
Benefit to the Community a) Outline of the business profile and operations (what is being offered/sold)?	Bunsen's Burgers is a family owned small business based in Roelands (Harvey Shire). The products provided are burgers, soft drinks, juice drinks and bottled water. The burgers we make are a high quality gourmet style using high quality beef and lamb patties. The menu we have provided is our current menu and is subject to change as we develop our business and learn more about which items are popular and refine our pricing etc.
(b) Rates/prices and proposed days/times of operation.	Wednesday 4:00pm – 8:00pm Thursday 4:00pm – 8:00pm Friday 4:00pm – 8:00pm Saturday 10:00am – 4:00pm Sunday 10:00am – 2:00pm <i>Menu and price list - (Appendix ORD: 12.8C)</i>
(c) Details of all activities/products that will be available to the public.	By operating at the Eaton Foreshore location, Bunsen's Burgers will provide the local community with a good quality meal option conveniently located at a recreational area. This would further enhance the public peoples' experience while using the newly improved park and boat ramp area, making it easier for families to use the area without having to plan around meal times.
Experience of the Trader (a) Provide details of trading history including other local government areas where trade has been conducted.	Lana was most recently employed as a cook in a local convenience type kitchen, cooking burgers and other products and serving customers. She has had several other roles in the past in restaurants and convenience kitchens.
(b) Provide scope of the Respondent's history of involvement in the proposed trading activity.	We have only recently started operating the business and have been operating at the Gelorup and Dalyellup markets and the recent Waroona Show. We have had plenty of positive feedback from customers and managers of the events.
(c) Demonstrate competency and proven track record or trading activity.	<i>(see above)</i>
Appearance and Quality of the Operation and Equipment (a) Details of equipment/vehicles to be used (photos are desirable).	The food service van is a 6" x 4" trailer set up for food service and cooking and with a 3m x 3m annex set up at the rear for extra space. <i>Photos of food vehicle – (Appendix ORD: 12.8D)</i>
(b) Details of ancillary equipment to be used (i.e. tables, chairs etc.).	The cooking is done on a gas hotplate only so there is no generator or 240v power source required. It does not produce any waste water or waste oil and we do not use any Styrofoam or non-biodegradable packaging.
(c) Details of the number of employee(s).	<i>(The applicant has given indication that two people will operate the vehicle)</i>
(d) Space required to conduct trading activities (a scaled layout plan is desirable).	The space required is 6m x 3m, or approx. 11m x 3m with car attached (preferred). Service window is on left side. It is usually operated by one person, however this can increase to two people during busy trade periods.

Qualitative Criteria	Applicant's Response
<p>Safety and Risk Management Measures Implemented by the Trader (a) A demonstrated understanding of the trading activity and the associated risks.</p>	<p>There are two 8.5kg LPG bottles on the van (properly mounted). This and cooking oils presents the requirement to be prepared in the unlikely case of a fire.</p> <p>The well known risks associated with cooking and serving food to the public are managed by good hygiene and food handling practices. We use patties that are supplied as partially cooked frozen. We keep them frozen until used and they are cooked from frozen. When onsite we use a 12v freezer and iceboxes to keep meat and other goods chilled/frozen and we monitor temps with an infrared thermometer (temp gun). The iceboxes are kept cold using -18degree icepacks, so there is no melting ice wetting products, or waste water.</p>
<p>(b) An understanding of the potential risks from operating at the subject location.</p>	<p>As the van does not use any 240v power there is no risk of shock and no requirement for electrical inspection or certification.</p>
<p>(c) A strategy or Management Plan to address any potential risks.</p>	<p>To ensure we are prepared we have a powder fire extinguisher and fire blanket readily accessible. If a fire was unable to be controlled (unlikely), the exit is easily accessible and the gas bottles can easily and quickly be turned off and removed from the van, which we have practiced. Also the gas bottles are equipped with safety valves which automatically shut off the flow of gas in the case of a gas leak.</p>
<p>(d) Evidence that the risk management measures can be implemented.</p>	<p>(see above)</p>
<p>(e) Any contingency measures or back up of resources including personnel (where applicable).</p>	<p>In the unlikely event of causing illness or injury to a member of the public, we have a public liability insurance policy for \$20,000,000.</p>
<p>Appropriateness of the Activity/Business (a) Appropriateness of the activity in the context of the Eaton Foreshore and associated facilities.</p>	<p>As stated in section "A" <i>Business Profile</i>, we believe that having a food van operating at Eaton Foreshore would be appropriate and beneficial to the public using the area.</p>
<p>(b) Appropriateness of the activity in the context of the users of the Eaton Foreshore.</p>	<p>It would mean that people/families could spend longer using the area as they would have the option of eating at the park without having to prepare meals before or go home for their meal.</p>
<p>(c) How the activity will co-exist with active and passive users of the Eaton Foreshore.</p>	<p>Also it has been mentioned there is already a coffee van business working there. We believe that these two business types would complement each other (as we do not provide coffee), which would further improve the convenience for the public to stay longer.</p>

Legal Implications

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

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment - Medium.

The approval conditions recommended in this report will ensure that the Bunsen Burgers food vehicle operation is medium-risk.

The medium risk-level is based on:

- Hamburgers being a medium-risk food. And, the production of hamburgers is inherently a **medium-risk** food business activity.
- The Bunsen's Burgers setup consists of a car, towing a burger trailer, to which a gazebo is attached. It is not a readily manoeuvrable setup like a single unit food truck.
- The trailer includes an LPG gas bottle and gas cooker (items are properly secured to the vehicle).

The applicant has indemnity cover of \$20 million (Appendix ORD: 12.8E).

Officer Comment

There is still one remaining vacancy for a mobile trader at Eaton Foreshore (for the remainder of the financial year 2017-18) and no other late applications have been received.

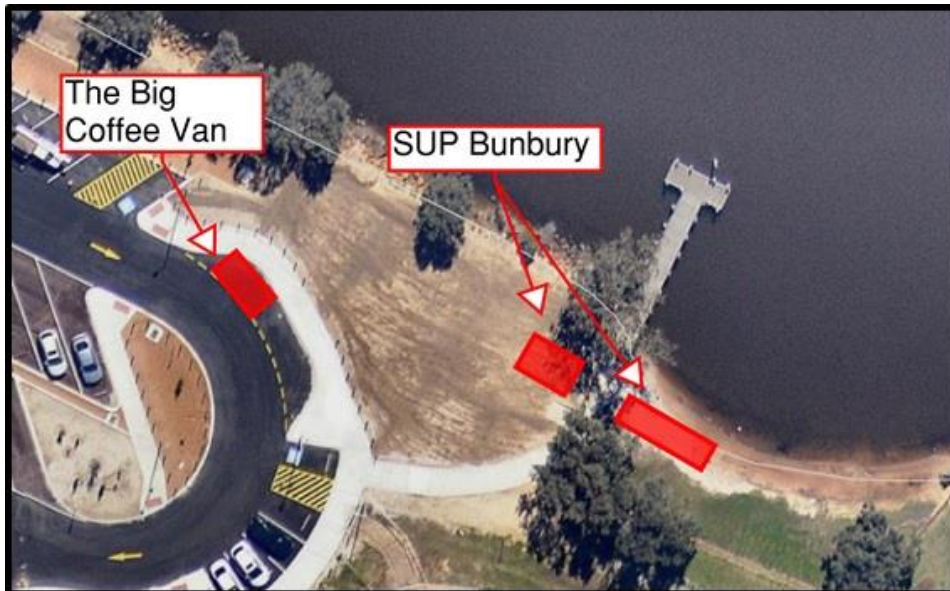
In consideration of the subject application the following provision of the Council Policy - Mobile Traders on Eaton Foreshore applies:

- b) *If the three (3) trading positions are not all occupied following the expression of interest process, Council can approve an application received outside of the above process, for the remainder of the applicable financial year (expires on 30 June).*

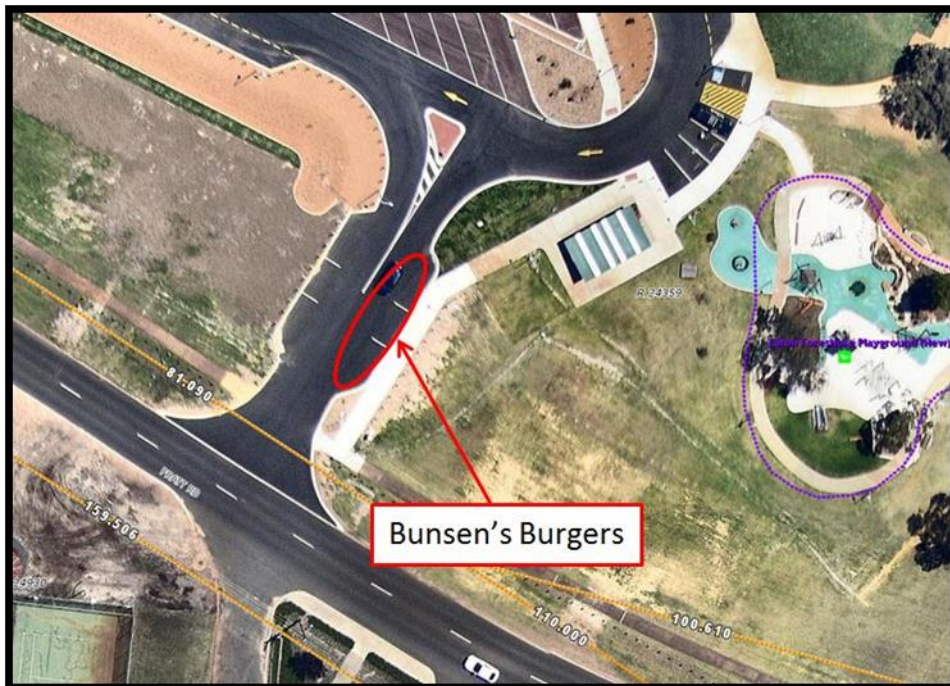
- *Location of Traders*

If Council determines to grant a traders permit, a suitable trade location within the Policy trading area will need to be determined.

Council has allocated the following trade locations for 'The Big Coffee Van' and 'SUP Bunbury':



With the above trade locations in mind, the trade location for Bunsen's Burgers is recommended as follows:



The Shire's Engineering Services have indicated that the above location is the most suitable. Two and a half parking bays would be utilised as the applicant has indicated that she would prefer to have the trailer attached to the car at all times. However, the location allows for the car and trailer to easily park (and leave) without undue impediment to regular users of the carpark (i.e. vehicles towing boats), or causing pedestrian safety issues.

The Officer's also consider the above location to be suitable from the points of view of food hygiene and nuisance risk.

- Food Hygiene and Fire Safety

The applicant has provided a copy of a Certificate of Registration of a Food Business (*Food Act 2008*) issued by the Shire of Harvey for Bunsen's Burgers (Appendix ORD: 12.8F).

The setup consists of a food service trailer which "opens up to have a service window and a gas hot plate". The LPG gas bottles for the BBQ are suitably mounted below the barbeques on the outside of the trailer (Appendix ORD: 12.8D). Electrical works in the trailer run off 12V power only. The trailer does not require 240V power, and there are no generators associated with this food vehicle. Burger pattie cooking and burger preparation take place in the trailer.

The gazebo attached to the trailer contains:

- Table (for storage);
- Water container for hand washing (sits on table with collection bucket under);
- Two large eskies containing cool drinks on ice;
- Two small eskies containing frozen meat patties (surrounded in dry ice); and
- Chairs

As the storage of meat is in an esky and not refrigerated, it will be a requirement that the applicant keep regular temperature records of stored meats to ensure compliance with the Australia New Zealand Food Standards Code and the *Food Act 2008*.

The applicant will be required to comply with the Food Standards Code at all times. And if esky-storage of meat proves inadequate, the applicant is to arrange for refrigerated storage.

Additional details regarding food production:

- Meat patties are cooked from frozen (there is no thawing). Patties are also partially pre-cooked (by the manufacturer).
- Salads are all prepared at the applicant's home address in Roelands before arrival to a trade location. No vegetable preparation takes place on site.
- Mrs West has two or three back-up tongs and utensils in a sealed container as a back-up in case one of these utensils accidentally drops on the ground.
- There is a 12V Engel fridge in the towing vehicle for supplementary cold storage.
- The gazebo acts as a pre-room before the entry into the trailer. There is a "doorway" in the canvas wall on the side of the gazebo that faces in the opposite direction of the customer service area.
- The ground below the gazebo is covered with a tarp.
- The Shire of Harvey's Environmental Health Officer, has requested Mrs West obtain a purpose-built hand-wash unit for the gazebo. The applicant has

8. **The solicitation of customers by touting or the use of public address systems shall not be permitted at any time.**
9. **The trader shall keep their area of operation clean and tidy at all times to the satisfaction of the Shire.**
10. **The trader shall ensure that no debris, litter, cleaning agents, detergents or waste of any kind result from their activities.**
11. **All wastewater is to be removed from the site at the end of trade.**
12. **The trader shall not conduct trading on any day that there is a Shire of Dardanup approved 'event' on Reserve 24359 or Reserve 25417, unless otherwise approved in conjunction with this 'event'.**
13. **The trader shall cease trading upon notification from the Shire of any maintenance works or any other matter as determined by the Shire that may be required to be conducted on Reserve 24359 or Reserve 25417 which shall not recommence until such time as the trader is further notified in writing by the Shire.**
14. **The trader shall make all reasonable attempts to utilise their trading permit to its full extent. If the Local Government determines that a trading permit is not being utilised sufficiently, the Local Government may revoke the trading permit.**
15. **A trader shall not request any member of the public using the trading area to relocate from the designated trading area at any time.**
16. **Food production activity is to comply with the *Food Act 2008* and the Food Standards Code. In particular:**
 - a) **Hand-washing facilities are to be fully compliant with the Code.**
 - b) **Meat and perishable food is to be stored below 5°C. The applicant is to maintain hourly temperature records. Or, meat is to be appropriately transported stored in a suitable refrigeration unit below 5°C.**
 - c) **Suitable wash facilities (basins, water supply, detergents and sanitisers, wastewater collection) are to be provided for washing of utensils as needed.**

Advice Notes:

- i) **The applicant is advised that a separate approval is required for any proposed signage on road**

reserves. The applicant is encouraged to contact the Shire's Engineering Department with any queries in this regard.

- ii) Food production activity is to comply with the *Food Act 2008* and the *Food Standards Code*.**
- iii) Traders shall ensure compliance with the *Environmental Protection (Noise) Regulations 1997* at all times.**
- iv) Trade activity is to comply with the *Shire of Dardanup Health Local Laws 2000 (As Amended)*, and the *Health (Miscellaneous Provisions) Act 1911*.**
- v) The Shire may cancel a trader's permit pursuant to Clause 6.9 of the Local Law if the trader has not complied with a condition of the permit or a provision of any written law which may relate to the activity regulated by the permit.**

CARRIED
9/0

12.9 Title: Monthly Statement of Financial Activity

Reporting Department: Corporate & Community Services

*Reporting Officer: Mr Ray Pryce – Accountant
Mrs Natalie Hopkins - Manager Financial Services*

Legislation: Local Government (Financial Management) Regulations 1996

Background -

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

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. Financial Report

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*

- (2) *The financial report is to —*
- (a) *be prepared and presented in the manner and form prescribed; and*
 - (b) *contain the prescribed information.*

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

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

- (1A) *In this regulation —*
- committed assets** *means revenue unspent but set aside under the annual budget for a specific purpose.*
- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

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

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications -

The financial activity statement comprises of budget estimates, actual expenditure, revenues and income to the end of the month, to which the statement relates to. Material Variances are included in the Variance Report.

Note 5 of the Statement of Financial Activity details material variances from the Adopted Budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment -

Statement of Financial Activity:

The Statement of Financial Activity is attached after the Officer recommendation. The first Statement of Financial Activity report outlines the results from operating activities. It shows revenue and expenditure by statutory program, comparing actual results for the period with the annual adopted budget, the amended budget and the year to date budget.

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

The statement of net current assets provides information on the accounts that make up current asset and current liabilities. The current and quick ratios are liquidity ratios. The current and quick ratios determine the Shires ability to meet obligations with readily convertible funds.

Additional reports that have been included in the statement of financial activity are trust fund reports, reserve fund reports, and a statement of investments. A variance report that describes material differences between the adopted budget and the amended budget is also attached.

Key Financial Performance Areas:

- *Cash & Investments*

As at reporting date, Council has a reconciled Municipal Fund balance of \$5.85m, inclusive of \$2.5m in two term deposits.

The Reserve Account has a reconciled balance of \$16.5m including several term deposit investments totaling \$10.5m details of which are included in the Statement of

Investments section of this report. Investment of surplus funds is dependent on cash flow forecasts at time of investment and is based on the Council's Investment Policy.

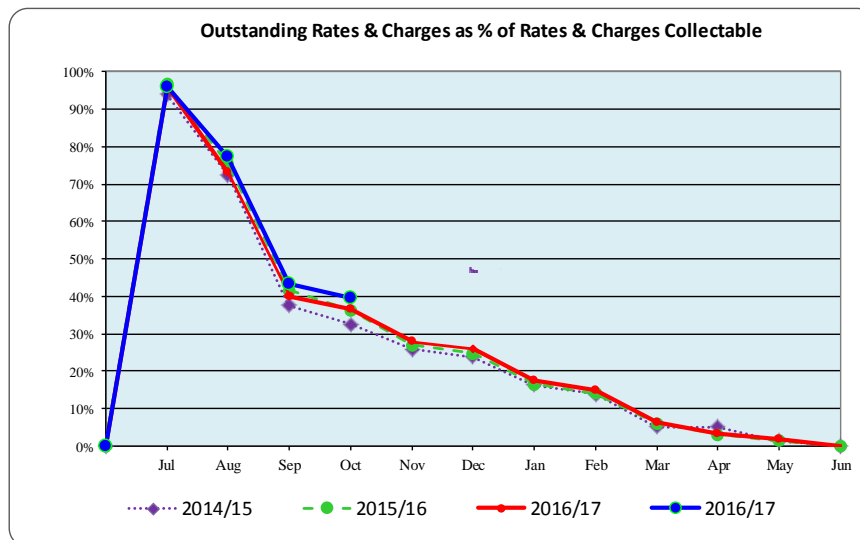
- *Interest Income*

Municipal Fund Interest Income of \$5,815 has been recognised against an adopted budget of \$105,000 for the 2017/18 financial year.

Year to date actual interest for the Reserve Account is \$12,282 with total interest forecast at \$260,000 for the 2017/18 financial year. Interest is credited to the bank account quarterly, and at maturity of term deposit investments.

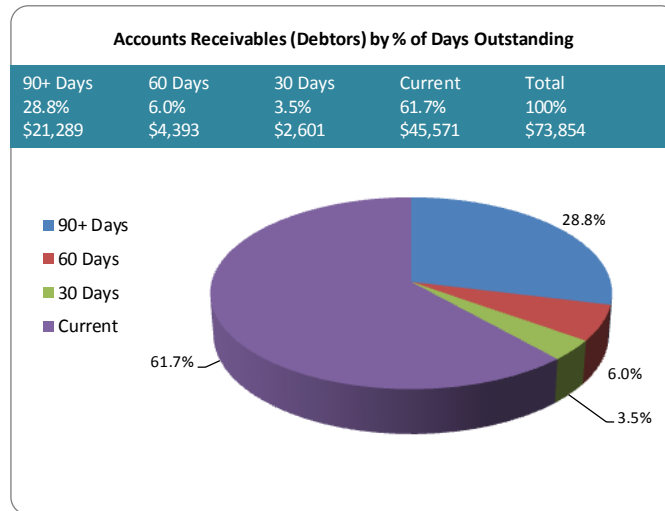
- *Rates & Charges Outstanding*

As at reporting date, total Outstanding Rates & Charges is \$5,655,464 for the 2017/18 financial year. This equates to 39.7% of rates and charges collectable. It is the objective of management to achieve less than 4% of rates and charges outstanding as at 30 June. Rates were raised on the 25 July 2017, which is reflected in the below graph.



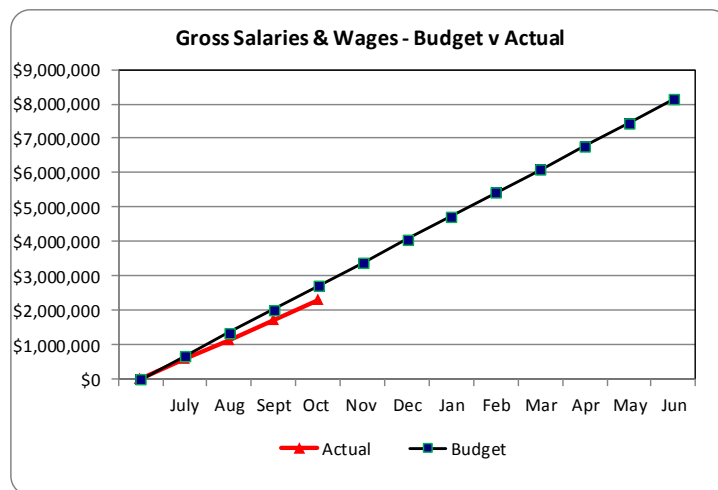
- *Accounts Receivables Outstanding (non-rates)*

As at reporting date the total outstanding Accounts Receivables (Debtors) amounts to \$73,854.



• *Salaries and Wages*

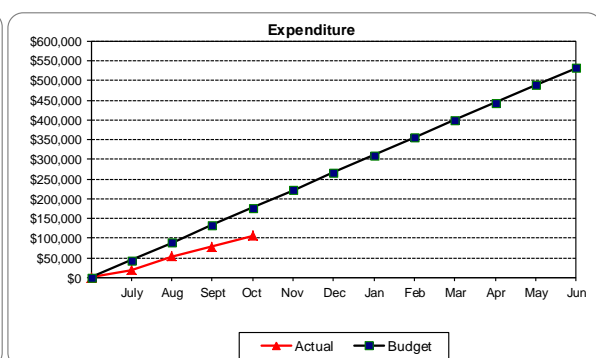
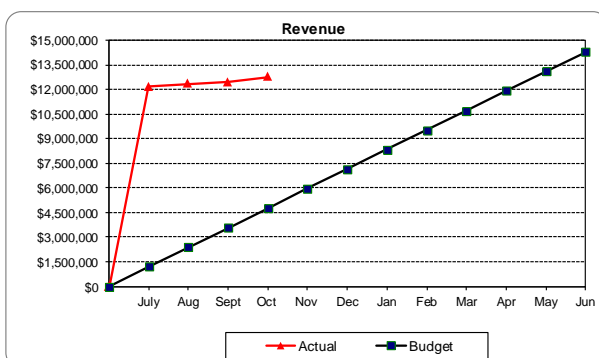
As at reporting date, Total Gross Salaries and Wages expenditure is \$2,308,941 against an adopted annual budget of \$8,128,663 for the 2017/18 financial year.



• *Budget Variances*

As at reporting date, the end of year surplus for 2016/17 is estimated at \$435,254. The surplus is expected to be verified mid-December after Council’s audit processes are finalised.

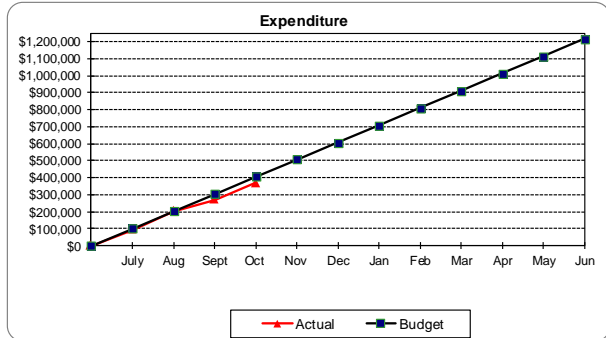
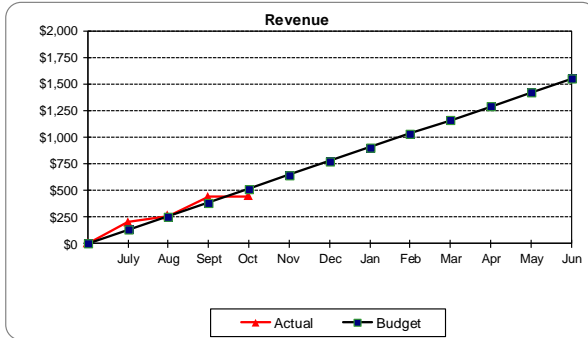
General Purpose Funding



General Rates of \$11,786,888 were levied on the 25 July 2017. Specified Area Rates levied at this time include \$110,996 for Bulk Waste Collection and \$232,922 for Eaton Landscaping. Existing budgeting for rates income is based on an annualised monthly average, however examination of this process to more closely reflect actual rates income is occurring.

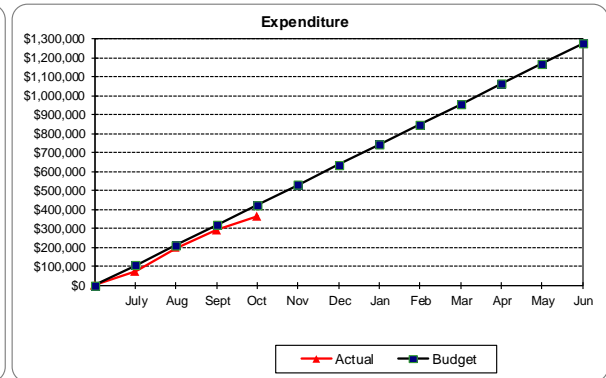
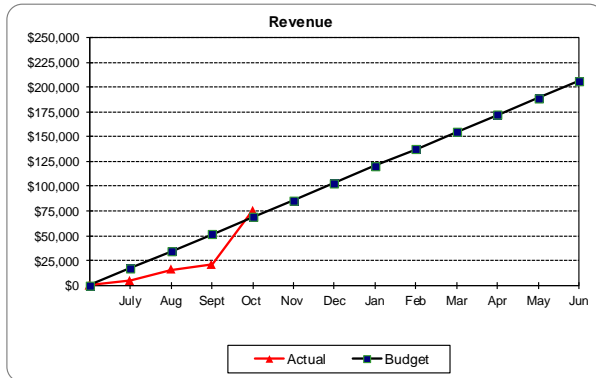
Existing budgeting for expenditure is based on an annualised monthly average, whereas planned expenditure on asset revaluations will occur towards the end of the financial year.

Governance



There are no forecast material variances from the adopted budget.

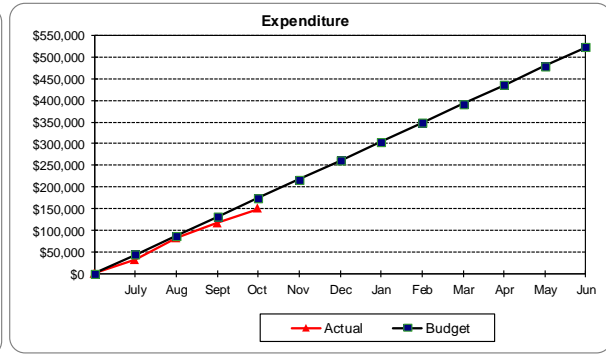
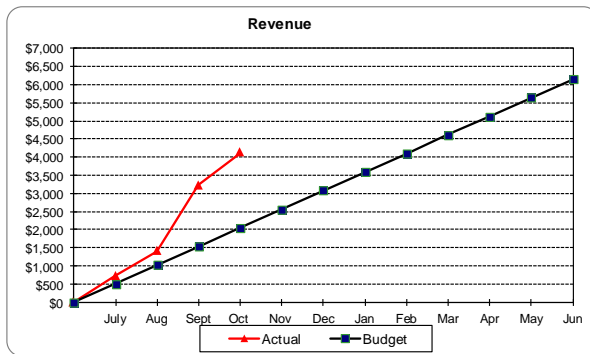
Law, Order & Public Safety



Depreciation expense is not yet entered for 2017/18 and will be updated after completion of the audit of 2016/17 accounts.

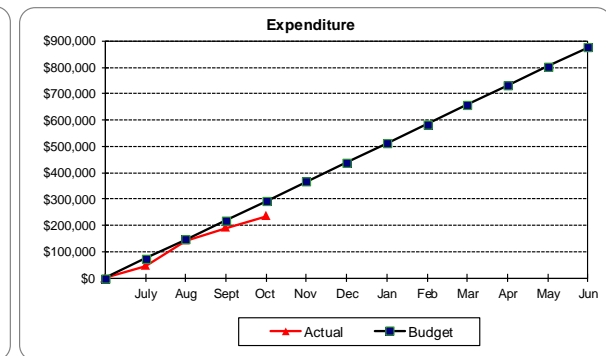
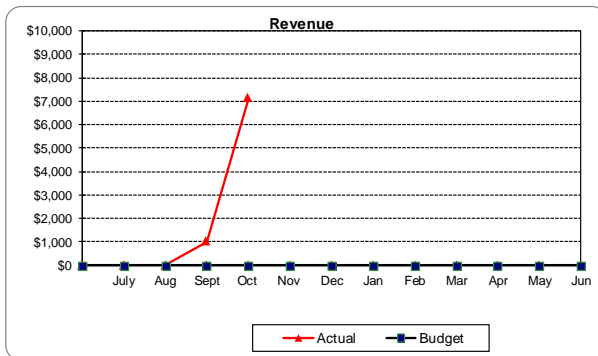
There are no forecast material variances from the adopted budget.

Health



There are no forecast material variances from the adopted budget.

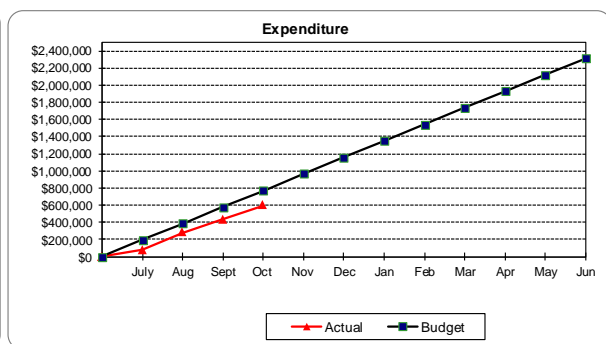
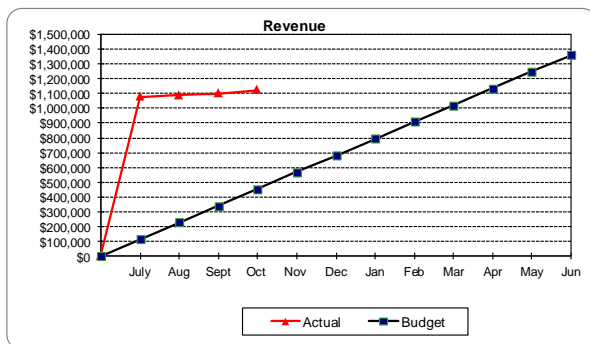
Education & Welfare



Above budget revenue is a result of Council staff obtaining a community event grant for 2017 WA Seniors Week and corporate and community sponsorship for Leeuwien Scholarships.

Under expenditure is due to staff vacancy. Also, the existing budget for Community Service programs is based on an annualised monthly average whereas delivery is more concentrated in the remaining part of the year.

Community Amenities

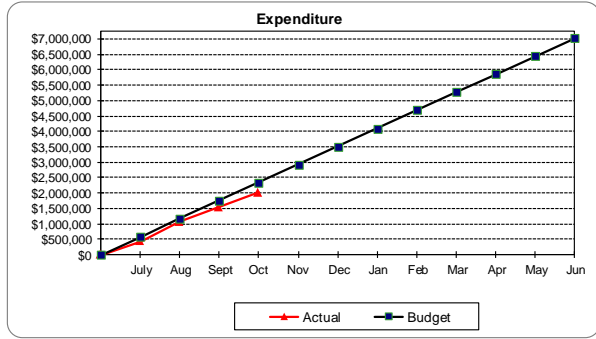
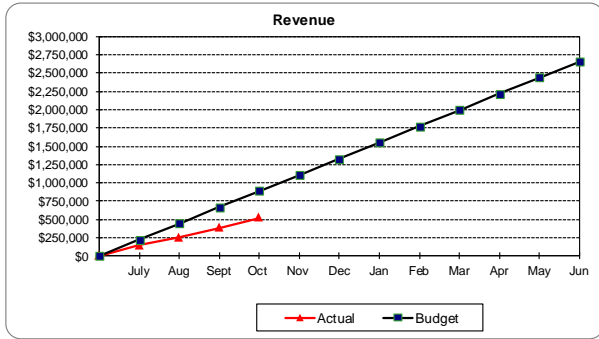


As at reporting date, Domestic Refuse and Recycling charges of \$1,075,920 have been levied for the 2017/18 financial year. Existing budgeting for refuse income is based on an annualised monthly average, however examination of this process to more closely reflect actual charges raised is occurring.

Waste collection contractor payments do not match the same timing of the annualised monthly budget for this activity.

There are no forecast material variances from the adopted budget.

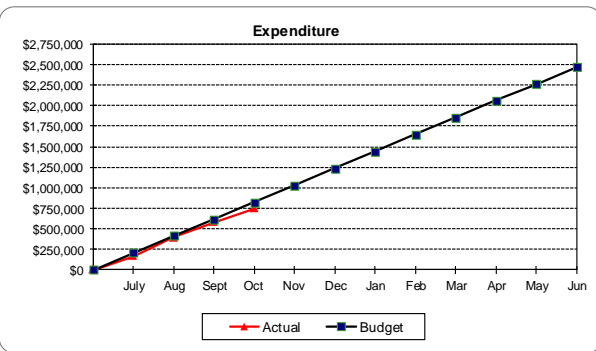
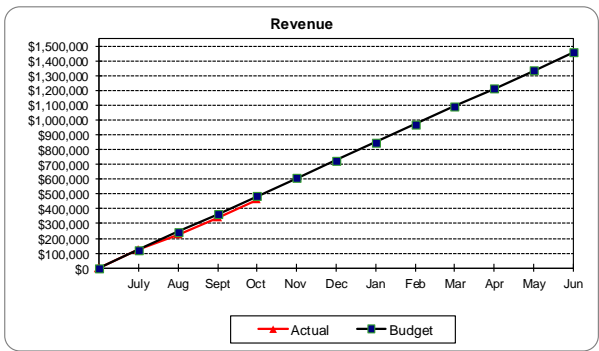
Recreation & Culture



Existing budgets for grants income are based on an annualised monthly average, however the timing of when grants are received can cause monthly spikes. Depreciation expense is not yet entered for 2017/18 and will be updated after completion of the audit of 2016/17 accounts.

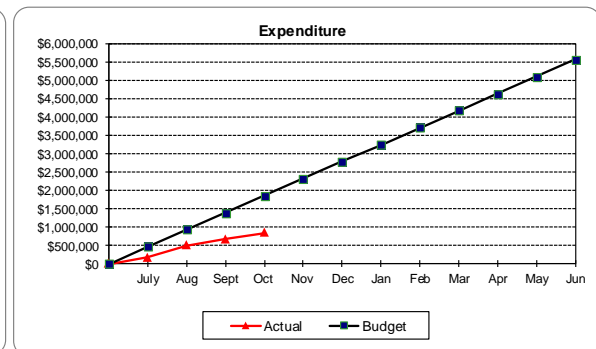
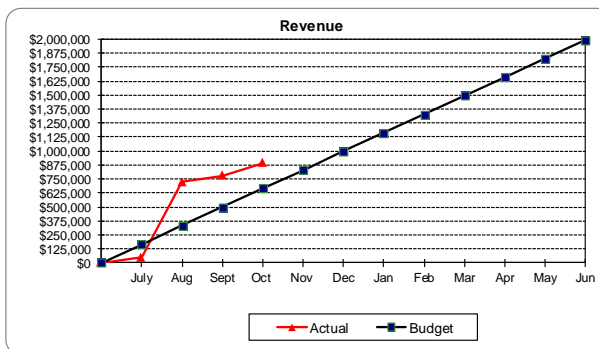
There are no forecast material variances from the adopted budget.

Eaton Recreation Centre



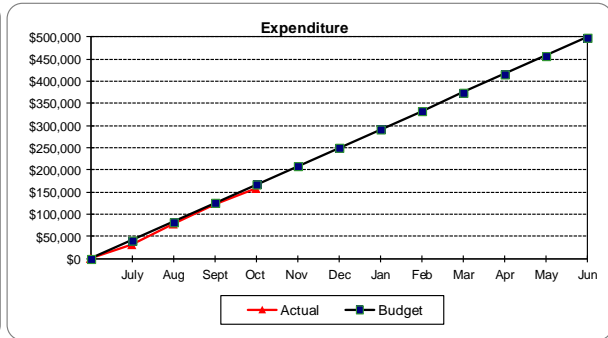
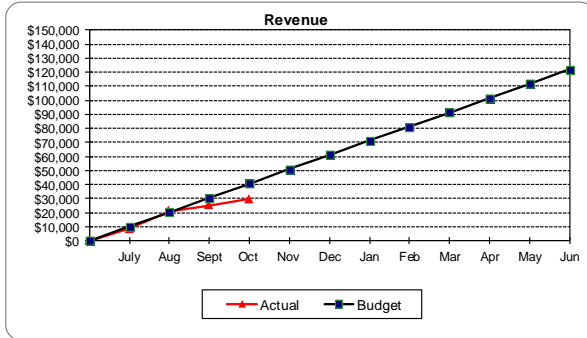
There are no forecast material variances from the adopted budget.

Transport



There are no forecast material variances from the adopted budget. Existing budgeting for grants income is based on an annualised monthly average, however the timing of when grants are received can cause monthly spikes. Depreciation expense is not yet entered for 2017/18 and will be updated after completion of the audit of 2016/17 accounts.

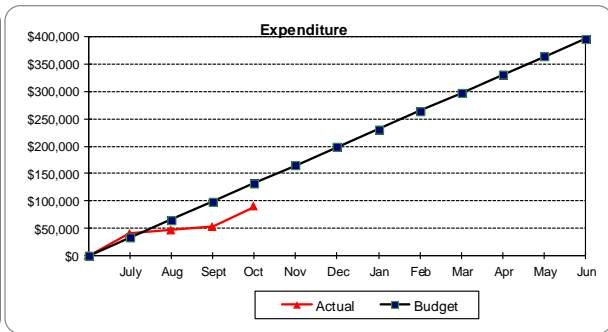
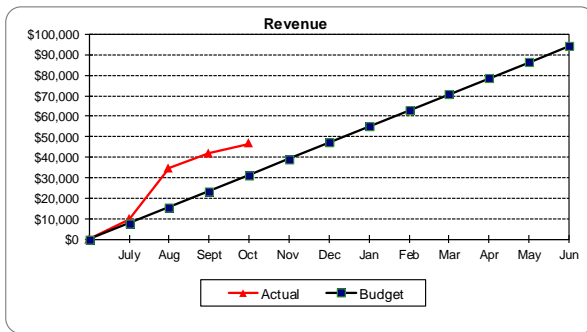
Economic Services



As at reporting date building licence revenue received is \$26,621 against an adopted annual budget of \$110,000. The budget is for even spread monthly revenue, however, historical revenue data shows significant variation between months.

There are no forecast material variances from the adopted budget.

Other Property & Services



Insurance rebate from LGIS received as a lump sum whereas budget revenue is for even spread over the year.

There are no forecast material variances from the adopted budget.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

324-17 MOVED - Cr. L Davies SECONDED - Cr. T G Gardiner

THAT the Monthly Statement of Financial Activity for the period ended 31 October 2017 be adopted.

CARRIED
9/0

12.10 Title: Schedule of Paid Accounts as at 13 December 2017

Reporting Department Corporate & Community Services
Reporting Officer: Mrs Teresa Morley – Accounts Payable Officer
Legislation: Local Government Act 1995 (Financial Regulations)

Officer Comment

This is a schedule of 'paid accounts' - the accounts have been paid.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

325-17 MOVED - Cr. T G Gardiner SECONDED - Cr. L Davies

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

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26394	17/11/2017	Annette Webster	Refund Of Council Nomination Fee	TRUST	80.00
EFT26395	17/11/2017	Australind Basketball Association	Kidsport Recoup - Anderson	TRUST	166.00
EFT26396	17/11/2017	Australind Tennis Club Inc	Kidsport Recoup - Dean	TRUST	95.00
EFT26397	17/11/2017	Bunbury And Districts Softball Association	Kidsport Recoup - 7 People	TRUST	395.00
EFT26398	17/11/2017	Bunbury Basketball Association	Kidsport Recoup - Bell Family	TRUST	642.13
EFT26399	17/11/2017	John Page	Refund Of Cage Hire Bond	TRUST	150.00
EFT26400	17/11/2017	Rosa Madigan	Refund Of Cage Hire Bond	TRUST	120.00
EFT26401	17/11/2017	Stewart Parkinson	Refund Of Cage Hire Bond	TRUST	150.00
EFT26402	17/11/2017	A&R Engineering	Repairs To Barret Slasher	MUNI	3,687.50
EFT26403	17/11/2017	Abc Filter Exchange	Erc- Filter Change	MUNI	49.50
EFT26404	17/11/2017	Access Wellbeing Services	Eap Consultations	MUNI	748.00
EFT26405	17/11/2017	Acefire	Fire Extinguisher Six Monthly Service	MUNI	1,959.24
EFT26406	17/11/2017	Adelphi Tailoring	Ranger Uniform	MUNI	176.00
EFT26407	17/11/2017	Alex Carter-Raftos	ERC Basketball Umpire 15/11/2017	MUNI	110.00
EFT26408	17/11/2017	All Aussie Truck And Bobcat Services	Slashing Of Road Verges	MUNI	1,474.00
EFT26409	17/11/2017	Alpha Pest Animal Solutions	Removal Of Magpie From R39158	MUNI	300.00
EFT26410	17/11/2017	Arboreal Tree Care Pty Ltd	Tree Pruning At Various Locations	MUNI	5,810.00
EFT26411	17/11/2017	Australian Tax Office	PAYG Pay Run 17/11/2017	MUNI	89,942.00
EFT26412	17/11/2017	Belinda Lowe	ERC Netball Umpire 14/11/2017	MUNI	66.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26413	17/11/2017	Bell Fire Equipment Company Pty Ltd	Maintenance To Fire Equipment	MUNI	555.50
EFT26414	17/11/2017	Besafe Building Inspections	Compliance Inspection Report - Lot 511 Eagle Crescent Eaton	MUNI	600.00
EFT26415	17/11/2017	Big W	ECL Book Stock	MUNI	185.50
EFT26416	17/11/2017	Blackwoods	Safety Work Wear	MUNI	2,924.06
EFT26417	17/11/2017	Boc Ltd	Monthly Hire Of Oxygen Bottle	MUNI	11.95
EFT26418	17/11/2017	Boyles Plumbing And Gas	Water Connection To Depot Nursery From Wash Down Bay	MUNI	895.40
EFT26419	17/11/2017	Brandicoot	Web Services-Newsletter, Facebook-Twitter - Eaton Community Libry	MUNI	238.00
EFT26420	17/11/2017	Brownes Foods Operations Pty Ltd	ERC - Cafe/Resale Stock	MUNI	125.44
EFT26421	17/11/2017	Building Commission	October 2017 Reconciliation	MUNI	3,184.49
EFT26422	17/11/2017	Bunbury Coffee Machines	ERC - Cafe/Resale Stock	MUNI	815.00
EFT26423	17/11/2017	Bunbury Machinery	Mini Digger Remove Damaged Play Equipment- Sindhi Reserve	MUNI	413.20
EFT26424	17/11/2017	Bunbury Retravision	Reverse Cycle Air Conditioner	MUNI	4,490.00
EFT26425	17/11/2017	Bunbury Subaru	Vehicle Service Da 329	MUNI	308.26
EFT26426	17/11/2017	Cape Shades Pty Ltd	Install BBQs, Park Seats, Access Tables And Seats1 x Bin Surround	MUNI	1,800.00
EFT26427	17/11/2017	Carmel Sutton	Library Workshop	MUNI	200.00
EFT26428	17/11/2017	Child Support Agency	Payroll Deductions	MUNI	66.62
EFT26429	17/11/2017	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	5,817.92
EFT26430	17/11/2017	Construction Training Fund : BCITF	Reconciliation - October 2017	MUNI	2,723.24
EFT26431	17/11/2017	Courier Australia	Postage And Freight	MUNI	75.95

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26432	17/11/2017	Craven Foods	ERC - Cafe/Resale Stock	MUNI	653.91
EFT26433	17/11/2017	Damon Thompson	ERC Basketball Umpire 15/11/2017	MUNI	44.00
EFT26434	17/11/2017	Dardanup Garage & Service Station	Service Of Work Ute DA588	MUNI	308.69
EFT26435	17/11/2017	Dardanup Green	40m2 Roll-On 'Wintergreen' Turf.	MUNI	240.00
EFT26436	17/11/2017	Dardanup Rural Supplies	Stakes To Peg Out Fence Line	MUNI	12.40
EFT26437	17/11/2017	Data #3 Limited	Annual Microsoft Licensing 01/11/2017 - 31/10/2018	MUNI	27,166.41
EFT26438	17/11/2017	Donna Bastow	ERC Basketball Umpire 15/11/2017	MUNI	176.00
EFT26439	17/11/2017	Earth 2 Ocean Communications	Relocation-Base Station Radio - Dardanup Office To new Depot	MUNI	1,544.70
EFT26440	17/11/2017	Eaton Pet Vet	Vet Fees	MUNI	75.00
EFT26441	17/11/2017	Evelyn Butchart	Catering For Shire Meetings	MUNI	1,071.00
EFT26442	17/11/2017	Fire & Safety WA	Safety Work Wear	MUNI	653.40
EFT26443	17/11/2017	Fresh Floral Studio	Flowers Sue Campbell	MUNI	50.00
EFT26444	17/11/2017	GCS Integrated Services Pty Ltd	Hire Of Toilet For Tip Site - October	MUNI	209.47
EFT26445	17/11/2017	Glanbia Performance Nutrition Pty Ltd	ERC - Cafe/Resale Stock	MUNI	355.84
EFT26446	17/11/2017	Guardians Of Happiness	Spring Flower Cupcakes	MUNI	300.00
EFT26447	17/11/2017	Health Insurance Fund Of WA	Payroll Deductions	MUNI	333.45
EFT26448	17/11/2017	Hitachi Const Machinery Australia Pty Ltd	Service DA9774	MUNI	1,954.70
EFT26449	17/11/2017	Instant Racking	Lockers. Metal For PPE	MUNI	1,090.00
EFT26450	17/11/2017	J M Sales	Hs 82 R-Z Hedge Trimmer 750mm/30	MUNI	1,963.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26451	17/11/2017	Justine Eichner	ERC Basketball Umpire 15/11/2017	MUNI	110.00
EFT26452	17/11/2017	Kaitlyn O'Dea	ERC Netball Umpire 14/11/2017	MUNI	67.50
EFT26453	17/11/2017	Karyn Rowe	ERC Netball Umpire 13/11/2017	MUNI	157.50
EFT26454	17/11/2017	Kelly Pardoe	ERC Netball Umpire 14/11/2017	MUNI	90.00
EFT26455	17/11/2017	Kenny Pomare	ERC Basketball Umpire 15/11/2017	MUNI	88.00
EFT26456	17/11/2017	Kings Tree Care	Prune 2 Taped Trees On Little St Dardanup For Power Line Clearance	MUNI	308.00
EFT26457	17/11/2017	Kmart	November Display Cabinet	MUNI	34.50
EFT26458	17/11/2017	Landgate	Landgate Valuation - Reserve 24278 (Lot 501 On DP 410950)	MUNI	337.84
EFT26459	17/11/2017	Landmark Operations Ltd	Back Pack Sprayers	MUNI	163.26
EFT26460	17/11/2017	LGIS WA	Property Insurance Adjustment Mid Term 2016/17 Period	MUNI	1,134.10
EFT26461	17/11/2017	Luke Botica	Reimb Parking Expenses While In Perth 02/11/2017 And 03/11/2017	MUNI	9.00
EFT26462	17/11/2017	Madeline Black	ERC Netball Umpire 14/11/2017	MUNI	22.50
EFT26463	17/11/2017	Malatesta Road Paving And Hotmix	Road Maintenance	MUNI	400.00
EFT26464	17/11/2017	Marketforce	Advertising For October	MUNI	1,988.00
EFT26465	17/11/2017	Matthew Wilson	ERC Basketball Umpire 15/11/2017	MUNI	154.00
EFT26466	17/11/2017	Mckayhla Pomare	ERC Basketball Umpire 15/11/2017	MUNI	22.00
EFT26467	17/11/2017	McLeods Barristers And Solicitors	Legal Advice Regarding Minor Case Claim - Rodney Marlow	MUNI	1,200.54
EFT26468	17/11/2017	Natural Born Killer Clothing	ERC - 40 Sublimated Uniform Shirts And Product Samples	MUNI	1,320.00
EFT26469	17/11/2017	Nites Electrical	Trenching/Conduit Installation From Existing Pit To 2 X BBQ Positions	MUNI	3,563.13

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26470	17/11/2017	Officeworks Superstores Pty Ltd	Whiteboards For Transportable	MUNI	2,181.73
EFT26471	17/11/2017	P E Civil	Supply And Install Screened Sand	MUNI	1,402.50
EFT26472	17/11/2017	Paige Vincent	ERC Basketball Umpire 15/11/2017	MUNI	22.00
EFT26473	17/11/2017	Patricia Perks	Councillors Meeting Fee,Expenses Reimb Claim - November 2017	MUNI	852.70
EFT26474	17/11/2017	PFD Food Services Pty Ltd	ERC - Cafe/Resale Stock	MUNI	568.20
EFT26475	17/11/2017	PFI Cleaning Supplies	ERC - Service Of Floor Scrubber	MUNI	779.35
EFT26476	17/11/2017	Pollen Nation	Pot Plant Sacks Workshop	MUNI	330.00
EFT26477	17/11/2017	Promote You	Wide Brim Hats With Logo	MUNI	401.50
EFT26478	17/11/2017	QK Technologies Pty Limited	VC - Qikkids Gateway Usage. September And October	MUNI	14.13
EFT26479	17/11/2017	Quality Press	Firs Form - Bushfire (DFES 95) (15 Pads Required)	MUNI	738.10
EFT26480	17/11/2017	Robert Dempster	ERC Basketball Umpire 15/11/2017	MUNI	44.00
EFT26481	17/11/2017	Ronald Thomas Tremble	Refund Of Dog Registration - Dog Sterilised	MUNI	75.00
EFT26482	17/11/2017	Schweppes Australia Pty Ltd	ERC - Cafe/Resale Stock	MUNI	942.59
EFT26483	17/11/2017	Sirsidynix Pty Ltd	Sirsidynix Contract Payment Milestone (1 Dec 2017 - 30 June 2018).	MUNI	6,269.96
EFT26484	17/11/2017	Soly Sombra Spanish Dance Company	Entertainment- Seniors Day 2017	MUNI	120.00
EFT26485	17/11/2017	SW Chambers Of Commerce And Ind	Registration Procure South West Event - Cr P Perks Friday, 24.11.17	MUNI	135.00
EFT26486	17/11/2017	South West Isuzu	Annual Service / 60,000km On Burekup 1.4r	MUNI	3,831.41
EFT26487	17/11/2017	State Wide Turf Services	Supply And Apply Amino Fertiliser To Eaton Foreshore @200kg/Ha	MUNI	9,377.16
EFT26488	17/11/2017	Synergy	Electricity Accounts	MUNI	29.45

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26489	17/11/2017	T & V Fencing	Bollards At 1.5m Spacing's Single Swing Boom Gate To Burekup Oval	MUNI	1,873.30
EFT26490	17/11/2017	T-Quip	Decal Warning Stickers And Pedal Abrasion Stickers	MUNI	42.50
EFT26491	17/11/2017	Tailtap	November 2017 Skateboarding Clinics - Burekup And Eaton	MUNI	1,150.00
EFT26492	17/11/2017	Tasmin Birch	ERC Basketball Umpire 15/11/2017	MUNI	22.00
EFT26493	17/11/2017	Taylor Bello	ERC Basketball Umpire 15/11/2017	MUNI	154.00
EFT26494	17/11/2017	Telstra	Telephone Accounts	MUNI	556.25
EFT26495	17/11/2017	Terau Aroha Tamatea	ERC Netball Umpire 13/11/2017	MUNI	88.00
EFT26496	17/11/2017	Therese Price	ERC Netball Umpire 14/11/2017	MUNI	67.50
EFT26497	17/11/2017	Toni Hotchin	ERC Netball Umpire 14/11/2017	MUNI	45.00
EFT26498	17/11/2017	Tony Thornhill	ERC Basketball Umpire 15/11/2017	MUNI	22.00
EFT26499	17/11/2017	Total Eden Pty Ltd	Reticulation Repairs And Maintenance	MUNI	102.09
EFT26500	17/11/2017	Tracey Tupaea	ERC Netball Umpire 13/11/2017	MUNI	154.00
EFT26501	17/11/2017	Tyrepower Bunbury	Fix Leaking Tyre Da9774	MUNI	109.00
EFT26502	17/11/2017	Vanessa Black	ERC Netball Umpire 13/11/2017	MUNI	112.50
EFT26503	17/11/2017	Vogue Furniture	Office Furniture	MUNI	1,010.00
EFT26504	17/11/2017	WALGA	Namn Forum: Improving The Water Quality Of Waterways & Wetlands	MUNI	66.00
EFT26505	17/11/2017	Water Corporation	Water Accounts	MUNI	149.36
EFT26506	17/11/2017	Woolworths Ltd	ERC - Cafe/Resale Stock	MUNI	413.82
EFT26507	24/11/2017	Bunbury Basketball Association	Kidsport Recoup - Demunck, Martinson	TRUST	258.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26508	24/11/2017	Bunbury Woodturners Group	Refund Of Hall Hire Bond. Receipt 111750	TRUST	1,000.00
EFT26509	24/11/2017	Alex Carter-Raftos	ERC Basketball Umpire 22/11/2017	MUNI	132.00
EFT26510	24/11/2017	Australia Post	Monthly Invoice -Mail And Postage. Includes Cats & Dogs Renewals	MUNI	3,104.88
EFT26511	24/11/2017	B & B Street Sweeping Pty Ltd	Sweep Martin Pelusey Rd	MUNI	429.00
EFT26512	24/11/2017	Belinda Lowe	ERC Netball Umpire 21/11/2017	MUNI	132.00
EFT26513	24/11/2017	Bodhi Alliance Pty Ltd	Lump Sum - Producing Dardanup Town Site Community Facilities Plan	MUNI	8,800.00
EFT26514	24/11/2017	Boyles Plumbing And Gas	Install 2 Drinking Fountains At The Glen Huon Playground	MUNI	2,012.34
EFT26515	24/11/2017	Brandicoot	Use Of Web Services, Newsletter Subscription, Facebook And Twitter	MUNI	99.00
EFT26516	24/11/2017	Bunbury Harvey Regional Council	Organics Disposal, Green Waste Collection, Regional Waste Education Program	MUNI	4,740.77
EFT26517	24/11/2017	Bunbury Machinery	Hire Of Pencil Vibe For Culvert Works On Depiazzi Road.	MUNI	299.29
EFT26518	24/11/2017	Bunbury Subaru	DA1314 - 12,500km Service.	MUNI	311.74
EFT26519	24/11/2017	Bunnings Group Limited	Depot Items	MUNI	231.62
EFT26520	24/11/2017	CFM - Myzone	10 X MZ3 Belts, 10 X Spare Straps	MUNI	1,058.81
EFT26521	24/11/2017	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	5,714.36
EFT26522	24/11/2017	Courier Australia	Postage And Freight	MUNI	40.72
EFT26523	24/11/2017	Dardanup Rural Supplies	Survey Pegs.	MUNI	292.50
EFT26524	24/11/2017	Desley Wilson	ERC Netball Umpire 21/11/2017	MUNI	88.00
EFT26525	24/11/2017	Donna Bastow	ERC Basketball Umpire 22/11/2017	MUNI	154.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26526	24/11/2017	Dunsborough Concrete	Concrete For The Glen Huon Playground	MUNI	43,980.20
EFT26527	24/11/2017	David Lovett	Reimbursement For The Purchase Of Clothing To Be Worn As Uniform	MUNI	119.00
EFT26528	24/11/2017	David Mort	Reimbursement For The Purchase Of Clothing To Be Worn As Uniform	MUNI	349.75
EFT26529	24/11/2017	Eaton Home Hardware & Garden	ERC - Driver Kit And Screw Extractor	MUNI	35.36
EFT26530	24/11/2017	Eaton Pet Vet	Vet Fees	MUNI	125.00
EFT26531	24/11/2017	Evelyn Butchart	Catering For Prosecution Workshop - 2 Days	MUNI	824.00
EFT26532	24/11/2017	Fulton Hogan Industries WA	Rural Road Maintenance	MUNI	590.97
EFT26533	24/11/2017	Go Electrical Contracting	ERC - Modify Electrical Supplies In Comms Cupboard	MUNI	247.50
EFT26534	24/11/2017	Heatleys	Safety Work Wear	MUNI	338.25
EFT26535	24/11/2017	Holcim Australia Pty Ltd	8 Cubes Of Sand For Depiazzi Culverts.	MUNI	4,617.80
EFT26536	24/11/2017	Jason Signmakers	2 Bus Signs For Bus Route On Joshua Creek Rd.	MUNI	168.74
EFT26537	24/11/2017	Justine Eichner	ERC Basketball Umpire 22/11/2017	MUNI	154.00
EFT26538	24/11/2017	Kai Sherriff	Refund Of Teen Fit Pass. Cancelled Due To Medical Reasons	MUNI	68.00
EFT26539	24/11/2017	Kaitlyn O'Dea	ERC Netball Umpire 20/11/2017	MUNI	45.00
EFT26540	24/11/2017	Karyn Rowe	ERC Netball Umpire 20/11/2017	MUNI	157.50
EFT26541	24/11/2017	Kelly Pardoe	ERC Netball Umpire 21/11/2017	MUNI	45.00
EFT26542	24/11/2017	Kenny Pomare	ERC Basketball Umpire 22/11/2017	MUNI	88.00
EFT26543	24/11/2017	Kings Tree Care	Power Line Clearance Pruning Trees Western Power - B8918	MUNI	5,170.00
EFT26544	24/11/2017	Lauren Vincent	ERC Basketball Umpire 22/11/2017	MUNI	44.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26545	24/11/2017	Le Chariot De Cafe	Coffee Van For Eaton Administration - Monday 20 November 2017	MUNI	186.00
EFT26546	24/11/2017	Lonsdale Party Hire	Event Equipment Hire 03/11/2017	MUNI	434.36
EFT26547	24/11/2017	Malatesta Road Paving And Hotmix	Road Maintenance	MUNI	320.00
EFT26548	24/11/2017	Marketforce	Senior ETO - Design Advertising October 2017	MUNI	526.53
EFT26549	24/11/2017	Mckayhla Pomare	ERC Basketball Umpire 22/11/2017	MUNI	88.00
EFT26550	24/11/2017	Murray Halden	Reimbursement For Prescription Safety Glasses	MUNI	100.00
EFT26551	24/11/2017	Nayax	Monthly Service For ERC Vending Machine	MUNI	17.89
EFT26552	24/11/2017	Nicola Tyrrell	Yoga Instructor At Eaton Recreation Centre	MUNI	110.00
EFT26553	24/11/2017	Nuturf	Supply Lak Pak Water Quality Improvement Product	MUNI	1,683.00
EFT26554	24/11/2017	PFI Cleaning Supplies	Cleaning Products	MUNI	517.90
EFT26555	24/11/2017	Playfix WA Pty Ltd	Supply And Install Rubber Softball To The Glen Huon Playground	MUNI	8,454.60
EFT26556	24/11/2017	Prime Supplies	Welding Rods 3.2mm	MUNI	244.80
EFT26557	24/11/2017	Promote You	Embroidery On Uniform	MUNI	77.00
EFT26558	24/11/2017	Raelene Tedd	ERC Netball Umpire 21/11/2017	MUNI	67.50
EFT26559	24/11/2017	Ryan Baker	ERC Basketball Umpire 22/11/2017	MUNI	110.00
EFT26560	24/11/2017	Shire Of Harvey	Share Of Build Of Bridge 5370 Over The Collie River	MUNI	2,521,230.00
EFT26561	24/11/2017	Suez Recycling And Recovery	Kerbside Recycling Processing For October 2017	MUNI	3,616.60
EFT26562	24/11/2017	Synergy	Electricity Accounts	MUNI	58.70
EFT26563	24/11/2017	Stratagreen	Chain Lock Rubber Tree Tie 25mm X 25mm	MUNI	375.38

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26564	24/11/2017	Taylor Bello	ERC Basketball Umpire 22/11/2017	MUNI	110.00
EFT26565	24/11/2017	Telstra	Telephone Accounts	MUNI	5,496.60
EFT26566	24/11/2017	Terau Aroha Tamatea	ERC Netball Umpire 21/11/2017	MUNI	132.00
EFT26567	24/11/2017	Tint City	Wall Graphic For Group Fitness Room (Behind Stage)	MUNI	915.00
EFT26568	24/11/2017	Totally Workwear	Adam Herbert Shirts	MUNI	465.30
EFT26569	24/11/2017	Tyrepower Bunbury	2 X New Cooper Lt265/75r16 Stmaxx (As Quoted 101324)	MUNI	768.00
EFT26570	24/11/2017	Teresa Morley	Reimbursement For The Purchase Of Clothing To Be Worn As Uniform	MUNI	138.99
EFT26571	24/11/2017	True Track Truck Aligning	Wheel Alignment 1byc846 West Dardanup (As Quoted 855)	MUNI	180.00
EFT26572	24/11/2017	Veolia Environmental Serv (Aust) Pty Ltd	Emergency Pit Cleaning. Caravan Park Extension Using SOD Infrast	MUNI	1,520.20
EFT26573	24/11/2017	Water Corporation	Water Accounts	MUNI	7,387.01
EFT26574	24/11/2017	West Coast Timbers Pty Ltd	Jarrah Stakes 2100 X 50 X 50	MUNI	550.00
EFT26575	24/11/2017	Winc Australia Pty Ltd	Stationery	MUNI	678.03
EFT26576	24/11/2017	Zoodata	Zoodata Annual Licence For Inspect System 5 Users	MUNI	1,856.25
EFT26577	01/12/2017	1st Leschenault Scouts	Kidsport Recoup - Moyle	TRUST	125.00
EFT26578	01/12/2017	Bunbury Basketball Association	Kidsport Recoup - Ynema	TRUST	220.00
EFT26579	01/12/2017	Alex Carter-Raftos	ERC Basketball Umpire 29/11/2017	MUNI	132.00
EFT26580	01/12/2017	Alleasing	Lease Of Dell And Nutanix Servers	MUNI	27,480.72
EFT26581	01/12/2017	Amity Signs	Supply/Install No Through Rd Sign Crn Illawarra Dr - Edith Cowan Av	MUNI	97.90
EFT26582	01/12/2017	Arboreal Tree Care Pty Ltd	Remove Fallen Banksia At Rear Of Property 10 Dove Court	MUNI	2,310.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26583	01/12/2017	Ausmic Environmental Industries	Pest Control For Ferguson Bushfire Brigade As Quoted	MUNI	165.00
EFT26584	01/12/2017	Australian Tax Office	PAYG Pay Run 01/12/2017	MUNI	62,944.00
EFT26585	01/12/2017	AXIO Maintenance And Construction	Ferguson Hall - Repair Damaged Ceiling In Men's Toilets	MUNI	332.37
EFT26586	01/12/2017	Belinda Lowe	ERC Netball Umpire 27/11/2017	MUNI	132.00
EFT26587	01/12/2017	Big W	Library Book Stock	MUNI	177.00
EFT26588	01/12/2017	Boyles Plumbing And Gas	Replace Hot Water System - Dardanup Child Care Centre	MUNI	2,345.33
EFT26589	01/12/2017	Brownes Foods Operations Pty Ltd	ERC - Cafe/Resale Stock	MUNI	419.26
EFT26590	01/12/2017	Bunbury And Districts Softball Association	Supply And Lay Two Concrete Paths Behind The Back Of The Nets	MUNI	7,433.45
EFT26591	01/12/2017	Bunbury Bearings	Trailer 7wn233 - Repairs.	MUNI	391.60
EFT26592	01/12/2017	Bunbury Coffee Machines	ERC- Cafe Stock	MUNI	334.00
EFT26593	01/12/2017	Bunbury Holden	60,000km Service Da 955	MUNI	378.82
EFT26594	01/12/2017	Bunbury Machinery	Pump Parts	MUNI	1,000.00
EFT26595	01/12/2017	Butler Settineri Pty Ltd	Glen Huon Reserve Project Grant Acquittal Assistance	MUNI	880.00
EFT26596	01/12/2017	Carmel Sutton	Clay Christmas Decorations - 16/11	MUNI	200.00
EFT26597	01/12/2017	CB Traffic Solutions	Traffic Control For Patching Works On Pile Rd.	MUNI	855.25
EFT26598	01/12/2017	Child Support Agency	Payroll Deductions	MUNI	66.62
EFT26599	01/12/2017	Christy Valli	Mosaics Workshop - Seniors Celebration Day	MUNI	250.00
EFT26600	01/12/2017	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection	MUNI	6,437.37
EFT26601	01/12/2017	Courier Australia	Postage And Freight	MUNI	48.29

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26602	01/12/2017	Craven Foods	ERC - Cafe/Resale Stock	MUNI	528.79
EFT26603	01/12/2017	Cross Security Services	ERC - Replace Damaged Security Detector In Zone 38	MUNI	234.85
EFT26604	01/12/2017	CWA River Valley Belles	2017/2018 Grant - CWA Hall Refurbishment	MUNI	5,500.00
EFT26605	01/12/2017	Dapco Tyre And Auto Centre	4 By 225/55 R17 Tyres - Supplied And Fitted. 1 By Wheel Alignment	MUNI	690.00
EFT26606	01/12/2017	Dardanup Garage & Service Station	Annual Serv -Joshua Crooked Brook 07 Toyota Land Cruiser (DA8569)	MUNI	627.95
EFT26607	01/12/2017	Dardanup General Store	General Goods Purchased 25/10/2017 - 24/11/2017	MUNI	12.75
EFT26608	01/12/2017	Data #3 Limited	Microsoft Office Prof Plus - Licence & Software Assurance - 1 PC -	MUNI	1,615.05
EFT26609	01/12/2017	Desley Wilson	ERC Netball Umpire 28/11/2017	MUNI	132.00
EFT26610	01/12/2017	DFES	2017/18 ESL 2nd Quarter Contribution	MUNI	177,951.49
EFT26611	01/12/2017	Donna Bastow	ERC Basketball Umpire 29/11/2017	MUNI	154.00
EFT26612	01/12/2017	Dunsborough Concrete	Concrete For The Glen Huon Playground - Variation	MUNI	4,587.00
EFT26613	01/12/2017	DX Print Group Pty Ltd	Dog Registration Books X10	MUNI	553.30
EFT26614	01/12/2017	Eaton Community Pharmacy	ERC - Cafe/Resale Stock	MUNI	434.60
EFT26615	01/12/2017	Eaton Home Hardware & Garden	ERC - Crèche Items For Garden	MUNI	70.07
EFT26616	01/12/2017	Eaton Junior Cricket Club	2017/2018 Grant - Purchase Of Cricket Equipment	MUNI	998.00
EFT26617	01/12/2017	Evelyn Butchart	Catering For Council Meeting 22/11/2017	MUNI	490.00
EFT26618	01/12/2017	Ferguson Valley Marketing & Promotions Inc	2017 - 2018 Allocated Funding As Per Budget.	MUNI	20,000.00
EFT26619	01/12/2017	Fuji Xerox Australia Pty Ltd	Photocopier Lease Agreement -September For Multiple Machines	MUNI	10,750.30
EFT26620	01/12/2017	G Cubed	Warhammer - November	MUNI	174.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26621	01/12/2017	Gavern House	Refund Of Development Appl Fee - Planning Advised No Requirement.	MUNI	147.00
EFT26622	01/12/2017	GHD Pty Ltd	Banksia Rd Landfill - Groundwater Monitoring Sep/Oct 2017	MUNI	8,372.93
EFT26623	01/12/2017	Harvey Norman	37-65 Inch TV Mount	MUNI	240.00
EFT26624	01/12/2017	Health Insurance Fund Of WA	Payroll Deductions	MUNI	333.45
EFT26625	01/12/2017	Hearth House Bunbury	ERC - Air Conditioning Annual Service	MUNI	159.00
EFT26626	01/12/2017	Hyatt Regency Perth	Accom 20/10/17-L Botica For Reg Achievement & Community Awards	MUNI	215.00
EFT26627	01/12/2017	Isabel Cody	Reimb Accom, Meals And Parking While In Perth 27/11 And 28/11	MUNI	354.06
EFT26628	01/12/2017	JCW Electrical Pty Ltd	Repairs To Cygnet Court Park Lights	MUNI	2,563.00
EFT26629	01/12/2017	Jim's Test And Tag	Test And Tag November 2017	MUNI	2,653.40
EFT26630	01/12/2017	Justine Eichner	ERC Basketball Umpire 29/11/2017	MUNI	132.00
EFT26631	01/12/2017	Karyn Rowe	ERC Netball Umpire 28/11/2017	MUNI	180.00
EFT26632	01/12/2017	Kell's Bobcat & Truck Hire	Golding/Kerr - Slashing.	MUNI	1,962.00
EFT26633	01/12/2017	Kenny Pomare	ERC Umpire	MUNI	88.00
EFT26634	01/12/2017	Kings Tree Care	Remove Fire Affected Marri To Stump Level, Remove Waste	MUNI	9,842.00
EFT26635	01/12/2017	Kingsteel	Reserve Access Gates Eaton Foreshore Car Park	MUNI	3,526.60
EFT26636	01/12/2017	Kmart	ERC - VC Items	MUNI	201.50
EFT26637	01/12/2017	Lisa Maree Brosnan	Rates Refund For A9919 39 Castlereagh Vista Millbridge WA 6232	MUNI	555.94
EFT26638	01/12/2017	Lonsdale Party Hire	Dardanup Dance Inc- Chair Hire- Christmas Dance Festival	MUNI	215.88
EFT26639	01/12/2017	Madeline Black	ERC Netball Umpire 28/11/2017	MUNI	67.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26640	01/12/2017	Malatesta Road Paving And Hotmix	Supply And Install Depiazzi Road Spray Seal.	MUNI	25,227.21
EFT26641	01/12/2017	Matthew Wilson	ERC Basketball Umpire 29/11/2017	MUNI	88.00
EFT26642	01/12/2017	Mckayhla Pomare	ERC Basketball Umpire 29/11/2017	MUNI	22.00
EFT26643	01/12/2017	Nites Electrical	Trenching And Conduit Installation Existing Pit To New BBQ Positions	MUNI	1,066.71
EFT26644	01/12/2017	Officeworks Superstores Pty Ltd	ERC - Replacement Office Chair	MUNI	119.00
EFT26645	01/12/2017	P E Civil	Pine Bark Mulch	MUNI	10,383.45
EFT26646	01/12/2017	Pete Lewis	Live Music - 24/11	MUNI	70.00
EFT26647	01/12/2017	Peter Stampoultzis	Reimbursement For Power Adapter Cable	MUNI	19.88
EFT26648	01/12/2017	PFD Food Services Pty Ltd	ERC - Cafe/Resale Stock	MUNI	400.85
EFT26649	01/12/2017	PFI Cleaning Supplies	Cob Web Broom	MUNI	114.40
EFT26650	01/12/2017	Plan-It Consulting	Recovery Exercise - Consultant Fees - 21 July - 13 November 2017	MUNI	2,550.00
EFT26651	01/12/2017	Promote You	Polo Tops Including Embroidery	MUNI	423.50
EFT26652	01/12/2017	Rose And Crown Hotel	Food/Accom 13-11-17 To 17-11-17 - H James - Law Enforcement A	MUNI	821.50
EFT26653	01/12/2017	Russell Sheridan	Restoration Of Fergus, As Per Quotation Dated 13/09/2017.	MUNI	3,450.00
EFT26654	01/12/2017	Ryan Baker	ERC Basketball Umpire 29/11/2017	MUNI	110.00
EFT26655	01/12/2017	Schweppes Australia Pty Ltd	ERC - Cafe/Resale Stock	MUNI	433.59
EFT26656	01/12/2017	Shire Of Capel	Contribution Fee Reconciliation Action Plan. Consultants - ECU SW.	MUNI	5,500.00
EFT26657	01/12/2017	Simient Pty Ltd	Lanteria - Services To Configure Hr System	MUNI	3,898.13
EFT26658	01/12/2017	Site Safe Temporary Fencing South West	Eaton Drive Extension - Hire Of Temporary	MUNI	1,823.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26659	01/12/2017	Solutions It	Thunderbolt 2 Dock S/N Tr43e2ax0086	MUNI	398.00
EFT26660	01/12/2017	South West Septics	Empty Grease Trap At Eaton Recreation Centre 17/11/2017	MUNI	176.00
EFT26661	01/12/2017	Southern Lock And Security	6x #9 Padlocks	MUNI	523.80
EFT26662	01/12/2017	St John Ambulance Western Australia Ltd	First Aid Post- Spring Out Festival 2017	MUNI	201.30
EFT26663	01/12/2017	Synergy	Electricity Accounts	MUNI	11,230.10
EFT26664	01/12/2017	T & V Fencing	Repair Damaged Wire Fence - Peppermint Way	MUNI	247.50
EFT26665	01/12/2017	Taylor Bello	ERC Basketball Umpire 29/11/2017	MUNI	132.00
EFT26666	01/12/2017	Telstra	Telephone Accounts	MUNI	2,173.11
EFT26667	01/12/2017	Terau Aroha Tamatea	ERC Netball Umpire 27/11/2017	MUNI	66.00
EFT26668	01/12/2017	The Workwear Group	Supply Of Staff Uniform	MUNI	736.04
EFT26669	01/12/2017	Therese Price	ERC Netball Umpire 28/11/2017	MUNI	67.50
EFT26670	01/12/2017	Total Eden Pty Ltd	Retic Repairs And Maintenance	MUNI	6,760.66
EFT26671	01/12/2017	Totally Workwear	Pair Protective Pants With Amendments - Jan Cahill	MUNI	100.10
EFT26672	01/12/2017	Tracey Tupaea	ERC Netball Umpire 28/11/2017	MUNI	66.00
EFT26673	01/12/2017	Traffic Force	Update Generic TMP For Controlled Burns,	MUNI	718.08
EFT26674	01/12/2017	Tyrepower Bunbury	Repair Leaking Tyre.	MUNI	218.00
EFT26675	01/12/2017	Vogue Furniture	Office Furniture	MUNI	1,138.00
EFT26676	01/12/2017	Water Corporation	Water Accounts	MUNI	1,016.04
EFT26677	01/12/2017	Westbooks	Book Stock Eaton Library	MUNI	193.87

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT26678	01/12/2017	Winc Australia Pty Ltd	Stationery	MUNI	139.41
EFT26679	01/12/2017	Woolworths Ltd	Stock For Staff Kitchen. Items For Meetings	MUNI	602.28
DD13198.1	13/11/2017	The Environmental Collective	1 x Bright Dye Flt Yellow/Green Tablets 200	MUNI	370.00
DD13212.1	17/11/2017	WA Super	Superannuation Contributions	MUNI	36,643.57
DD13212.2	17/11/2017	IOOF Portfolio Service Super Fund	Superannuation Contributions	MUNI	152.00
DD13212.3	17/11/2017	MLC Super Fund	Superannuation Contributions	MUNI	225.10
DD13212.4	17/11/2017	Rest Superannuation	Superannuation Contributions	MUNI	262.49
DD13212.5	17/11/2017	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	252.10
DD13212.6	17/11/2017	Australiansuper	Superannuation Contributions	MUNI	943.39
DD13212.7	17/11/2017	Burton Superannuation Fund	Superannuation Contributions	MUNI	270.11
DD13212.8	17/11/2017	ANZ Smart Choice Super	Superannuation Contributions	MUNI	158.11
DD13212.9	17/11/2017	Media Super	Superannuation Contributions	MUNI	244.52
DD13212.10	17/11/2017	Construction & Building Industry Super	Superannuation Contributions	MUNI	333.79
DD13212.11	17/11/2017	Hostplus	Superannuation Contributions	MUNI	272.01
DD13232.1	01/12/2017	WA Super	Superannuation Contributions	MUNI	36,455.16
DD13232.2	01/12/2017	MLC Super Fund	Superannuation Contributions	MUNI	324.42
DD13232.3	01/12/2017	IOOF Portfolio Service SuperFund	Superannuation Contributions	MUNI	153.18
DD13232.4	01/12/2017	Rest Superannuation	Superannuation Contributions	MUNI	177.16
DD13232.5	01/12/2017	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	242.40

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD13232.6	01/12/2017	Australiansuper	Superannuation Contributions	MUNI	917.46
DD13232.7	01/12/2017	Burton Superannuation Fund	Superannuation Contributions	MUNI	265.61
DD13232.8	01/12/2017	ANZ Smart Choice Super (Superannuation Contributions	MUNI	158.11
DD13232.9	01/12/2017	Media Super	Superannuation Contributions	MUNI	244.52
DD13232.10	01/12/2017	Construction & Building Industry Super	Superannuation Contributions	MUNI	333.79
DD13232.11	01/12/2017	Hostplus	Superannuation Contributions	MUNI	272.01
DD13241.1	01/12/2017	WA Super	Superannuation Contributions	MUNI	296.18
DD13220.1	22/11/2017	Camera House	Cr Card Purchase Of Gift - P Freeman - Drone Photographer	MUNI	750.00
DD13220.2	22/11/2017	Dapulse	Cr Card Purchase Of Ext Dapulse & Work Mang Software 10 Licences	MUNI	2,528.61
DD13220.3	22/11/2017	Facebook Ireland Limited	Cr Card Purchase Of Campaign - RPM Virtual Cycling 28/29 Oct	MUNI	22.93
DD13220.4	22/11/2017	Mailchimp	Cr Card Subscription To Mailchimp E-Newsletter	MUNI	102.16
DD13220.5	23/11/2017	Facebook Ireland Limited	Cr Card Facebook Post Promotion- Celebrating Seniors Day 2017	MUNI	82.40
DD13224.1	24/11/2017	linet Ltd	Monthly Charge For NBN Wireless 4 Service	MUNI	546.88

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
<u>REPORT TOTALS</u>			<i>CERTIFICATE OF Chief Executive Officer</i>		3,399,553.15
EFT	26394 - 26679				3,315,552.98
Payroll					79,597.19
Credit Card					3,486.10
International					370.00
BPAY					546.88
TOTAL					3,399,553.15

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



MR MARK L CHESTER
Chief Executive Officer

CARRIED
9/0

12.11 Local Emergency Management Committee Meeting Minutes Held 16/11/17

MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON THURSDAY 16 NOVEMBER 2017, AT SHIRE OF DARDANUP EATON ADMINISTRATION BUILDING, COMMENCING AT 10.00AM.

Officer Comment

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

326-17 MOVED - Cr P Perks SECONDED - Cr. P S Robinson

THAT Council receives the minutes of the Local Emergency Management Committee meeting held 16 November 2017.

CARRIED
9/0

LOCAL EMERGENCY MANAGEMENT COMMITTEE RECOMMENDED RESOLUTION

327-17 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council endorses the 2017-2018 LEMC Annual Business Plan (Appendix ORD: 12.11B).

CARRIED
9/0

12.12 Burekup Townscape Committee Meeting Minutes Held 4/12/17

MINUTES OF THE BUREKUP TOWNSCAPE COMMITTEE MEETING HELD ON MONDAY 4 DECEMBER 2017, AT BUREKUP HALL, BUREKUP COMMENCING AT 3.00PM.

Officer Comment

The minutes of the Burekup Townscape Committee meeting are attached (Appendix ORD: 12.12).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

328-17 MOVED - Cr. J Dow SECONDED - Cr P Perks

THAT Council receives the minutes of the Burekup Townscape Committee meeting held 4 December 2017.

CARRIED
9/0

The adoption of the Annual Report by Council allows for the holding of the Annual Electors Meeting which is proposed for Wednesday 24 January 2018, commencing at 6.00pm in the Eaton Council Chambers, following the completion of the monthly 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 (13 December 2017), 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 24 January 2018.

Strategic Community Plan - None.

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 were completed on 8 December 2017. Both reports were provided to the Audit Committee at its meeting on 13 December 2017, where the Committee reviewed the recommendations to Council.

Council's Auditors have issued an unqualified Audit Report (Appendix ORD: 12.14B). The Audit Report is also shown on page 3 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 carry forward funds at 30 June 2017 are \$435,254. This was compared against the forecast budgeted carry forward funds in the 2016/17 budget of \$247,410. This \$187,844 favourable variance will be included in the mid-year budget review for consideration.

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.

I also wish to acknowledge and thank;

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

Council is requested to consider and accept the Annual Report for the 2016/17 financial year and endorse the holding of the Annual Electors meeting on Wednesday, 24 January 2018, at Eaton Administration Centre after the monthly Council meeting.

Council Role - Executive.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

337-17 MOVED - Cr. T G Gardiner SECONDED - Cr. C N Boyce

THAT Council:

1. **Receive and adopt the Shire of Dardanup 2016/17 Annual Report (Appendix ORD: 12.14A) incorporating the audited Annual Financial Statements for the financial year ended 30 June 2017, and**
2. **Endorse the holding of the Annual Electors Meeting at the Administration Centre, Eaton on the 24 January 2018 commencing at 6:00 pm.**

CARRIED
9/0

By Absolute Majority

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
--

13.1 Title: McCaughan Park Barbeque – Railway Reserve Burekup

Reporting Department: Elected Member

Reporting Officer: Cr J Dow

Legislation: Local Government Act

Background -

Cr Dow is requesting Council to consider replacing a non-operational barbecue at McCaughan Park in Burekup and for the new barbecue to be operational by Christmas 2017.

Further comments from Cr Dow from an email to Governance staff:

“Following up on the reply about the BBQ I have asked a few of the older residents their thoughts on replacing the BBQ instead of being repaired due to the fact there is a plaque on the BBQ.

There appears to be no problems replacing it and as the locals have waited 5 years for the BBQ to be fixed I would like to see it replaced as soon as possible, to ask them to keep waiting until next financial year when they see the other developments around the shire happening and nothing changing in Burekup is hard for me to explain to the residents.

I would like to request that the money be found to install the new BBQ with a replacement small plaque and if authority to get the funds is needed please put it on the agenda for the next council meeting for approval so the BBQ can be installed before Xmas.”

The matter is presented for consideration by Council.

Legal Implications -

If the barbecue were replaced in the 2017-2018 it would be unbudgeted expenditure. 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.

Strategic Community Plan - None.

Environment - None.

Precedents

Changes and additions to the budget are a common occurrence.

Budget Implications -

Shire staff have sourced quotations for the supply and delivery of a single cabinet barbecue. Prices ranges from \$4,788 to \$5,788 excluding GST. At the time of drafting this report, a quotation for the decommissioning and disposal of the existing barbecue, as well as installation and commissioning of a new barbecue, have not been received. It is estimated that it would cost in the vicinity of \$5,000 for this. It is therefore suggested that a total budget of \$10,000 be allocated to the new barbecue.

There is no budget allocation for this capital item in the 2017-2018 budget.

Budget – Whole of Life Cost -

The barbecue forms part of the Shire's asset register. It features in the Shire's forward plans for replacement.

Council Policy Compliance - None.

Risk Assessment - Low.

It is suggested that a sufficient budget allocation be provided.

Director Engineering & Development Services Comment -

This barbecue has been out of service for some five years now due to it being a gas cylinder fuelled barbecue. The Shire does not support gas barbecues anymore and all new installations are electric.

Although tagged out for some time now, the need for immediate replacement of the barbecue was not reported to the Shire's Assets team. As a result, the replacement of the barbecue was still included in the Shire's asset register but to be replaced at the end of its life as a currently operational barbecue. Recent changes to the structure of the Assets team as well as the proposed new position of Asset Inspector in 2018-2019 (subject to budget approval) will reduce the risk of such occurrences.

The requested timeframe (by Christmas) for the barbecue is extremely ambitious and cannot be achieved. It must be noted that if the barbecue replacement is approved by Council for immediately replacement, staff will effectively have seven working days to complete the purchase, supply and installation of the barbecue, as well as seek approval for the works from Public Transport Authority of WA (PTAWA) It should be noted that the Shire leases railway land for community use and therefore is required to seek authorisation from the lessor under the lease agreement. Due to the Christmas and New Year period it is suggested that a more realistic timeframe would be by the end of January 2018.

However, it is further suggested that consideration on the matter could be deferred to the mid-year budget review, at which time the project can be assessed and considered against the projected financial position of the budget.

It should be noted that the Burekup Townscape Committee discussed the general upgrade of amenities in Burekup. The Committee recommended that Council consider preparing a community facilities plan (master plan) similar to what is currently being developed for the Dardanup community. Under such a process, the community infrastructure service levels would be explored as well as the best

locations for facilities. Replacing the barbecue at its current location ahead of the plan could put the new barbecue at risk of possibly not being situated in the optimum location.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

COUNCILLOR RECOMMENDATION – OPTION “A”

THAT Council: -

1. Approve the purchase of the barbecue for Burekup as soon as the Burekup Townscape Committee has approved the location for the installation and the recommendation from the Committee is approved by Council.
2. Acknowledge that the purchase is unbudgeted expenditure.

OR

OFFICER RECOMMENDED RESOLUTION “B”

THAT Council refers the consideration for the replacement of the barbecue at McCaughan Park to the development of the Burekup Community Facilities Plan.

OR

OFFICER RECOMMENDED RESOLUTION “C”

THAT Council refers the consideration for the replacement of the barbecue at McCaughan Park to the Mid-Year Budget review.

Change to Officer Recommendation

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

To ensure that the barbecue is purchased in a timely manner as requested by the Burekup Townscape Committee and Community.

COUNCILLOR RECOMMENDATION – OPTION “A” & COUNCIL RESOLUTION

338-17 MOVED - Cr. J Dow SECONDED - Cr. T G Gardiner

THAT Council: -

1. **Approve the purchase of the barbecue for Burekup as soon as the Burekup Townscape Committee has approved the location for the installation and the recommendation from the Committee is approved by Council.**

2. Acknowledge that the purchase is unbudgeted expenditure.

CARRIED
9/0
By Absolute Majority

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

None.

15 PUBLIC QUESTION TIME

None

16 MATTERS BEHIND CLOSED DOORS

It is recommended that the following item be heard behind closed doors.

Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 (2) - Matters for Which Meeting May be Closed.

Standing Order and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

- S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public-*
- (a) all Council meetings; and*
 - (b) all meetings of any committee to which a local government power or duty has been delegated.*
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -*
- (a) a matter affecting an employee or employees;*
 - (b) the personal affairs of any person;*
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal -*
- (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government;
- (f) *a matter that if disclosed, could be reasonably expected to -*
- (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

339-17 MOVED - Cr. P S Robinson SECONDED - Cr. J Lee

THAT in accordance with the Local Government Act 1995, S 5.23 the Council go Behind Closed Doors [5.43pm] to discuss a matter that has a commercial value to a person.

CARRIED
9/0

Note: Manager Financial Services, Mrs Natalie Hopkins and Manager Community Services, Ms Lee Holben left the meeting [5.43pm].

Note: Manager Governance & HR, Mrs Cathy Lee left the room [5.45pm].

16.1 *Title: Administration and Library Project*

Reporting Department: Engineering & Development Services

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

Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

Note: In accordance with the Local Government Act 1995 5.23 (2) this report is not available to the public. The Shire President tables the confidential report on this matter and provides copies to each elected member. The report will be located in the Records Management System of the Council.

Note: Manager Governance & HR, Mrs Cathy Lee returned to the room [6.21pm].

Change to Officer Recommendation

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

To defer making a decision on the matter of the Administration and Library Project to give councillors more time to consider the information presented.

FORESHADOWED MOTION & COUNCIL RESOLUTION

340-17 MOVED - Cr. C N Boyce SECONDED - Cr. J Dow

THAT Council defer this item to a Special Meeting of Council to be held on Wednesday 24 January 2018, commencing at 9am to discuss the confidential report presented to Council on 13 December 2017.

CARRIED
6/3

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

341-17 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council return from Behind Closed Doors [6.54pm].

CARRIED
9/0

Note: In accordance with Standing Order 5.2(6) the Presiding Officer, does not cause the motion passed by Council whilst behind closed doors to be read out.

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 24 January 2018, 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 6.54pm.


Shire of Dardanup

CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on 24 January 2018, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

DocuSigned by:


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